

ORDINANCE NO. 85-12-16

**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. 2008 061964 AND 2012 082108

This Ordinance (the "Wood Hollow 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 0983-2016 at its October 17, 2016 meeting as required by law in regard to the application (the "Petition") filed by Pulte Homes of Indiana, 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 "Wood Hollow of Noblesville Preliminary Development Plan", as further described in Section 4 below (the "Plan"); and,

WHEREAS, the Plan Commission has sent a Favorable recommendation for adoption of said amendment with a vote of eleven (11) 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 "R1" Residential to "R1/PD" Residential Planned Development, which is to be known as the Wood Hollow Planned Development (the "District").
- B. The District's underlying zoning district shall be R1 Residential (the "Underlying District"). Development in this District shall be governed entirely by (i) the provisions of this Wood Hollow 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 Wood Hollow PD Ordinance and its exhibits are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Wood Hollow PD Ordinance.

Section 2. **Definitions.** 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.

Section 3. **Permitted Uses.** 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 and thirty-two (132).

Section 4. **Preliminary Development Plan.**

- A. Full sized, scaled development plans are on file with the City's Planning and Development Department dated October 7, 2016. What is attached hereto as Exhibit B is a general representation of the full sized plans and Exhibit B, together with the full sized plans, shall be collectively referred to as the "Preliminary Development Plan".
- B. The Preliminary Development Plan is hereby incorporated herein 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.

Section 5. **Bulk Standards.** The bulk requirements applicable to the Underlying District shall apply except as noted below:

- A. The Minimum Lot Area: 9,100 Square Feet
- B. Minimum Lot Width measured at the front building setback line: 60 feet
- C. Minimum Street Frontage: 25 feet
- D. Minimum Front Yard Setback: 25 feet
- E. Minimum Side Yard Setback: 6 feet
- F. Maximum Floor Area Ratio: 58 percent
- G. Minimum Floor Area: One-story – 2,300 Square Feet
Two-story – 2,450 Square Feet
- H. Maximum Lot Coverage: 47.5 percent

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

- A. The approved elevations shall be the set of home elevations on file with the City's Planning and Development Department as submitted on August 29, 2016, as reviewed and approved

by the City's Architectural Review Board at its September 15, 2016 meeting (the "Approved Elevations").

- B. 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 his or her designees, shall review and approve home elevations at 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. All 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 Wood Hollow 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 30 percent larger than the minimum lot area.
- B. The maximum length of a cul-de-sac (Pecan Court as illustrated on the Preliminary Development Plan) shall be permitted to be 850’.
- C. All internal streets shall have a minimum tangent distance between reverse curves of zero (0) feet.

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 Wood Hollow PD Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.







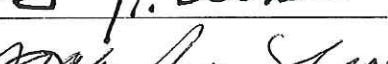


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Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 20th day of December, 2016.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

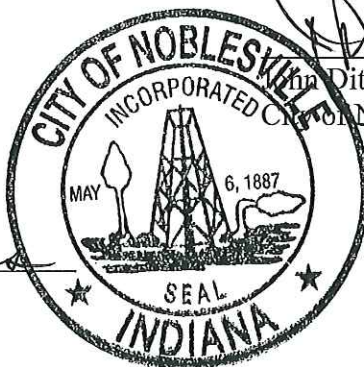
NAY


	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 20th day of December, 2016.

ATTEST:


Evelyn L. Lees, City Clerk




John Ditslear, Mayor
City of Noblesville, IN

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.

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EXHIBIT A

Legal Description (Page 1 of 2)

A part of the North Half of the Northeast Quarter of Section 9, Township 18 North, Range 4 East, in Noblesville Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at a Harrison marker at the Northeast corner of said Northeast Quarter Section; thence North 89 degrees 42 minutes 16 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the North line thereof a distance of 90.41 feet to a point on a curve having a radius of 9910.00 feet on the West right-of-way line of Hazel Dell Road as recorded in Instrument Number 2007019680 in the Office of the Recorder of Hamilton County, Indiana, said point also being the POINT OF BEGINNING of this description; (the next 3 courses being along said West right-of-way line) thence along said curve to the right an arc distance of 58.53 feet, said curve being subtended by a long chord having a bearing of South 00 degrees 09 minutes 09 seconds East and a length of 58.53 feet; thence South 05 degrees 57 minutes 04 seconds East a distance of 140.53 feet; thence South 00 degrees 11 minutes 48 seconds West a distance of 672.29 feet to the Northeast corner of a tract of land described in Instrument Number 2012058800 in said Recorder's Office; thence North 89 degrees 45 minutes 02 seconds West along the North line thereof a distance of 288.00 feet to the Northwest corner of said tract; thence South 00 degrees 11 minutes 48 seconds West along the West line thereof a distance of 453.75 feet to the Southwest corner of said tract, said point also being on the South line of the North Half of said Northeast Quarter; thence North 89 degrees 45 minutes 02 seconds West along the South line thereof a distance of 2329.97 feet to the Southwest corner of the North Half of said Northeast Quarter; thence North 00 degrees 11 minutes 22 seconds West along the West line thereof a distance of 1326.42 feet to the Northwest corner of said Northeast Quarter; thence South 89 degrees 42 minutes 16 seconds East along the North line thereof a distance of 2611.50 feet to the POINT OF BEGINNING. Containing 76.744 acres, more or less.

