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Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NO. 55-11-17, As Amended

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 No. 2013-67009

This Ordinance (the "Sagewood 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 0125-2017 at its October 16, 2017 meeting as required by law in regard to the application (the "Petition") filed by Sagewood Inc. (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 "Sagewood Of Noblesville Preliminary Development Plan", as further described in Section 4 below (the "Plan"); and,

WHEREAS, the Plan Commission has sent an Unfavorable recommendation for adoption of said amendment with a vote of One (1) in favor and Eight (8) 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-FH/PD" Residential Planned Development, which is to be known as the Sagewood Planned Development (the "District").
- B. The District's underlying zoning district shall be R-3 Residential and FH Flood Hazard (the "Underlying Districts"). Development in this District shall be governed entirely by (i) the provisions of this Sagewood 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 Sagewood 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 OpenSpace 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. Open Space. Open Space shall be provided substantially in the size, configuration and locations depicted on the Preliminary Development Plan.
- C. Settler's Mill. The area south of Lot 18 abutting Settler's Mill subdivision shall provide a fifteen foot (15') Landscape easement to preserve existing landscaping. At the rear of Lots 18, 19, 20 and 21 abutting Settler's Mill evergreen trees six (6) to seven (7) feet tall shall be provided every thirty feet (30').

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. Site Design, Improvement and Infrastructure Standards. Unless otherwise stated within this Sagewood 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.
- B. Cul-de-Sac: The length of the Cul-de-Sac shall be as shown on the Preliminary Development Plan.

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 Restrictions 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 feet in height.



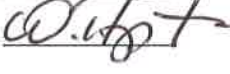
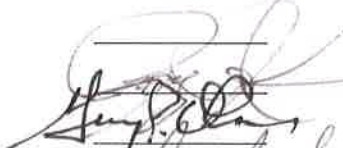
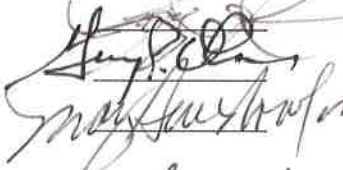
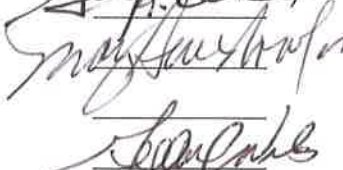
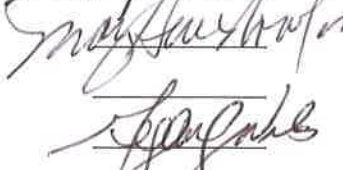


Section 13. **Detailed Development Plan.** Approval of a Detailed Development Plan ("DDP") shall follow the procedures set out in Article 8 of the UDO, subject to the following clarification: (i) the Director of Planning and Zoning shall approve Minor Changes; and (ii) if a DDP includes a Major Change 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 Sagewood PD Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.

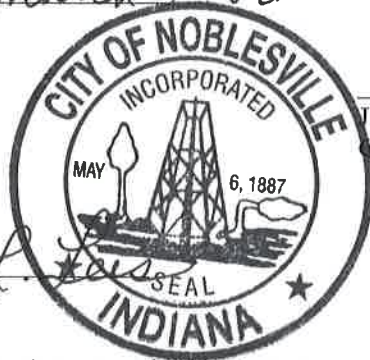
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Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council
this 13th day of March, 2018 el

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

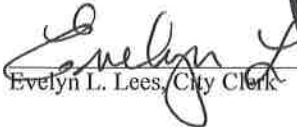
Aye		Nay
	Brian Ayer	
_____	Mark Boice	
_____	Will Hampton	
	Christopher Jensen	_____
	Roy Johnson	_____
	Gregory P. O'Connor	_____
	Mary Sue Rowland	_____
	Rick L. Taylor	_____
	Megan Wiles	_____

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana,
this 13th day of March, 2018 el




John Ditsleak, 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. Roger L. Kessler

Prepared by: Roger L. Kessler, Attorney-at-Law, 10200 Lantern Rd., Fishers, IN 46037
(317) 570-7250.

