

24.00  
①  
2.00  
NONE

200600065695  
Filed for Record in  
HAMILTON COUNTY, INDIANA  
JENNIFER J HAYDEN  
11-01-2006 At 11:04 am.  
ORDINANCE 24.00

ORDINANCE NO. 79-9-06

AS AMENDED

Document Cross Reference No. 9209275

**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 (the "PUD Ordinance") to amend 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 #06J-15-1432 as required by law in regard to the application for a change of zone district designation filed by W and C Development, LLC;

WHEREAS, the Plan Commission at their September 18, 2006 meeting sent its favorable recommendation to the Noblesville Common Council by a vote of 10 ayes and 0 nays;

WHEREAS, the Plan Commission at their October 16, 2006 meeting considered certain clarifications to the PUD Ordinance and then sent its favorable recommendation to the Noblesville Common Council by a vote of 8 ayes and 0 nays;

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 (“UDO”) for said City and the Official Zone Map of said Ordinance are hereby amended as follows:

SECTION 1. The subject real estate (the “Real Estate”), more particularly described in Exhibit A attached hereto, is located generally at the southeast corner of State Road 32 and State Road 38 on the east side of the City of Noblesville, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana. The Real Estate hereby is rezoned to the R2/PD District, subject to this The Hamlets at Stony Creek of Noblesville Planned Development Overlay District (the “District”). The Preliminary Development Plan, attached hereto as Exhibit B, is hereby approved.

SECTION 2. Permitted Uses.

- A. Hamlet Village: Single-family detached dwellings and single-family attached dwellings.
- B. Hamlet Pointe: Single-family detached dwellings and single-family attached dwellings.

SECTION 3. Development Standards.

- A. Hamlet Village:
  - a. Minimum Lot Area: 15,000 square feet per block per building
  - b. Minimum Lot Width at Setback Line: 110 feet per block per building
  - c. Minimum Setbacks:
    - i. Front Yard: 25 feet
    - ii. Side Yard: 40 feet between buildings
    - iii. Rear Yard: 20 feet per building per block
  - d. Maximum Building Height: 35 feet
  - e. Minimum Floor Area: 1,250 square feet per unit

- f. Maximum Floor Area Ratio: 1.0 per block per building

B. Hamlet Pointe:

- a. Minimum Lot Area: 6,708 square feet
- b. Minimum Lot Width at Setback Line: 70 feet
- c. Minimum Setbacks:
  - i. Front Yard: 25 feet
  - ii. Side Yard: 15 feet between buildings
  - iii. Rear Yard: 15 feet
- d. Maximum Building Height: 35 feet
- e. Minimum Floor Area: 1,600 square feet per unit
- f. Maximum Floor Area Ratio: 1.0

SECTION 4. Architectural Standards. The architectural and landscaping standards for Hamlet Village and Hamlet Pointe are attached hereto as Exhibits C and D, respectively. The illustrative elevations are attached hereto as Exhibit E. Any future elevations that meet the minimum architectural guidelines (attached as Exhibits C and D) shall be approved by the Director of Planning and Development. Any future elevations that do not substantially comply with the attached architectural guidelines must be submitted to and approved by the City of Noblesville Architectural Review Board (“ARB”).

SECTION 5. Maximum Density. Hamlet Village and Hamlet Pointe: The maximum number of residential units permitted is 188 or 2.5 dwellings per acre, which ever is less.

SECTION 6. Open Space, Peripheral Yard. The Hamlets at Stony Creek of Noblesville shall include a minimum of 50 percent of open space as defined by the UDO. A 50' wide peripheral yard shall be provided along the perimeter of the Real Estate.

SECTION 7. Street Standards.

A. Minimum centerline radius for horizontal curves: 150 feet for the western loop of Hamlet Pointe

SECTION 8. Signage. The signage attached hereto as Exhibit F and their locations as identified on Exhibit B are hereby approved.

SECTION 9. Landscaping Plan. The landscape plan attached hereto as Exhibit B and the additional requirements set forth in this Section 9 are hereby approved.

In the southern peripheral buffer yard, located between the western edge of the landscaped area at the State Road 38/State Road 32 intersection and the western edge of the pond, one (1) tree per fifty linear feet (50') shall be planted. The trees shall be a mixture of deciduous trees and evergreen trees. The trees may be clustered.

All final landscape plans shall be submitted as 24"x36" drawings, meeting the requirements of the adopted PD and approved by the Planning Staff.

SECTION 10. Preliminary Development Plan. The preliminary development plan, attached hereto as Exhibit B is approved. The preliminary development plan is intended to establish conceptual goals for the development.

