

ORDINANCE NO. 23-5-96

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 for the City of Noblesville, Hamilton County, Indiana, 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 as required by law in regard to the application for a change of zone district designation filed by Land Rush Development Services, Inc. for Regency Wyndclyff, LLC; and,

WHEREAS, the Plan Commission has sent a favorable recommendation to the Noblesville Common Council.

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 for said City 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: approximately ninety-one (91) acres located at the northwest corner of Stoney Creek Road and State Road 37, in Noblesville Township; that said real estate, all of which is located in the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana, is hereby rezoned from an PB Classification to a PD Classification, as designated in said City of Noblesville, Indiana Zoning Ordinance, and said real estate is more particularly described as follows:

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Part of the Southeast Quarter of Section 6, Township 18 North, Range 5 East and part of the Northeast Quarter of Section 7, Township 18 North, Range 5 East of the Second Principal Meridian in Hamilton County, Indiana, described as follows:

Commencing at a Harrison Monument at the Northwest corner of said Southeast Quarter Section; thence on an assumed bearing of South 89 degrees 47 minutes 44 seconds East along the North line of said Southeast Quarter Section a distance of 528.00 feet; thence South 00 degrees 23 minutes 43 seconds West parallel with the West line of said Southeast Quarter Section a distance of 783.76 feet; thence South 89 degrees 40 minutes 37 seconds East a distance of 203.79 feet to the Northeast corner of Lakecrest Addition, the plat of which is recorded in Plat Book 2, Page 187 in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 24 minutes 21 seconds West along the East line of said Lakecrest Addition a distance of 10.24 feet to a 5/8 inch rebar with cap marked "Schneider Eng Firm #0001" (hereinafter referred to as "rebar") at the Point of Beginning; thence South 89 degrees 47 minutes 44 seconds East parallel with the North line of said Southeast Quarter Section a distance of 1080.44 feet to a rebar; thence North 00 degrees 08 minutes 00 seconds East a distance of 474.96 feet to a rebar on the South line of a tract of land described in a Deed to Kraft recorded as Instrument #9111779; thence North 89 degrees 47 minutes 44 seconds West parallel with the North line of said Southeast Quarter Section a distance of 44.51 feet to a rebar at the Southwest corner of said Kraft Tract; thence North 00 degrees 08 minutes 00 seconds East along the West line of said Kraft Tract a distance of 217.71 feet to a rebar at the Northwest corner of said Kraft Tract; thence South to a rebar at the Northwest corner of said Kraft Tract; thence South 59 degrees 28 minutes 28 seconds East along the Northeast line of said Kraft Tract a distance of 431.24 feet to the Southeast corner of said Kraft Tract (0.4 feet Southeast of a 5/8 inch rebar with no cap); thence South 59 degrees 28 minutes 47 seconds East a distance of 599.37 feet to a point on the East line of said Southeast Quarter Section a distance of 622.00 feet South of the Northeast corner of said Southeast Quarter Section; thence South 00 degrees 07 minutes 22 seconds West along said East line a distance of 2025.57 feet to a stone with a cut cross at the Southeast corner of said Southeast Quarter Section; thence South 00 degrees 06 minutes 16 seconds West along the East line of said Northeast Quarter Section a distance of 623.80 feet; thence South 76 degrees 06 minutes 16 seconds West a distance of 301.19 feet to a point on the West right-of-way line of State Road 37 per Indiana State Highway Plans for F-PROJ. NO. 824(1) dated 1954, said point being on a curve having a radius of 9439.30 feet, the radius point of which bears North 82 degrees 33 minutes 52 seconds

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West; thence Northerly along said curve and along said right-of-way line and generally along a right-of-way fence line an arc distance of 449.96 feet to a point which bears South 85 degrees 17 minutes 44 seconds from said radius point; thence North 28 degrees 42 minutes 10 seconds West along said right-of-way and generally along a right-of-way fence line a distance of 137.68 feet; thence North 12 degrees 58 minutes 01 seconds East a distance of 28.73 feet to the Southeasterly extension of the centerline of Stoney Creek Road per said Lakecrest Addition; thence North 77 degrees 01 minutes 59 seconds West along said Southeasterly extension a distance of 1669.17 feet to the Southeast corner of said Lakecrest Addition, which lies 0.4 feet Southeast of a P.K. nail on said centerline; thence North 00 degrees 24 minutes 21 seconds East along the East line of said Lakecrest Addition a distance of 1585.49 feet to the Point of Beginning. Containing 91.490 acres, more or less.

