

ORDINANCE NO. 68-0916

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE AND OFFICIAL ZONING MAP, ALL PART OF THE COMPREHENSIVE PLAN OF THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA**

*Document Cross Reference Nos.* 2016034010

This Ordinance (the "Williams Woods PD Ordinance") amends the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana, (the "UDO") enacted by the City of Noblesville, Indiana (the "City") 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 966-2016 at its September 19, 2016 meeting as required by law in regard to the application (the "Petition") filed by Promise Road WEG, LLC (the "Developer") concerning a change of zoning of certain property described in Exhibit A attached hereto (the "Real Estate") and the adoption of a preliminary development plan to be known, collectively with attached Exhibits, as the "Williams Woods of Noblesville Preliminary Development Plan", as further described in Section 3 below (the "Plan"); and,

**WHEREAS**, the Plan Commission has sent a Favorable recommendation for adoption of said amendment with a vote of eight (8) in favor and none (0) opposed to the 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 UDO and Zoning Map, are hereby amended as follows:

**Section 1. Applicability of Ordinance.**

- A. The Official Zone Map of the City of Noblesville, a part of the UDO, is hereby amended to change the zoning of the Real Estate from "R3" Residential to "R3/PD" Residential Planned Development, which is to be known as the Williams Woods Planned Development (the "District").
- B. The District's underlying zoning district shall be R-3 Residential (the "Underlying District"). Development in this District shall be governed entirely by (i) the provisions of this Williams Woods PD 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").
- C. In accordance with the provisions of this ordinance, the Official Zoning Map referred to in Article 7 of the UDO shall be updated concurrently to reflect the changes referred to in Section 1 above. A copy of the Official Zoning Map shall be located in the Office of the City Clerk of the City of Noblesville.
- D. All provisions and representations of the UDO that conflict with the provisions of this Williams Woods PD Ordinance and its exhibits are hereby rescinded as applied



the time of filing of the Detailed Development Plan and/or Building Permit for compliance and consistency with the Approved Elevations.

- C. The elevations of any home that substantially varies from an Approved Elevation shall be submitted for review and approval by the Director of Planning and Development if in Compliance with the Architectural Standards hereby incorporated under Exhibit C or require approval by the Architectural Review Board if not found in compliance with the standards included in Exhibit C. The Architectural Review Board's review of said 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:

- A. **Lot Landscaping.** Individual Lots shall be landscaped in accordance with the Architectural Review Board Standards (adopted on August 16, 2007).
- B. **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 as shown on the Preliminary Development Plan.
- C. **Open Space.** Open Space shall be provided substantially in the size, configuration and locations depicted on the Preliminary Development Plan.

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

- A. The minimum distance between the street centerline and the driveway for lots which front more than one public street shall be fifty (50) feet and the driveways are not required to be placed 10' from the lot line furthest from the intersection.

**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.** **Site Design, Improvement and Infrastructure Standards.** Unless otherwise stated within this Williams Woods PD Ordinance, all public infrastructure within the District shall adhere to the City's standards and design criteria.

- A. **Corner Lots:** Corner lots shall be permitted at a minimum of thirty (30) percent larger than the minimum lot area.

**Section 12.** **Additional Standards.** The following additional standards shall be applicable to the Real Estate and the regulation of such standards shall be included in the Declaration of Covenants and Restriction that will be applicable to the Real Estate.

- A. Storage sheds shall be prohibited.
- B. All fences shall be (i) black metal, vinyl or wood, (ii) of a consistent style and height and (iii) a maximum of 6' in height.

**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.** **Effective Date.** This Williams Woods PD Ordinance shall be in full force and effect from and upon the earlier of its adoption and publication in accordance with the law or the effective date of the annexation of all of the Real Estate into the corporate limits of the City.

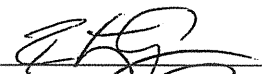


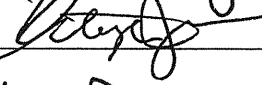
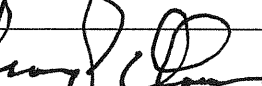

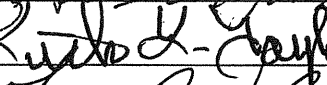

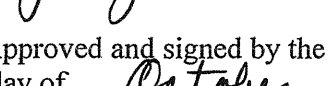
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Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 11<sup>th</sup> day of October, 2016.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

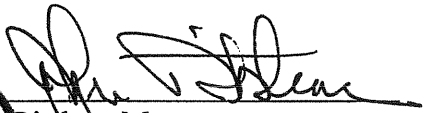
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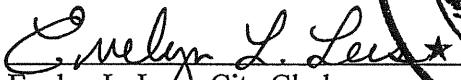
	Brian Ayer	_____
	Mark Boice	_____
	Wil Hampton	_____
	Christopher Jensen	_____
	Roy Johnson	_____
	Gregory P. O'Connor	_____
	Mary Sue Rowland	_____
	Rick L. Taylor	_____
	Megan G. Wiles	_____

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 11<sup>th</sup> day of October, 2016.