SECTION 11. Detailed Development Plan. The detailed development plan may be approved in phases. In order to maintain design flexibility, the exact configuration and locations of each building within the development may vary from the preliminary development plan as long as the development and architectural standards are met. Approval of a detailed development plan is subject to the provisions of Article 8, Part E, Section 4 of the UDO. The provisions of Article 5, Part B of the UDO shall not apply to any detailed development plan.

SECTION 12. References Incorporated. The references contained herein to provisions of the UDO refer to the provisions in effect on the date this ordinance is adopted.

SECTION 13. Additional Stipulations.

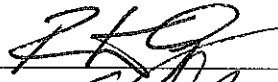
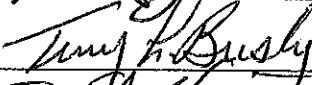

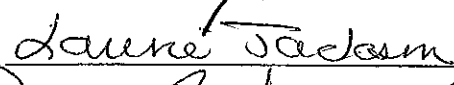
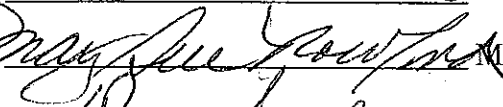
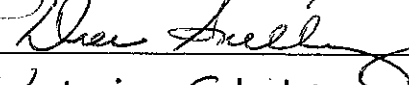
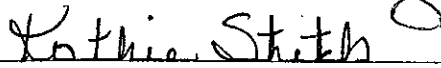
- A. The Noblesville Standards as per the UDO shall apply.
- B. Prior to any construction and prior to the issuance of an Improvement Location Permit, a fence and signage shall be placed around the existing trees in the southeastern portion of the Real Estate.
- C. The restrictive covenants shall address the following:
  - a. Fences or other structures are prohibited in the peripheral landscape buffer, except as approved by this ordinance. All peripheral landscape buffer areas shall be maintained by the homeowners association and/or developer during the time prior to the association taking control.
  - b. Should native aquatic plants be installed around the ponds, the landscaped area shall remain un-mowed and natural.
  - c. Blasting may occur at the stone quarry to the east of the Real Estate.

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 24th day of Oct, 2006.

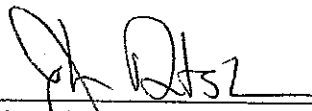
COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

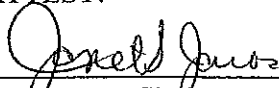
NAY

	_____	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 24th day of Oct, 2006.

  
\_\_\_\_\_  
John Ditslear, Mayor  
City of Noblesville, IN

ATTEST:

  
\_\_\_\_\_  
Janet Jaros, Clerk-Treasurer

Prepared by Steven D. Hardin, Attorney-at-Law  
Baker & Daniels, LLP, 970 Logan Street, Noblesville, Indiana 46060

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: Steven D. Hardin.

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

## EXHIBIT A

### Description of Real Estate

BEGINNING AT THE STONE WITH X AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 5 EAST; THENCE NORTH 00 DEGREES 37 MINUTES 31 SECONDS EAST (ASSUMED BEARING) 121.02 FEET ON AND ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD #32; (THE FOLLOWING 4 COURSES ARE ON AND ALONG THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD #32) (1) THENCE NORTH 68 DEGREES 55 MINUTES 49 SECONDS EAST 82.86 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (2) THENCE NORTH 76 DEGREES 05 MINUTES 38 SECONDS EAST 200.13 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (3) THENCE NORTH 13 DEGREES 54 MINUTES 22 SECONDS WEST 15.28 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (4) THENCE NORTH 76 DEGREES 05 MINUTES 38 SECONDS EAST 2648.25 FEET, MORE OR LESS, TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING BEING SOUTH 89 DEGREES 58 MINUTES 38 SECONDS EAST 176.00 FEET FROM THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 5 EAST; THENCE SOUTH 00 DEGREES 36 MINUTES 49 SECONDS WEST 846.80 FEET, MORE OR LESS, PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 5 EAST TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 58 MINUTES 38 SECONDS EAST 5.50 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 18 NORTH, RANGE 5 EAST; THENCE SOUTH 00 DEGREES 06 MINUTES 36 SECONDS WEST 1027.97 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 57 MINUTES 09 SECONDS WEST 809.77 FEET ON AND ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD #38; (THE FOLLOWING 7 COURSES ARE ON AND ALONG THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD #38) (1) THENCE NORTH 77 DEGREES 05 MINUTES 56 SECONDS WEST 276.25 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (2) THENCE NORTH 72 DEGREES 44 MINUTES 40 SECONDS WEST 622.64 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (3) THENCE NORTH 75 DEGREES 09 MINUTES 32 SECONDS WEST 98.43 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (4) THENCE NORTH 84 DEGREES 14 MINUTES 56 SECONDS WEST 83.06 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (5) THENCE NORTH 75 DEGREES 09 MINUTES 32 SECONDS WEST 316.44 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING. AT THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING BEING SOUTH 14 DEGREES 50 MINUTES 28 SECONDS WEST 1090.88 FEET FROM THE RADIUS POINT OF SAID CURVE TO THE RIGHT; (6) THENCE NORTHWESTERLY ON AND ALONG SAID RIGHT OF WAY LINE AND ON AND ALONG SAID CURVE TO THE RIGHT 883.86 FEET TO A POINT THAT BEARS SOUTH 00 DEGREES 02 MINUTES 58 SECONDS WEST FROM THE POINT OF BEGINNING; (7) THENCE NORTH 00 DEGREES 02 MINUTES 58 SECONDS EAST 134.22 FEET TO THE POINT OF BEGINNING, CONTAINING 84.845 ACRES, MORE OR LESS.



