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Jennifer J Hayden
HAMILTON County Recorder IN
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ORDINANCE NO. 17-2-07

Document Cross Reference No. 2011030001013000

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE, A
PART OF THE COMPREHENSIVE PLAN OF THE CITY OF NOBLESVILLE,
HAMILTON COUNTY, INDIANA**

This is an ordinance to amend Ordinance No. 25-5-00, Hamilton County Instrument No. 200100004501, (the "Highlands at Stoney Creek PD Ordinance") previously approved pursuant to the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the "City's Development Ordinance"), enacted by the City of Noblesville under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended.

WHEREAS, the Plan Commission of the City of Noblesville has conducted a public hearing on Application No. 06N-15-2220 as required by law in regard to the application filed by Patrick and Toni Lima to amend the Highlands at Stoney Creek PD Ordinance and the previously approved Highlands at Stoney Creek preliminary development plan; and,

WHEREAS, the Plan Commission at its February 20, 2007 meeting sent a favorable recommendation to the Noblesville Common Council by a vote of 11 in favor and 0 opposed;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Highlands at Stoney Creek PD Ordinance and the previously approved Highlands at Stoney Creek preliminary development plan are hereby amended as follows:

SECTION 1. The subject real estate, more particularly described as Lot 14, Section 1 of Highlands at Stony Creek (the "Real Estate"), is located generally within "Area A" of the originally approved Highlands at Stoney Creek Planned Development, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana. The Real Estate currently is zoned residential with a planned development overlay.

SECTION 2. The Development Guidelines and Preliminary Development Plan adopted in the Highlands at Stoney Creek PD Ordinance are hereby amended as follows:

- A. The minimum side yard setback between the existing home with garage addition on the Real Estate and the eastern property line of the Real Estate shall be four and four tenths feet (4.4') as illustrated at Exhibit A.
- B. The aggregate side yard between the existing home on the Real Estate and the home on Lot 13, Section 1 of Highlands of Stoney Creek shall be permitted to be less than 15' if the as-built aggregate side yard between the two existing homes is not at least 15' at the time this ordinance is adopted.
- C. Any future additions to the home on the Real Estate shall be setback from the eastern property line of the Real Estate at least nine feet (9').
- D. All provisions and representations of the Highlands at Stoney Creek PD that conflict with the provisions of this ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this ordinance.

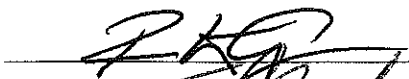
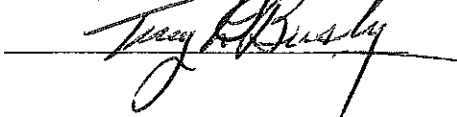
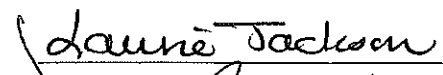
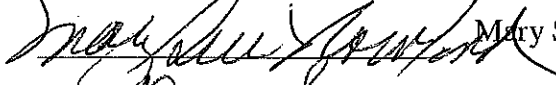


E. All other provisions of the Highlands at Stoney Creek PD shall remain in effect with the adoption of this ordinance.

SECTION 3. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 13th day of March, 2007.


COMMON COUNCIL OF THE CITY OF NOBLESVILLE

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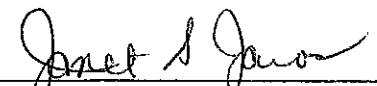
	Brian Ayer	_____
	Terry Busby	_____
_____	Alan Hinds	_____
	Laurie Jackson	_____
	Mary Sue Rowland	_____
	Dale Snelling	_____
	Kathie Stretch	_____

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 13th day of March, 2007.



John Ditslear, Mayor
City of Noblesville, IN

ATTEST:



Janet Jaros, Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Matthew S. Skelton.

This instrument was prepared by Matthew S. Skelton, AICP, Attorney-At-Law, Baker & Daniels, LLP, 970 Logan Street, Noblesville, IN 46060, (317) 569-9600.