SECTION 2. That the development of the Property shall include outlots, commercial and residential land uses as shown on the Preliminary Planned Development Plan (the "Preliminary Plan"), attached hereto as Exhibit "A". All land uses developed within the Property and their respective development characteristics shall be reviewed by the Noblesville Plan Commission for Detailed Development Plan approval. The land uses and developmental standards for property within the PD district shall be as allowed as set forth in the Unified Development Ordinance for the City of Noblesville, Indiana PB district standards, as amended.

SECTION 3. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 24th day of June, 1996.

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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
Rick B. Moore Rick B. Moore
Dale Snelling Dale Snelling
C. Murphy White C. Murphy White

Alan Hinds

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 24 day of June, 1996.

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

ATTEST:

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

This instrument prepared by Douglas B. Floyd, Attorney at Law, 970 Logan Street, Noblesville, Indiana 46060.

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LAND USE

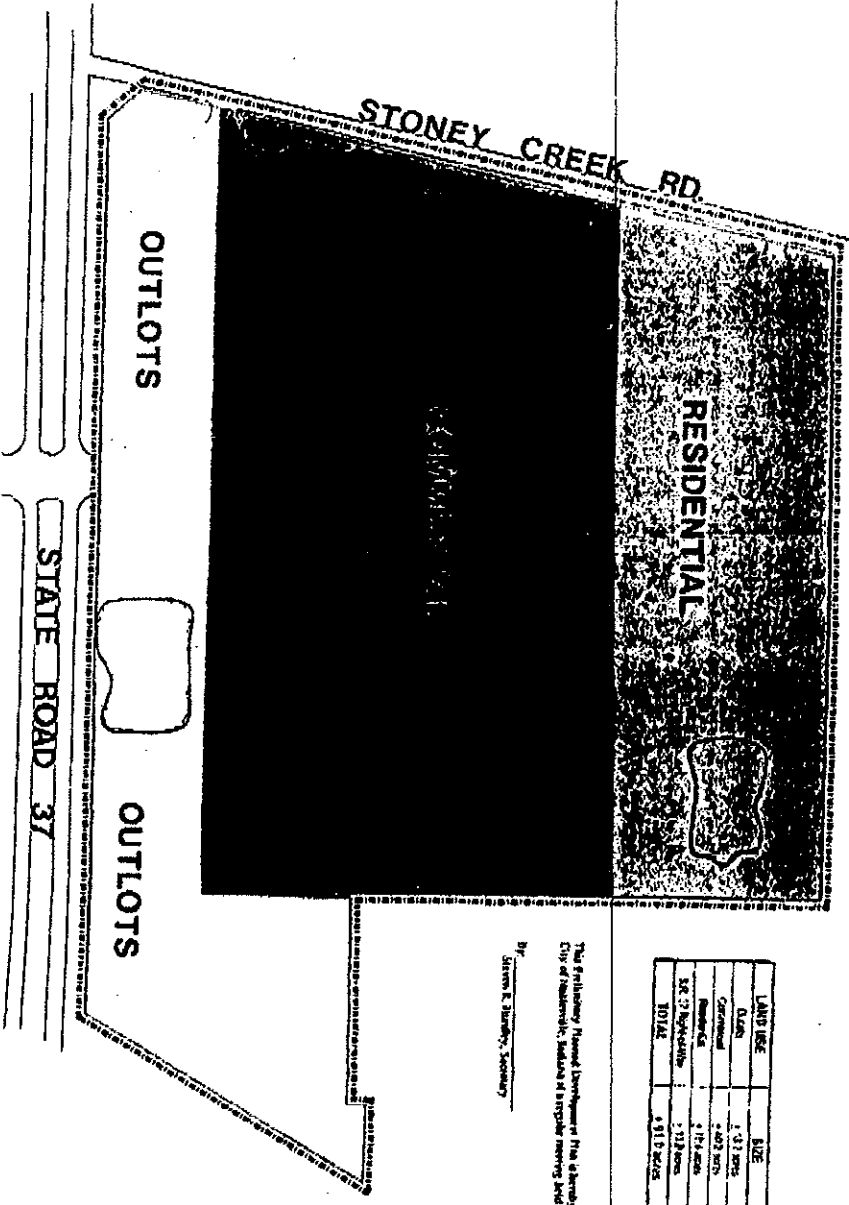


EXHIBIT A

STONEY CREEK

Madison, Indiana

PRELIMINARY PLANNED DEVELOPMENT PLAN



LAND USE	SIZE
Outlot	1.33 acres
Residential	4.07 acres
State Road	1.17 acres
SEC 12 Right-of-Way	2.12 acres
TOTAL	8.69 acres

This Preliminary Planned Development Plan is hereby approved by the Plan Commission of the City of Madison, Indiana at its regular meeting held on the _____ day of _____, 1996.

By: Steven E. Burgett, Secretary

By: Mark Vincent, President

Madison, IN 47001
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10/1/96