  
John Ditslear, Mayor  
City of Noblesville, IN

ATTEST:

  
Evelyn L. Lees, City Clerk

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: Jon C. Dobosiewicz.

Prepared by: James E. Shinaver, attorney at law, NELSON & FRANKENBERGER and Jon C. Dobosiewicz, land use professional, NELSON & FRANKENBERGER. 550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106.

William Woods - PD Ordinance 4 092016

**EXHIBIT A**

Legal Description  
(Page 1 of 2).

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 19 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, SITUATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 04 MINUTES 20 SECONDS WEST (BASIS OF BEARINGS) ON AND ALONG THE WEST LINE OF SAID QUARTER-QUARTER 908.17 FEET TO THE SOUTHWEST CORNER OF THE LAND DESCRIBED IN INSTRUMENT NUMBER 2004023358, ON FILE IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE ON AND ALONG THE PERIMETER OF SAID INSTRUMENT NUMBER 2004023358 BY THE FOLLOWING SIX COURSES: 1) NORTH 89 DEGREES 55 MINUTES 40 SECONDS EAST 16.50 FEET; THENCE 2) NORTH 00 DEGREES 04 MINUTES 20 SECONDS WEST 10.00 FEET; THENCE 3) NORTH 16 DEGREES 54 MINUTES 33 SECONDS EAST 52.29 FEET; THENCE 4) NORTH 01 DEGREES 03 MINUTES 05 SECONDS EAST 250.05 FEET; THENCE 5) NORTH 89 DEGREES 54 MINUTES 20 SECONDS EAST 5.00 FEET; THENCE 6) NORTH 00 DEGREES 05 MINUTES 40 SECONDS WEST 103.26 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 14 MINUTES 26 SECONDS EAST 1259.51 FEET TO THE NORTHEAST CORNER OF SAID QUARTER-QUARTER; THENCE SOUTH 00 DEGREES 38 MINUTES 41 SECONDS EAST ON AND ALONG THE EAST LINE OF SAID QUARTER-QUARTER 737.26 FEET TO THE NORTHEAST CORNER OF THE LAND DESCRIBED IN INSTRUMENT 1998050022 (OFFICE OF THE RECORDER); THENCE SOUTH 89 DEGREES 15 MINUTES 30 SECONDS WEST ON AND ALONG THE NORTH LINE OF THE LAND DESCRIBED IN SAID INSTRUMENT 1998050022 A DISTANCE OF 647.50 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 00 DEGREES 38 MINUTES 41 SECONDS EAST ON AND ALONG THE WEST LINE OF THE LAND DESCRIBED IN SAID INSTRUMENT 1998050022 A DISTANCE OF 114.00 FEET TO THE NORTHEAST CORNER OF THE LAND DESCRIBED IN INSTRUMENT 1998050021 (OFFICE OF THE RECORDER); THENCE SOUTH 89 DEGREES 15 MINUTES 30 SECONDS WEST ON AND ALONG THE NORTH LINE OF THE LAND DESCRIBED IN SAID INSTRUMENT 1998050021 A DISTANCE OF 45.00 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 00 DEGREES 38 MINUTES 41 SECONDS EAST ON AND ALONG THE WEST LINE OF THE LAND DESCRIBED IN SAID INSTRUMENT 1998050021 A DISTANCE OF 470.00 FEET TO A POINT ON THE SOUTH LINE OF SAID QUARTER-QUARTER; THENCE SOUTH 89 DEGREES 15 MINUTES 30 SECONDS WEST ON AND ALONG SAID SOUTH LINE 621.85 FEET TO THE POINT OF BEGINNING, CONTAINING 30.17 ACRES, MORE OR LESS.