*The Hamlets*  
 AT STONEY CREEK  
 OF NOBLESVILLE

**TWO FAMILY  
 ATTACHED  
 HAMLET POINTE**

**FOUR FAMILY  
 ATTACHED  
 HAMLET VILLAGE**

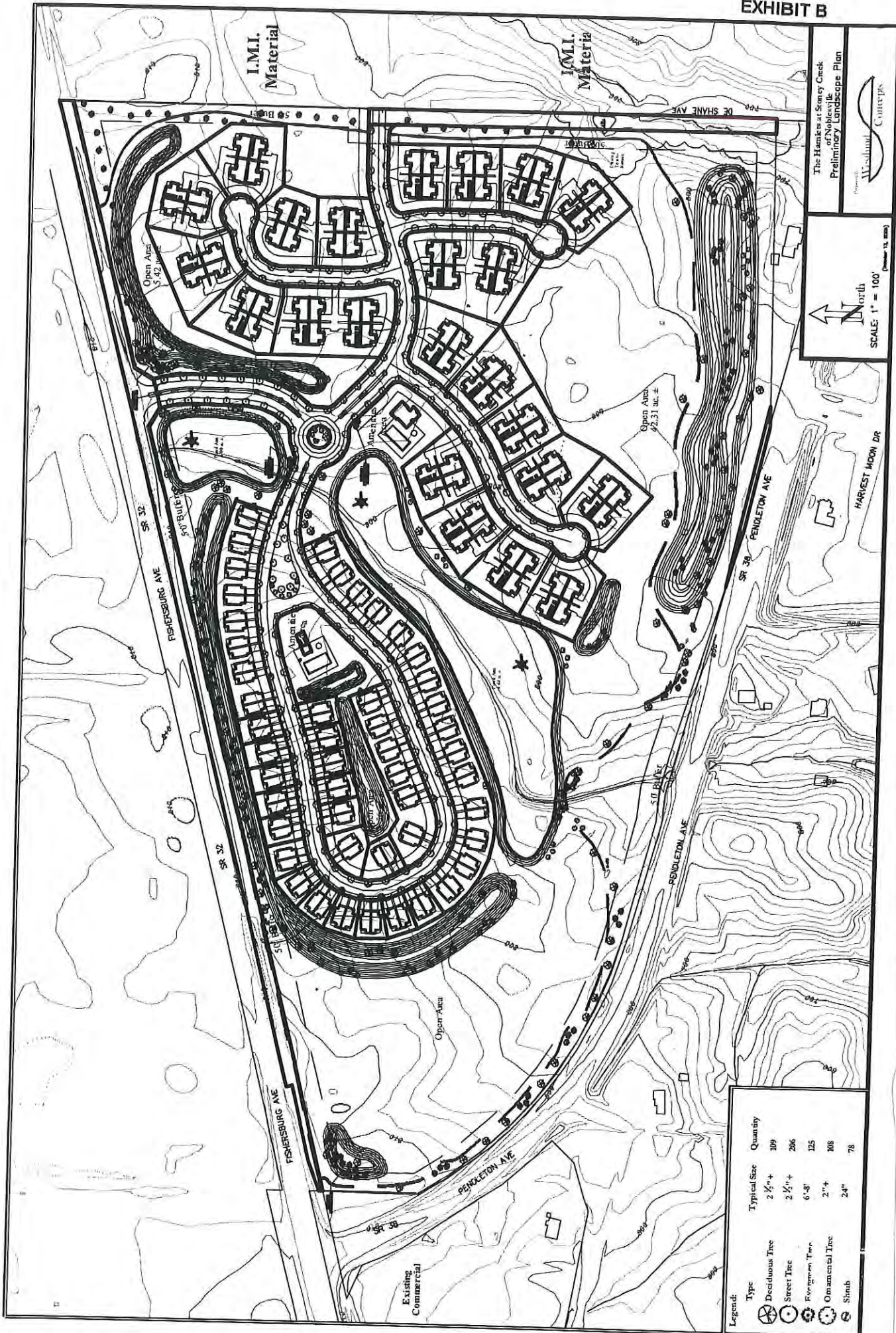


North  
 SCALE: 1" = 100'  
 (SEPTEMBER 20, 2009)

