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ORDINANCE NO. 71-10-03

200300118630
Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
11-19-2003 At 03:21 pm.
ORDINANCE 15.00

AN ORDINANCE TO AMEND THE ZONING ORDINANCE, A PART OF THE MASTER PLAN OF THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA.

An Ordinance to amend the Unified Development Ordinance of the City of Noblesville, Hamilton County, Indiana, enacted by the City of Noblesville under authority of Indiana Code 36-7-4 et. seq, Public Law 211 of the Acts of the Indiana General Assembly 1980, as amended.

WHEREAS, the Plan Commission of the City of Noblesville has considered this application under docket number 03N-15-1518 and conducted a public hearing on September 15, 2003 as required by law in regard to the petition for amendment to the Unified Development Ordinance; and,

WHEREAS, the Plan Commission has sent its recommendation to the Common Council in the following manner: *(H.I. "favorable", "unfavorable", or "no opinion")* by a vote of 10 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 Unified Development Ordinance and the Zone Map of said Ordinance are hereby amended as follows:

SECTION 1. That the common location of the subject real estate is as follows: on the east side of and adjacent to State Road 37, within Noblesville Commons Subdivision (located at the northeast corner of the intersections of State Roads 37 and 32); that said real estate, all of which is located in the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana, and said real estate is more particularly described as follows:

Part of the West Half of the Southwest Quarter of Section 32,
Township 19 North, Range 5 East in Hamilton County, Indiana,
being described as follows:

Commencing at the Northeast corner of the West Half of said Southwest Quarter; thence South 00 degrees 04 minutes 44 seconds West (assumed bearing) along the East line thereof a distance of 1932.18 feet to a point 7.00 feet North, measured along said East line, from the North right-of-way line of State Road #38 per I.S.H.C. Plans for Project No. 251 (A) 1931, said point being on a non-tangent curve, the radius point of which bears South 01 degrees 40 minutes 45 seconds West a distance of 5771.58 feet; thence the next 2 courses lying 7.00 feet North of and parallel with said right-of-way line; thence Westerly along said curve an arc distance of 276.32 feet to a point which bears North 01 degrees 03 minutes 49 seconds West from said radius point; thence South 88 degrees 56 minutes 11 seconds West a distance of 274.16 feet to a point on the Northerly right-of-way line of State Road #38 per I.S.H.C. Plans for Project No. 824 (3) 1954; thence North 78 degrees 45 minutes 28 seconds West along said right-of-way line a distance of 110.48 feet to the Easterly right-of-way line of State Road #37 per said Highway Plans (the next 3 courses are along said right-of-way line); thence North 19 degrees 09 minutes 34 seconds West a distance of 176.99 feet; thence North 18 degrees 25 minutes 04 seconds East a distance of 766.40 feet to the Point of Beginning; thence continuing North 18 degrees 25 minutes 04 seconds East a distance of 329.12 feet; thence North 89 degrees 59 minutes 56 seconds East a distance of 215.15 feet; thence South 07 degrees 51 minutes 33 seconds West a distance of 315.22 feet; thence South 89 degrees 59 minutes 56 seconds West a distance of 276.03 feet to the Point of Beginning. Containing 1.76 acres, more or less.

SECTION 2. That the above hereby described real estate is situated within a Planned Business (PB) zone district with a Planned Development (PD) Overlay (known as Noblesville Commons) as designated in said City of Noblesville Unified Development Ordinance.

SECTION 3. That this ordinance will implement exceptions from the requirements of the base zone which exceptions are enumerated as follows:

- a. With regard to the Commercial Bulk Requirements standards as set forth in Table 8.C of the Unified Development Ordinance;

1. the east front yard building line set back will be 60 feet from the east property line (or 30 feet from the “edge of pavement” of Foundation Drive), with encroachment permitted for a patio / deck as per plans submitted;
 2. the side yard green space buffer will be 5 feet along the north property line as per plans submitted;
 3. the building height will be 3 stories with a height of approximately 39.5 feet in accordance with plans submitted.
- b. Landscaping shall be in accordance with the landscape plan (including parking lot and building base landscaping) submitted and attached hereto as Exhibit A. The building base landscape plan includes the total number of trees required by Ordinance Article 12.5.D.3, but provides for some flexibility in spacing so that trees may be grouped or spaced at something other than 1 tree every 30 feet, in order to accommodate the architectural design and the irregular shape of the building base landscape strip;

Section 4. Other elements unique to this site will be as set forth in the site plans, architectural plans, and renderings attached hereto as Exhibits B through C.

That this Ordinance shall be in full force and effect from and after its adoption in accordance with law.

Adopted this 11th day of ~~October~~ ^{November}, 2003, by the Common Council of the City of

Noblesville, Hamilton County, Indiana.

COMMON COUNCIL, CITY OF NOBLESVILLE

AYE

NAY

Terry L. Busby Terry L. Busby
Alan Hinds Alan Hinds
Laurie Hurst Laurie Hurst
Jack Martin Jack Martin
Rex Dillinger Rex Dillinger
Dale Snelling Dale Snelling
Jim Snyder Jim Snyder

APPROVED and signed by the Mayor of the City of Noblesville,
Hamilton County, Indiana, this 11th day of November, 2003.



Dennis R. Redick
Dennis Redick, Mayor, City of
Noblesville, Indiana

ATTEST

Janet S. Jaros
Janet S. Jaros, Clerk-Treasurer
City of Noblesville, Indiana

ALL EXHIBITS ARE ON FILE AND MAY BE VIEWED IN THE CITY OF NOBLESVILLE
CLERK-TREASURER'S OFFICE.



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