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Jennifer Hayden  
HAMILTON County Recorder IN  
Recorded as Presented



**ORDINANCE NO. 43-09-14**

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

*Document Cross Reference No. 2014-06997*

This is an Ordinance to amend the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the "UDO"), 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 (the "Plan Commission") conducted a public hearing on docket number 14N-15-0280 at its September 15, 2014 meeting as required by law in regard to the application filed by Summerwood, LLC (the "Developer") for a request in change of zoning (the "Petition"); and

**WHEREAS**, the Plan Commission sent a Favorable Recommendation relating to the Petition to the Common Council of the City of Noblesville, Indiana, 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, it hereby adopts this ordinance (the "Ordinance") as an amendment to the UDO and the Official City of Noblesville Zoning Map (the "Zoning Map") to establish this Planned Development Overlay District (the "District") to read as follows:

**Section 1. Applicability of Ordinance.**

- 1.1 The Zoning Map is hereby changed to designate the subject real estate generally located on the southwest corner of Summer Road and East 166<sup>th</sup> Street and on the east side of Summer Road, ¼-mile south of 166<sup>th</sup> Street, and more particularly described in **Exhibit A**, attached hereto (the "Real Estate"), as a Planned Development Overlay District to be known as the **Flagstone Planned Development** (the "District").
- 1.2 The District's underlying zoning district shall be the **R-1 Residential District** (the "Underlying District"). Development in this District shall be governed entirely by (i) the provisions of this Ordinance and its exhibits, and (ii) those provisions of the UDO in effect as of the date of adoption of this Ordinance, and applicable to the Underlying District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance (collectively, the "Governing Standards").
- 1.3 All provisions and representations of the UDO that conflict with the provisions of this Ordinance and its exhibits are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

**Section 2. Definitions.**

- 2.1 The general rules of construction set forth in Article 2 of the UDO and the definitions set forth in this Ordinance shall apply to the regulations of this Ordinance. Words not defined herein but defined in the UDO shall be interpreted in accordance with the UDO definition.
- 2.2 **Approved Elevations:** The set of home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, specific to Silverthorne Homes, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014 meeting, and as modified by the Common Council at its December 9, 2014 meeting. The exhibits attached hereto as **Exhibit C** is a sampling and general representation of those approved elevations (collectively, the "Approved Elevations").

- 2.3 Architectural Design Guidelines: The Architectural Review Board’s “Architectural Design Guidelines for Single-Family Residences (detached)”, as dated and adopted by the board August 16, 2007.
- 2.4 District Area: A discrete geographic area within the District, as identified on the Preliminary Development Plan. The District contains two (2) District Areas: Flagstone Woods and Flagstone Ridge.
- 2.5 Preliminary Development Plan: The digital development plans on file with the City of Noblesville’s Planning and Development Department dated June 10, 2014. The exhibits attached hereto as **Exhibit B** is a general representation of the digital plans (collectively, the “Preliminary Development Plan”).

**Section 3. Permitted Uses.**

- 3.1 All uses permitted in the Underlying District shall be permitted within the District, however, the maximum number of Dwelling Units shall not exceed one hundred fifty (150).

**Section 4. Preliminary Development Plan.**

- 4.1 The Preliminary Development Plan is hereby incorporated and approved. Pursuant to Article 8 of the UDO, the Preliminary Development Plan is intended to establish the basic goals and policies, bulk standards, variations/waivers from the Underlying District and layout of the District.
- 4.2 Upon approval of this ordinance, the portions of the real estate described in **Exhibit A** which were part of the Fourth Amendment to Sagamore (Ordinance #18-2-06) are hereby null and void, replaced by the provisions of this ordinance.

**Section 5. Bulk Standards.**

- 5.1 The bulk requirements applicable to the Underlying District shall apply except as noted below for each District Area:

District Area	Minimum Lot Area (sq. ft.)	Minimum Lot Width	Min. Side Yard Setback
Flagstone Woods	9,800	70'	6'
Flagstone Ridge	8,000	70'	6'

- 5.2 Notwithstanding the above chart, lots in Flagstone Ridge abutting the west property line shall have a minimum lot width of 80 feet. Lots along the southern boundary of Flagstone Woods shall have a minimum lot width of 75 feet.
- 5.3 The minimum floor area (per Dwelling Unit) shall be 2,300 square feet (basement, garage porches and patio areas not included).