EXHIBIT A

Page 1 of 2

Legal Description

A PART OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 4 EAST, LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 4 EAST, AS SAID SOUTHWEST CORNER HAS BEEN MONUMENTED AND ESTABLISHED BY THE PLAT OF SETTLERS MILL, SECTION 1 (SAID PLAT OF SETTLERS MILL, SECTION 1 BEING RECORDED AS INSTRUMENT NUMBER 9634469 IN PLAT CABINET 1, SLIDE 706 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA); THENCE SOUTH 80 DEGREES 15 MINUTES 56 SECONDS WEST (PLAT BEARING) 288.20 FEET ON AND ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE SOUTHWEST CORNER OF LOT NUMBER 23 IN SETTLERS MILL, SECTION 1 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 15 MINUTES 56 SECONDS WEST 327.80 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF INTERSECTION OF SAID SOUTH LINE AND THE NORTHEASTERLY BOUNDARY LINE OF MILL CREEK SUBDIVISION, SECTION 7, PART A, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 4, PAGES 33-24 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA (THE FOLLOWING 4 COURSES ARE ON AND ALONG SAID NORTHEASTERLY BOUNDARY LINE); (1) THENCE NORTH 50 DEGREES 09 MINUTES 53 SECONDS WEST 89.86 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (2) THENCE NORTH 86 DEGREES 08 MINUTES 37 SECONDS WEST 135.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (3) THENCE NORTH 12 DEGREES 28 MINUTES 37 SECONDS WEST 280.00 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; (4) THENCE NORTH 42 DEGREES 15 MINUTES 38 SECONDS WEST 277.91 FEET TO THE POINT OF INTERSECTION OF SAID NORTHEASTERLY BOUNDARY LINE AND THE EASTERLY BOUNDARY LINE OF MILL CREEK, SECTION 4 AS RECORDED IN MISCELLANEOUS RECORD 81, PAGES 306-307; THENCE NORTH 23 DEGREES 29 MINUTES 23 SECONDS EAST 1013.26 FEET ON AND ALONG SAID EASTERLY LINE TO AN IRON PIPE; THENCE NORTH 01 DEGREES 09 MINUTES 28 SECONDS EAST 276.26 FEET ON AND ALONG SAID EASTERLY LINE TO A MAG NAIL ON THE CENTERLINE OF STATE ROAD 38; THENCE SOUTH 61 DEGREES 09 MINUTES 58 SECONDS EAST 393.98 FEET ON AND ALONG THE CENTERLINE OF STATE ROAD 38 TO A MAG NAIL; THENCE SOUTH 00 DEGREES 53 MINUTES 35 SECONDS EAST 1557.19 FEET ON AND ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SETTLERS MILL AND THE WEST LINE OF SAID SETTLERS MILL TO THE POINT OF BEGINNING, CONTAINING 20.70 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THAT PART OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA CONVEYED TO THE STATE OF INDIANA BY WARRANTY DEED RECORDED OCTOBER 7, 2005 AS INSTRUMENT NO. 200500066153, IN THE OFFICE

OF THE RECORDER OF HAMILTON COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 00 DEGREES 06 MINUTES 28 SECONDS EAST 230.71 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE CENTERLINE OF STATE ROAD 38; THENCE SOUTH 61 DEGREES 03 MINUTES 07 SECONDS EAST 2261.02 FEET (BEARINGS AND DISTANCE QUOTED FROM INSTRUMENT NUMBER 9809834110) ALONG SAID CENTERLINE TO THE NORTHWEST CORNER OF THE GRANTOR'S LAND; THENCE SOUTH 01 DEGREES 03 MINUTES 27 SECONDS WEST 45.18 FEET ALONG THE WEST LINE OF THE GRANTOR'S LAND TO THE SOUTHWESTERN BOUNDARY OF SAID STATE ROAD 38 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 61 DEGREES 14 MINUTES 58 SECONDS EAST 400.09 FEET ALONG THE BOUNDARY LINE OF SAID STATE ROAD 38 TO THE EAST LINE OF THE GRANTOR'S LAND; THENCE SOUTH 00 DEGREES 43 MINUTES 34 SECONDS EAST 11.27 FEET ALONG SAID EAST LINE; THENCE NORTH 61 DEGREES 17 MINUTES 44 SECONDS WEST 370.76 FEET; THENCE NORTH 61 DEGREES 17 MINUTES 44 SECONDS WEST 360.76 FEET; THENCE NORTH 61 DEGREES 13 MINUTES 06 SECONDS WEST 29.58 FEET TO A POINT ON THE WEST LINE OF GRANTOR'S LAND; THENCE NORTH 01 DEGREES 03 MINUTES 27 SECONDS EAST 11.40 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING, CONTAINING 0.092 ACRES, MORE OR LESS.