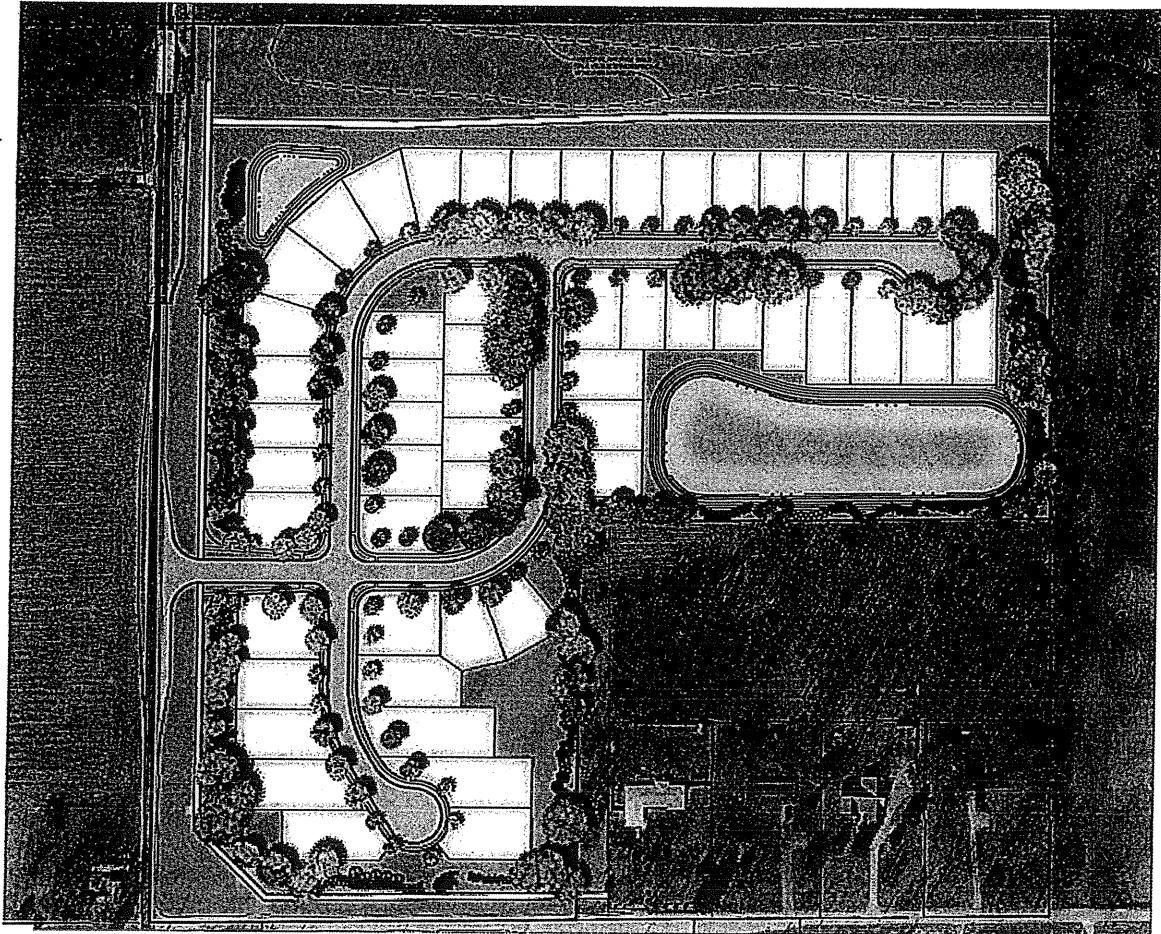
**EXHIBIT A**

Legal Description  
(Page 2 of 2)



**EXHIBIT B**

(PRELIMINARY DEVELOPMENT PLAN)





**EXHIBIT C**

**ARCHITECTURAL STANDARDS**

ARB 968-2016  
Approved by ARB 8/18/2016

Single-Family Detached Residential Architectural Standards		
Architectural Feature		Williams Woods
Floor Area/Dwelling Unit (Minimum)	One-Story Structures (sq. ft.)	1,800
	Two-Story Structures (sq. ft.)	2,200
Lot Coverage (Maximum)		45%
Corner Breaks; Primary Architectural Plane (Minimum)	One-Story Structures	2
	Two-Story Structures	3
Corner Breaks; Secondary Architectural Plane (Minimum)	One-Story Structures	2
	Two-Story Structures	2
Porch	Required	NO
	Minimum Size (sq. ft.)	Minimum 5' Depth
Masonry Percentage (Minimum)*	Primary Architectural Plane	0%
	Secondary Architectural Plane	0%
Material Restrictions	Vinyl (.048 gauge minimum)	NO
	Vinyl (less than .048 gauge)	NO
	Aluminum	NO
Roof Pitch (Minimum)	Primary Ridge	6/12
Roof Ridgelines (Minimum)	One-Story	3
	Two-Story	3
Roof Overhang; From Framing (Minimum)		12
Number of Windows; Primary Architectural Plane (Minimum)	One-Story Structures	3
	Two-Story Structures	5
Number of Windows; Secondary Architectural Plane (Minimum)	One-Story Structures	2
	Two-Story Structures	2
Number of Windows; Total Aggregate (Minimum)	One-Story Structures	10
	Two-Story Structures	15
Window Treatment Required	Primary Architectural Plane	NO
	Secondary Architectural Plane	NO
Garage Door Percentage, Primary Architectural Plane (Maximum)	One-Story Structures	30%
	Two-Story Structures	20%
Garage Door Windows Required		NO