**Section 6. Architectural Standards.** The following standards shall apply.

- 6.1 The Approved Elevations are hereby incorporated and approved. All homes shall be substantially consistent with the Approved Elevations. The Director of Planning and Development, including their designees, shall review and approve home elevations at the time of filing of the Detailed Development Plan and/or Building Permit for compliance.
- 6.2 In addition to compliance with Subsection 6.1, all homes in Flagstone Ridge as well as Lots 107 through 130 and Lot 81 of Flagstone Woods as indicated in Exhibit B-1, shall incorporate a 2-foot brick watertable wrap. As an alternative to this, the builder may choose to incorporate a cover of at least 20% of each side of the homes described in this subsection with brick, stone or manufactured stone.
- 6.3 If a home(s) is proposed that substantially varies from an Approved Elevation, then the proposed home elevation(s) shall be submitted for review and approval by the Architectural Review Board. The Architectural Review Board’s review of the home

elevation(s) shall be performed in order to determine its compatibility and consistency with the intended quality and character of the District and the Approved Elevations.

**Section 7. Landscaping and Open Space Standards.** The standards of Article 12, Landscaping and Screening, of the UDO shall apply, except as noted below.

7.1 Lot Landscaping. Individual Lots shall be landscaped in accordance with the Architectural Design Guidelines.

7.2 Landscape Buffer Yards. Landscape Buffer Yards shall be provided as shown on the Preliminary Development Plan. The Establishment of a Peripheral Yard, as set forth in Article 8, Part H, Section 3.F.2 of the UDO, shall apply only where shown on the Preliminary Development Plan.

7.3 Open Space. Open Space shall be provided substantially in the size, configuration and locations depicted on the Preliminary Development Plan, provided that in no event shall less than twenty-eight percent (28%) of the Real Estate be Open Space.

**Section 8. Parking and Loading Standards.** The standards of Article 10, Off-Street Parking and Loading, of the UDO shall apply.

**Section 9. Lighting Standards.** The standards of Article 13, Environmental Performance Standards, of the UDO, shall apply.

**Section 10. Sign Standards.** The District's signs shall comply with Article 11 of the UDO.

**Section 11. Infrastructure Standards.** All public infrastructure within the District shall adhere to the City's standards and design criteria, unless otherwise stated within this Ordinance or unless specific waivers have been approved by the City.

**Section 12. Tree Preservation/Path Connection.**

12.1 All existing trees in the approximately five and one half (5.5) acres of woods located in Flagstone Woods, as well as all existing trees located in fence rows and rights-of-way shall be preserved undisturbed other than as required for paths, infrastructure installation and related activities.

12.2 Concurrent with the development of the pedestrian trail identified in "Common Area #8", a connection shall be stubbed to the east property line at a location agreeable to the City to be linked with a future trail in Eastside Park.

**Section 13. Detailed Development Plan.** Approval of a Detailed Development Plan ("DDP") shall follow the procedures set out in Article 8 of the UDO, subject to the following clarification: (i) the Director of Planning and Zoning shall approve Minor Changes; and (ii) if a DDP includes a Major Change from the approved Preliminary Development Plan, then, prior to approval of the DDP, an amended Preliminary Development Plan shall be approved in accordance with Article 8, Part E, Section 4, of the UDO. A Secondary Plat shall be submitted for review and approval as part of any approved DDP.

**Section 14. Additional Stipulations.**

14.1 All public improvements, retention ponds, public safety, stormwater run-off, infrastructure, landscaping, irrigation, signage, and any other site development standards shall be met as per the current adopted ordinances and standards unless granted waivers.

14.2 All approvals from the governing agencies regarding the installation of a trail in the regulated drain/floodplain/wetlands area shall be submitted to the Planning Department prior to the issuance of an Improvement Location Permit for the trail in the easement.

14.3 The minimum lot area for all corner lots shall be as shown on the Preliminary Development Plan.

**Section 15. Waivers.**

15.1 A wall or fence may be allowed within common areas constituting the peripheral landscape buffer, general design indicated in Exhibit B-2.

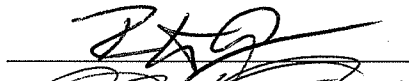


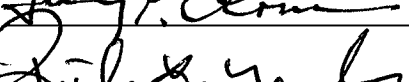
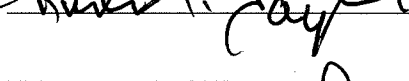
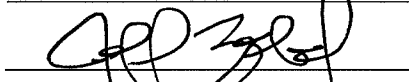
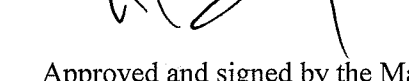
**Section 16. Approval.** Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 9th day of Dec, 2014.