The Hamlets at Stoney Creek  
 of Noblesville  
 Color Preliminary Plan

Prepared By:  
**Westlund**  
 Concepts  
 Rendering The Future Today.





The Hankins at Stony Creek  
of Nobleville  
Preliminary Landscape Plan  
Prepared by  
W. Woodland Concepts

North  
SCALE: 1" = 100'  
(Drawing 13.000)

Legend:

Type	Typical Size	Quantity
Deciduous Tree	2 1/2" +	109
Street Tree	2 1/2" +	206
Evergreen Tree	6-8'	125
Ornamental Tree	2" +	108
Shrub	24"	78

I.M.I.  
Material

I.M.I.  
Material

Open Area  
5.42 ac.

Open Area  
2.51 ac.

Open Area

Existing  
Commercial

SR 32  
FISHERSBURG AVE

SR 32

FISHERSBURG AVE

PENLETON AVE

PENLETON AVE

SR 38  
PENLETON AVE

HARVEST MOON DR

DE SHANE AVE



## EXHIBIT C

### THE HAMLETS AT STONEY CREEK HAMLET VILLAGE FOUR-FAMILY ATTACHED BUILDINGS ARCHITECTURE AND LANDSCAPING GUIDELINES

The four-family attached buildings will comply as follows:

#### STRUCTURAL

- Ridgelines:** Each living unit within a four-family attached buildings shall have a minimum of 3 ridgelines.
- Corner Breaks:** Each living unit contained within a four-family attached building shall have a minimum three (3) corner breaks.
- Windows:** Window types shall be vinyl clad, aluminum clad or wood.
- Windows not surrounded by brick shall include 1" x 4" (e.g., 3.5 inches wide) trim architectural treatment.
- Each living unit in a four-family attached building shall have a minimum of three (3) windows on the front elevation. The side elevation for each living unit shall have a minimum of three (3) windows.
- Foundations:** Slab foundations are permitted.
- Exposed concrete or block foundations are limited to the minimum required by the applicable building code.
- Garage Door Percentage:** The areas of the garage doors on the four-family attached building shall be a maximum of thirty-three (33%) of the total area of the elevation on which the garage door is located, including the garage doors as a part of the total area of the garage door elevations.
- Garage Door Orientation:** Garages for each living unit in a four-family attached building shall be projected from the plain from the main body of the home by two (2) feet.
- Front Porches:** One (1) covered landing, stoop or porch is required on each living unit. A landing, stoop or porch shall possess a minimum area of forty-six (46) square feet.

- Roof Pitch:** Each gable roof shall meet or exceed 6/12.
- Equipment Vents:** When possible, equipment vents shall be obscured from street visibility.
- Overhangs:** Minimum 12 inch (all facades) from any exterior surface. Gutters are not included.

## LANDSCAPING

- Landscaping:** At minimum, each building shall substantially comply with the typical landscaping diagram, attached hereto as Exhibit G.
- Plant Material Size:** All shade trees shall have a minimum caliper of 2.5 inches at 12 inches above grade at planting. All ornamental trees shall have a minimum caliper of 1.5 inches at 12 inches above grade at planting. All evergreen trees shall be a minimum of 6 to 8 feet at planting. All shrubs and grass shall be a minimum of 24 inches at planting.

## ARCHITECTURAL REQUIREMENTS

- Natural Materials:** Each four-family attached building shall use all natural materials.
- Brick, limestone and natural stone shall be classified as natural materials
- Composite wood material (LP siding, stucco, EIFS, cultured stone, concrete fiber board (hardiplank or similar materials) are manmade materials intended to simulate the appearance of a natural material. These are acceptable replacements of natural materials and are approved to satisfy the natural material requirements of these standards.
- Architectural Treatment:** Half round and adjacent windows shall have a brick header course.
- Windows at siding shall have painted trim surrounded.