EXHIBIT A

Legal Description
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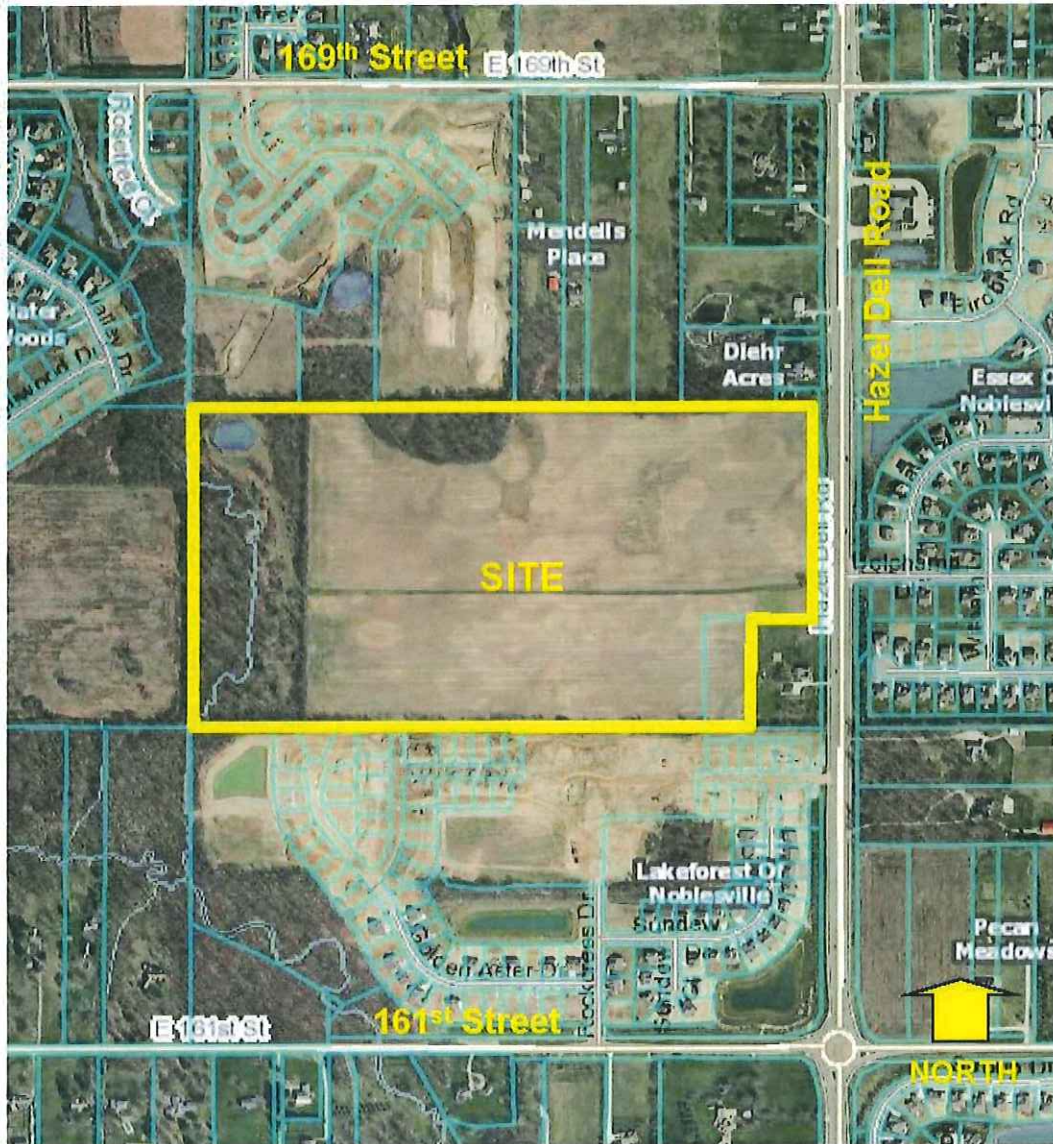


EXHIBIT B

(PRELIMINARY DEVELOPMENT PLAN)



EXHIBIT C

ARCHITECTURAL STANDARDS

ARB 984-2016

Approved by ARB 9-15-16

Single-Family Detached Residential Architectural Standards		
Architectural Feature		Wood Hollow
Floor Area/Dwelling Unit (Minimum)	One-Story Structures (sq. ft.)	2,300
	Two-Story Structures (sq. ft.)	2,400
Corner Breaks; Primary Architectural Plane (Minimum)	One-Story Structures	4
	Two-Story Structures	3
Corner Breaks; Secondary Architectural Plane (Minimum)	One-Story Structures	2
	Two-Story Structures	2
Porch	Required	YLS
	Minimum Size (sq. ft.)	20
Masonry Percentage (Minimum)	Primary Architectural Plane	0%
	Secondary Architectural Plane	0%
	Total (All Architectural Planes)	n/a
Material Restrictions	Vinyl (.048 gauge minimum)	NO
	Vinyl (less than .048 gauge)	NO
	Aluminum	NO
Roof Pitch (Minimum)	Primary Ridge	5/12
Roof Ridgelines (Minimum)	One-Story	2
	Two-Story	3
Roof Overhang; From Framing (Minimum)		12
Number of Windows; Primary Architectural Plane (Minimum)	One-Story Structures	3
	Two-Story Structures	4
Number of Windows; Secondary Architectural Plane (Minimum)	One-Story Structures	1
	Two-Story Structures	0
Number of Windows; Total Aggregate (Minimum)	One-Story Structures	12
	Two-Story Structures	17
Window Treatment Required	Primary Architectural Plane	YES
	Secondary Architectural Plane	NO
Garage Door Percentage, Primary Architectural Plane (Maximum)	One-Story Structures	42%
	Two-Story Structures	50%
Garage Door Windows Required		YES