**Section 17. Effective Date.** This ordinance shall be in full force and effect on January 12, 2015.

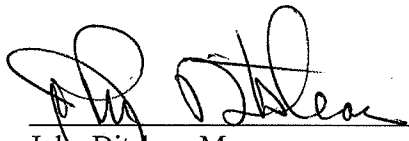
**COMMON COUNCIL OF THE CITY OF NOBLESVILLE**

**AYE**

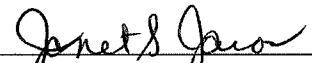
**NAY**

	Brian Ayer	_____
	Mark Boice	_____
	Roy Johnson	_____
	Gregory P. O'Connor	_____
	Rick L. Taylor	_____
	Stephen C. Wood	_____
	Jeff Zeckel	_____

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 9th day of Dec, 2014.

  
John Ditslear, Mayor  
City of Noblesville, IN

ATTEST:

  
Janet S. Jaros, Clerk-Treasurer

This instrument prepared by Roger L. Kessler Attorney At Law. 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: Roger L. Kessler.

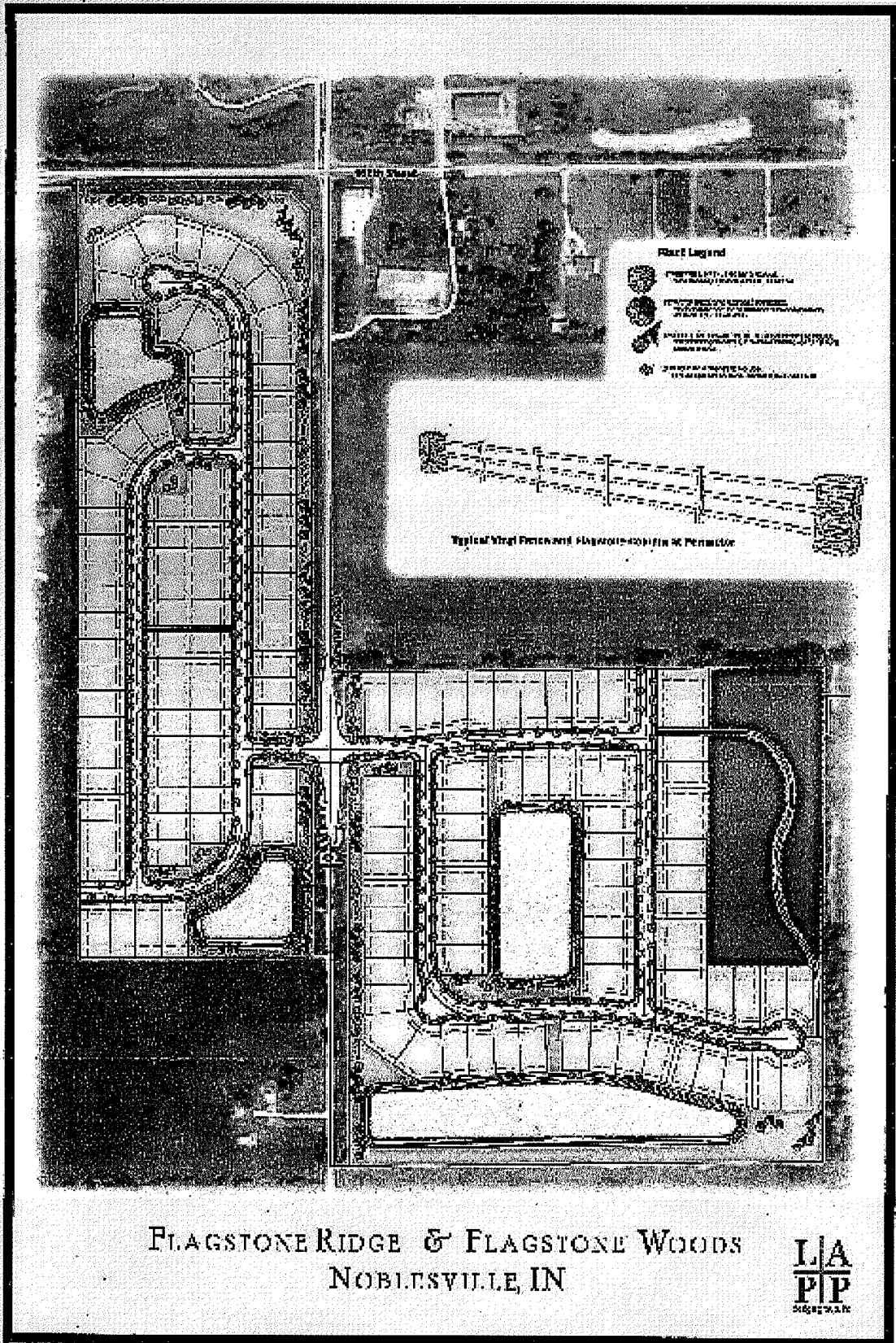
**EXHIBIT A**  
**REAL ESTATE**

A part of the Northeast Quarter of Section 9 and part of the Northwest Quarter of Section 10 in Township 18 North, Range 5 East in Hamilton County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of said Northeast Quarter Section; thence North 00 degrees 18 minutes 15 seconds West 561.00 feet along the East line of said Quarter Section; thence South 89 degrees 29 minutes 12 seconds West 678.64; thence North 00 degrees 18 minutes 15 seconds West 2,094.22 feet parallel with said East line to a point