EXHIBIT B



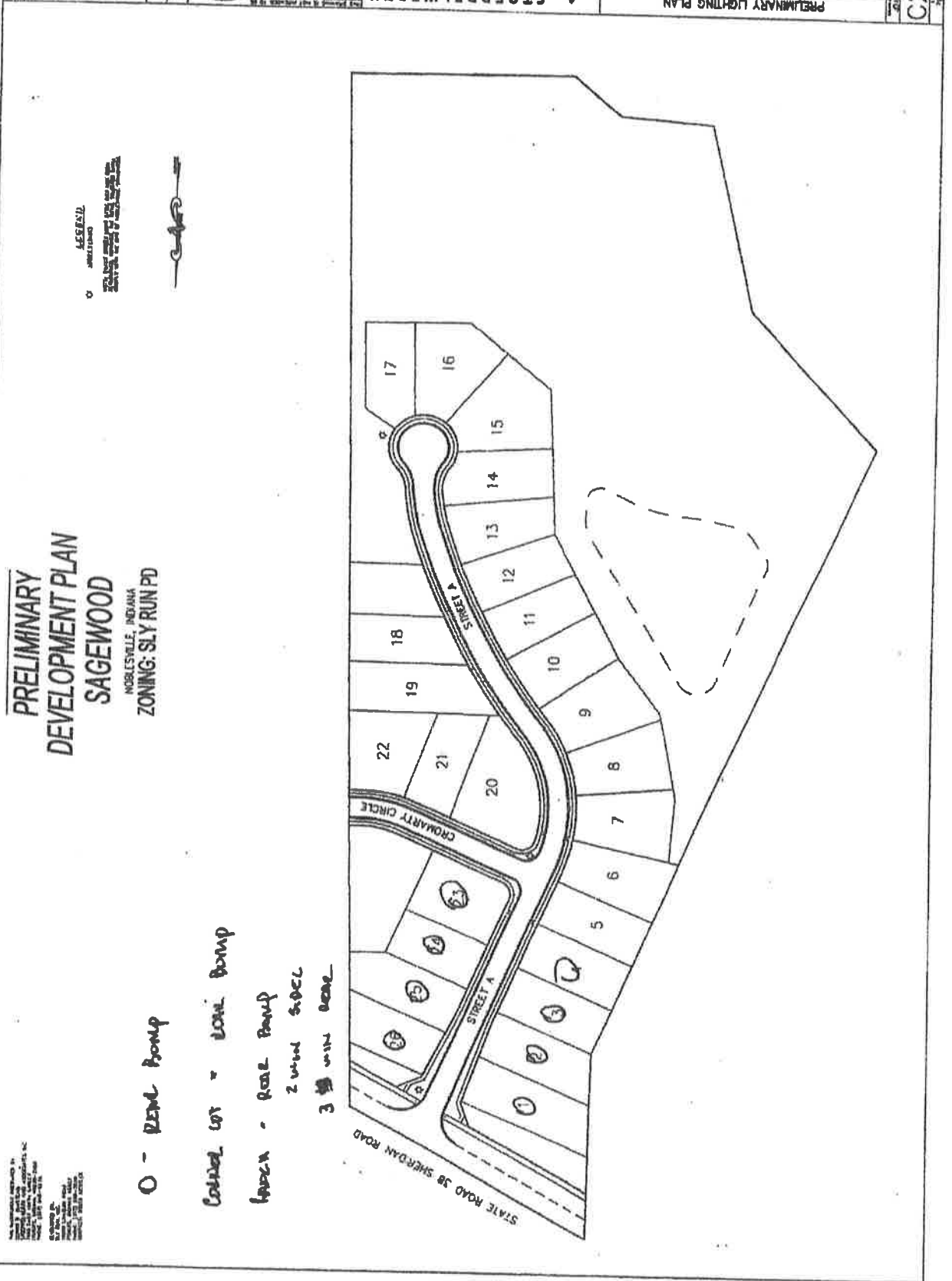
SAGEWOOD

NOBLESVILLE, IN
AUGUST 2017
Revised 03-13-2018



EXHIBIT C
ARCHITECTURAL STANDARDS

		STOEPPELWERTH ARCHITECTS 10000 N. STATE ROAD 38, SUITE 100 SHERIDAN, INDIANA 46184 PHONE: 765-291-1111 FAX: 765-291-1112 WWW: STOEPPELWERTH.COM	PRELIMINARY LIGHTING PLAN SAGEWOOD HUNTER COUNTY, INDIANA	PROJECT NO. C200 SHEET NO. 01 DATE: 08/11/2011
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ALL DIMENSIONS ARE IN FEET AND INCHES.
 DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
 ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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 ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

SINGLE-FAMILY DETACHED ARCHITECTURAL STANDARDS - SAGEWOOD

ARCHITECTURAL FEATURE		CURRENT GUIDELINES	SAGEWOOD
Floor Area/Dwelling Unit (Minimum)	One-Story Structures (sq. ft.)	1,500 1,800	1,600
	Two-Story Structures (sq. ft.)	1,000	1,800
Corner Breaks; Primary Architectural Plane (Minimum)	One-Story Structures	3	3
	Two-Story Structures	4	3
Corner Breaks; Secondary Architectural Plane (Minimum)	One-Story Structures	3	2
	Two-Story Structures	3	2
Porch Depth (Minimum; ft.)		6	5
		n/a	0%
		n/a	0%
Masonry Percentage (Minimum)	Primary Architectural Plane	n/a	0%
	Secondary Architectural Plane	n/a	0%
Material Restrictions	Total (All Architectural Planes)	50%	0%
	Vinyl (.048" minimum)	YES	NO
Roof Pitch (Minimum)	Aluminum	NO	NO
	Primary Ridge	6/12	6/12
Roof Ridgelines (Minimum)	One-Story Structures	3	3
	Two-Story Structures	5	3
Roof Overhang; From Framing (Minimum; in.)		12	12
		3	2
Number of Windows; Primary Architectural Plane (Minimum)	One-Story Structures	4	5
	Two-Story Structures	3	2
Number of Windows; Secondary Architectural Plane (Minimum)	One-Story Structures	4	2
	Two-Story Structures	12	10
Number of Windows; Total Aggregate (Minimum)	One-Story Structures	16	15
	Two-Story Structures	YES	NO
Window Treatment Required	Primary Architectural Plane	YES	YES
	Secondary Architectural Plane	YES	NO
Garage Door Percentage; Primary Architectural Plane (Maximum)	One-Story Structures	30%	30%
	Two-Story Structures	20%	20%