## EXHIBIT D

### THE HAMLETS AT STONEY CREEK HAMLET POINTE TWO-FAMILY ATTACHED BUILDINGS ARCHITECTURE AND LANDSCAPING GUIDELINES

The two-family attached buildings will comply as follows:

#### STRUCTURAL

**Ridgelines:**

All two-family attached buildings shall have a minimum of 4 ridgelines, as shown on Exhibit E.

**Corner Breaks:**

Each living unit contained within a two-family attached building shall have a minimum two (2) corner breaks on the front elevation (four corner breaks per building). The exterior corners of a covered porch, the outermost corners of the home, and the exterior corners of any projection with a height of no less than six (6) feet shall count toward this requirement.

Each living unit contained within a two-family attached building shall have a minimum of three (3) corner breaks on a side elevation. For purposes of determining corner breaks on a side elevation, the exterior corners of a covered porch, the outermost corners of the living unit, and the exterior corners of any sunroom at the rear of each living unit shall count toward this requirement. For purposes of this requirement, each living unit shall be considered to possess only one (1) side elevation.

Each living unit contained within a two-family attached building shall have a minimum of two (2) corner breaks on the rear elevations (four corner breaks per building). The exterior corners of a covered porch, the outermost corners of each living unit, and the exterior corner of each sunroom shall count toward this requirement.

**Windows:**

Window types shall be vinyl clad, aluminum clad or wood.

Each living unit in a two-family attached building shall have a minimum of two (2) windows on the front elevation (four windows on front elevation per building). The side elevation for each living unit shall have a minimum of two (2) windows. Each garage shall have a minimum of one (1) window on the side elevation. Each living unit shall have a minimum of two (2) windows on the rear



elevation (four windows on the rear elevation per building).

For purposes of calculating the number of windows required in each elevation, a framed opening having a minimum area of eight (8) square feet shall constitute one (1) window.

**Foundations:**

Slab foundations are permitted.

Exposed concrete or block foundations are limited to 4 inches or the minimum required by the applicable building code or siding manufacturer's specifications, whichever is greater.

**Garage Door Percentage:** The areas of the garage doors on the two-family attached building with front facing garage doors shall be a maximum of twenty (20%) of the total area of the front elevation of each building, including the garage doors as a part of the total area of the front elevations. For purposes of calculating this percentage, the square footage of each of the areas of the windows on each garage door shall be deducted from the total square footage of each garage doors.

**Front Load Garages:**

Garages with front facing garage doors must be on a separate plane from the main body of the home; the front facing garage doors must be recessed or projected from the main house plane a minimum of two (2) feet and a maximum of twelve (12) feet.

**Front Porches:**

One (1) front covered landing, stoop or porch is required on each living unit (two per building). A landing, stoop or porch shall possess a minimum area of thirty (30) square feet.

**Roof Pitch:**

A minimum of 6/12 for any portions of the roof on the second story of each two-family attached building. The minimum roof pitch for the roof over the garage area shall be 3/12.

**Equipment Vents:**

Equipment vents shall be located on the rear roofs of buildings.

**Overhangs:**

Minimum 12 inch (all facades) from any exterior surface. Gutters are not included.

## LANDSCAPING

- Landscaping:** At minimum, each building shall substantially comply with the typical landscaping diagram, attached hereto as Exhibit H.
- Street Trees:** In those areas which do not have buildings fronting on the streets, street trees must be planted at a maximum distance of 50 feet on center between the curb and sidewalk. Street trees must be of a permitted species per the City of Noblesville standards. All street trees must have a caliper of 2.5 inches measured 12 inches above the ground at planting.
- Plant Material Size:** All shade trees shall have a minimum caliper of 2.5 inches at 12 inches above grade at planting. All ornamental trees shall have a minimum caliper of 1.5 inches at 12 inches above grade at planting. All evergreen trees shall be a minimum of 6 to 8 feet at planting. All shrubs and grass shall be a minimum of 24 inches at planting.

## ARCHITECTURAL REQUIREMENTS

### **Natural Materials:**

1. Each two-family attached building shall use all natural materials.
2. Brick, wood, limestone and natural stone shall be classified as natural materials.
3. Composite wood material (LP siding, stucco, EIFS, cultured stone, concrete fiber board (hardiplank or similar materials) are manmade materials intended to simulate the appearance of a natural material. These are acceptable replacements of natural materials and are approved to satisfy the natural material requirements of these standards.
4. Each two-family attached building shall have a full masonry wrap (brick or stone) on the first story elevation. This masonry wrap requirement is exclusive of the screened/glassed areas of the sunrooms at the rear of each building.
5. Shutters shall be installed on all windows except any windows which are front door side light windows and any windows which are part of the garage doors.