on the North line of said Quarter Section; thence North 89 degrees 33 minutes 40 seconds East 678.64 feet along the North line of said Quarter Section to the Northeast corner of said Quarter Section; thence South 00 degrees 18 minutes 15 seconds East 1,327.17 feet along said East line to the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 10; thence North 89 degrees 04 minutes 13 seconds East 1,323.81 feet along the North line of said Quarter Quarter Section; thence South 00 degrees 15 minutes 52 seconds East 1,328.51 feet along the East line of said Quarter Quarter Section to the Southeast corner of said Quarter Quarter Section; thence South 89 degrees 07 minutes 41 seconds West 1,322.88 feet along the South line of said Quarter Quarter Section to the place of beginning, containing 72.96 acres, more or less.



**EXHIBIT B-2**  
**PRELIMINARY DEVELOPMENT PLAN**



**EXHIBIT C-1**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**



FRONT ELEVATION ...3/16"

SHEET NO. 2	THE DILLON	RESIDENCE	LOT # COMMUNITY	Silverthorne Human
	A - ELEV 10-28-04			

<sup>1</sup> As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.



**EXHIBIT C-2**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**

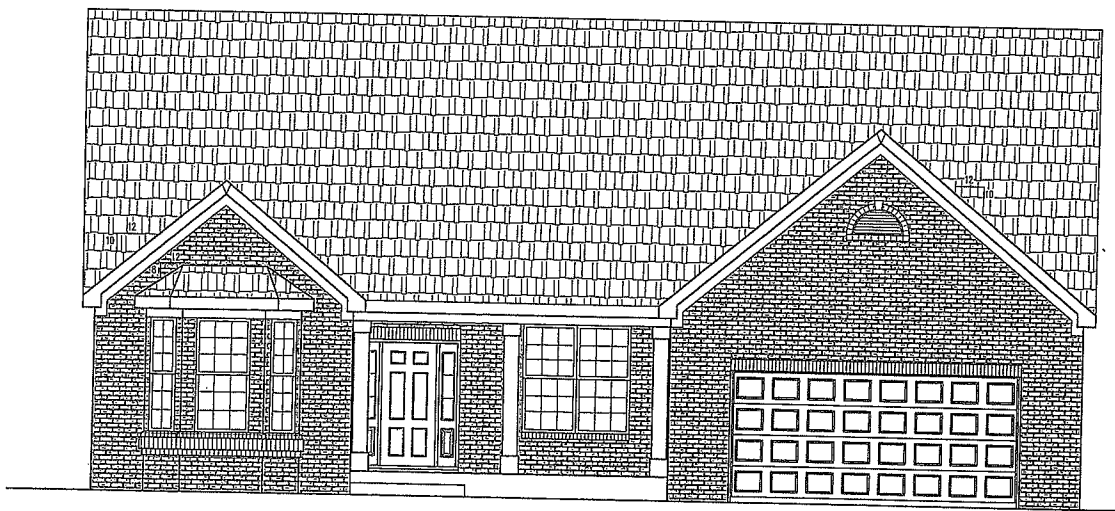


FRONT ELEVATION ...3/16"

<b>SHEET NO.</b>	THE KEYSTONE				
3	A - ELEV	RESIDENCE	LOT #		<i>Silverthorne</i> Homes
	10-31-08		COMMUNITY		

<sup>1</sup>As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

**EXHIBIT C-3**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**



FRONT ELEVATION ...3/16"

SHEET NO. 2	THE GEORGETOWN	RESIDENCE	LOT #	<i>Silverthorne</i> Homes
	A - ELEV 10-26-04			

<sup>1</sup>As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

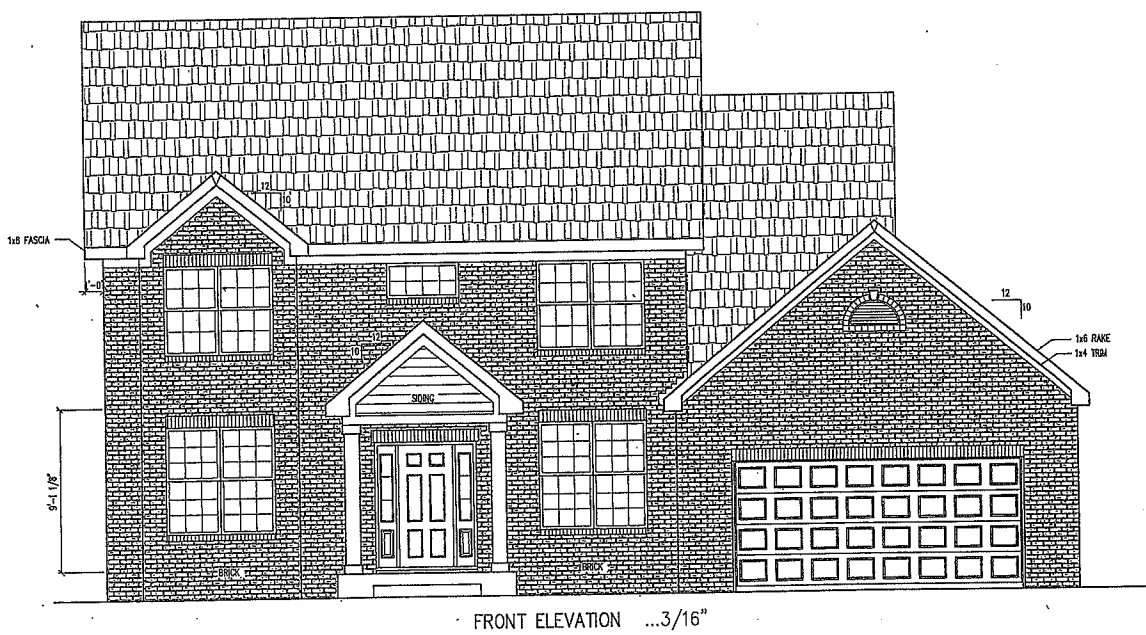
**EXHIBIT C-4**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**



3	NO.	THE MONTROSE	RESIDENCE	LOT #	Silverthorne Homes
		A - ELEV		COMMUNITY	
		7-14-06			

<sup>1</sup>As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

**EXHIBIT C-5**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**



FRONT ELEVATION ...3/16"

SHEET NO. <b>3</b>	THE DURANGO	RESIDENCE	LOT #	<i>Silverthorne</i> Homes
	A - ELEV 10-26-04		COMMUNITY	

<sup>1</sup> As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

**EXHIBIT C-6  
 SAMPLING AND GENERAL REPRESENTATION  
 OF THE APPROVED ELEVATIONS<sup>1</sup>**

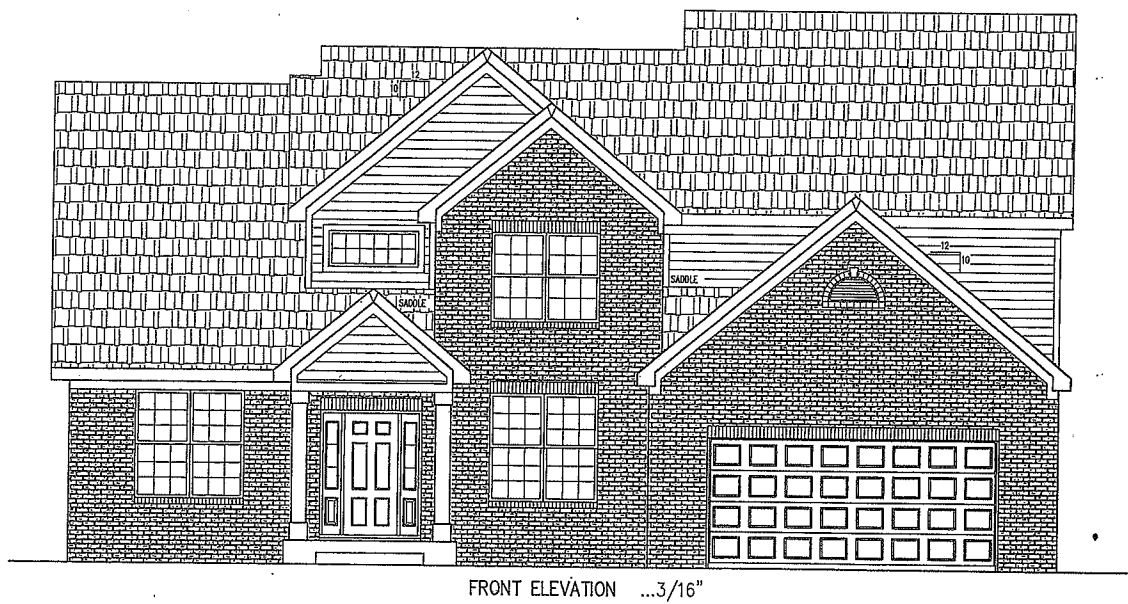


FRONT ELEVATION ...3/16\"

SHEET NO. 3	THE GLENWOOD	GLENWOOD	LOT #	<i>Silverthorne</i> Homes
	A - ELEV 11-12-13			

<sup>1</sup> As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

**EXHIBIT C-7**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**



SHEET NO.	THE HAYDEN	RESIDENCE	LOT #	Silverthorne Homes
3	A - ELEV		COMMUNITY	
	10-26-04			

<sup>1</sup>As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

**EXHIBIT C-8**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**

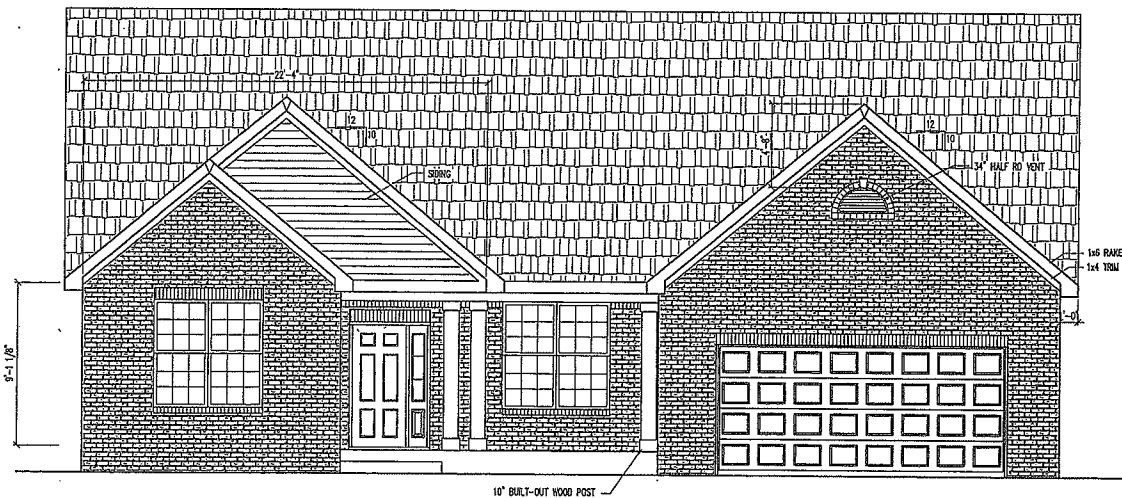


FRONT ELEVATION ...3/16"

SHEET NO. 3	THE WESTCLIFFE	RESIDENCE	LOT # COMMUNITY	Silverthorne Homes
	A - ELEV 7-21-06			

<sup>1</sup> As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

**EXHIBIT C-9**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**



FRONT ELEVATION ...3/16\"

SHEET NO. 2	THE STERLING	RESIDENCE	LOT #	<i>Silverthorne</i> Homes
	A - ELEV 7-14-06		COMMUNITY	

<sup>1</sup> As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.



**EXHIBIT C-10**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**

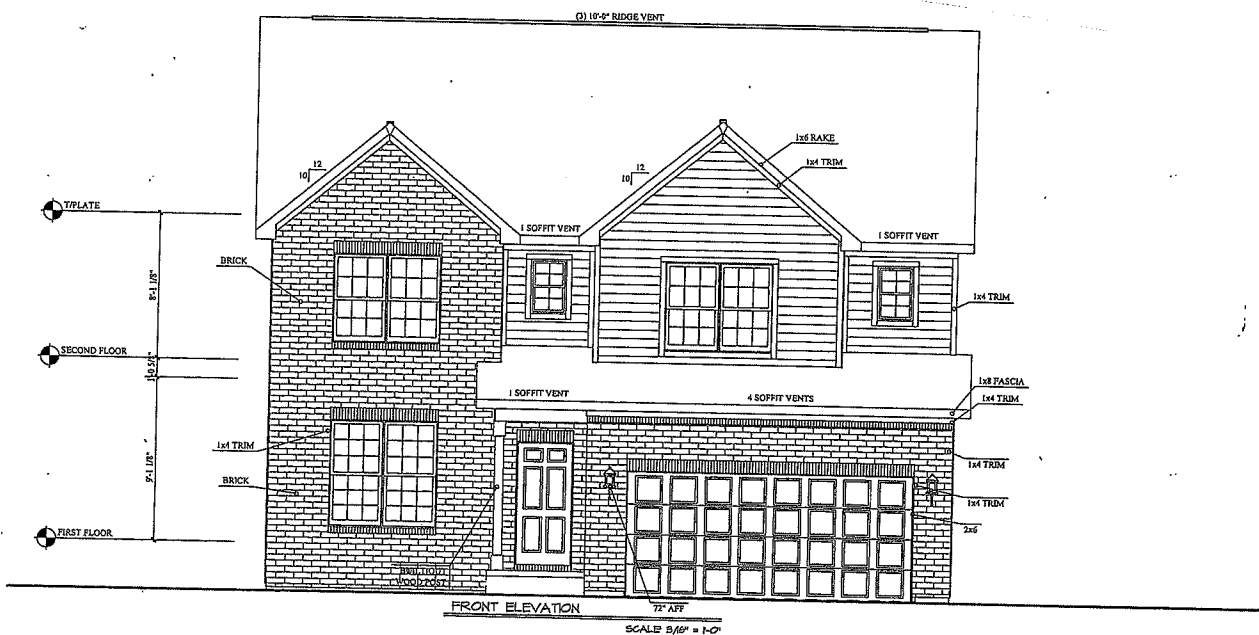


FRONT ELEVATION ...3/16"

SHEET NO.	THE VAIL	RESIDENCE	LOT #	<i>Silverthorne</i> Homes
3	A - ELEV		COMMUNITY	
	10-26-04			

<sup>1</sup> As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

**EXHIBIT C-11**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**



SHEET NO. <b>3A</b>	OWNER Silverthorne Homes, LLC	PLAN NAME Silverthorne A	CITY NAME	NO. 1	DATE	REVISIONS	
	ADDRESS	LOT NUMBER	SHEET DESCRIPTION Elevations				
	CITY	STATE AND ZIP	PRINT DATE 02/11/2014				

<sup>1</sup> As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

**EXHIBIT C-12**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**



SHEET NO. <b>3A</b>	OWNER	PLAN NAME	PROPERTY NAME	REV.	DATE	REVISION	
	10000 10000 10000	10000 10000 10000	10000 10000 10000	10000 10000 10000	10000 10000 10000	10000 10000 10000	
	DATE and 2 <sup>nd</sup>	PRINT DATE	SHEET DESCRIPTION				
		02/1/2014	Elevations				

<sup>1</sup> As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.

**EXHIBIT C-13**  
**SAMPLING AND GENERAL REPRESENTATION**  
**OF THE APPROVED ELEVATIONS<sup>1</sup>**



FRONT ELEVATION ...3/16"

SHEET NO.	THE MONARCH	RESIDENCE	LOT #	<i>Silverthorne</i> Homes
3	A - ELEV 10-26-04		COMMUNITY	

<sup>1</sup>As provided in Section 2.2 of the Ordinance, the Approved Elevations are those home elevations on file with the City of Noblesville's Planning and Development Department dated August 18, 2014, as reviewed and approved by the City's Architectural Review Board at its August 28, 2014, meeting.