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ORDINANCE NO. 21-5-01

200100036491  
Filed for Record in  
HAMILTON COUNTY, INDIANA  
MARY L CLARK  
06-18-2001 03:50 pm.  
ORDINANCE 30.00

AN ORDINANCE TO AMEND THE ZONING ORDINANCE,  
A PART OF THE MASTER PLAN OF THE CITY OF  
NOBLESVILLE, HAMILTON COUNTY, INDIANA

An Ordinance to Amend the Unified Development Ordinance of the City of Noblesville, Hamilton County, Indiana, 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 "Commission") has conducted a public hearing as required by law in regard to the application for a change of zone district designation filed by Sagamore Development Company, LLC for the real estate containing approximately 403 acres, legally described on Exhibit "A" hereto, and located in Noblesville Township, Noblesville, Indiana (the "Real Estate").

WHEREAS, the Commission has sent to the Common Council its favorable recommendation adopted on the 21<sup>st</sup> day of May, 2001.

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 of the City of Noblesville, Indiana ("Ordinance") and the Zone Map of the Ordinance are hereby amended as follows:

SECTION 1. The Real Estate is reclassified from the R-1 Residence District Classification to the Residential Planned Development District Classification (RPD) on the Zone Map.

SECTION 2. The Real Estate shall be developed for residential and golf course use, as more particularly shown on the Preliminary Planned Development Plan (the "Preliminary Plan") attached hereto as Exhibit "B". The Commission shall review and approve the Detailed Development Plan.

The development standards for the Real Estate shall be as hereinafter specified.

- A. Permitted Uses:
- (i) Detached single family dwellings and single structures and uses accessory thereto;
  - (ii) Residential common and amenity areas along with accessory uses, structures and improvements located thereon; and
  - (iii) A golf course and country club, together with uses, improvements and structures accessory thereto including, without limitation, a club house, practice areas, tennis courts, swimming pools, fitness centers, a pro shop, storage and maintenance structures, and food service.
- B. The gross density of the development shall not exceed one (1) dwelling unit per acre and in calculating such gross density, the real estate reserved for the golf course shall be included as part of the development. Therefore, the number of single family dwelling units shall not exceed the total number of acres located within the Real Estate and any real estate which is later annexed.
- C. The standards for the development for detached single family dwellings shall be as set forth in Exhibit C, attached hereto.
- D. Architectural Guidelines are set forth in Exhibit D, attached hereto.
- E. Development standards pertaining to streets and parking areas are set forth in Exhibit E, attached hereto.

SECTION 3. Additional real estate shall be permitted to be annexed to this PD ordinance so long as (i) the zoning classification of such additional real estate is first changed to this PD

Ordinance per the terms and procedures of the Ordinance and (ii) the number of residential units to be constructed on the Real Estate, when combined with the number of residential units proposed to be constructed upon such additional real estate, is less than or equal to the number of combined acres located in both the Real Estate and such additional real estate to be annexed.

SECTION 4. The development standards created by this PD Ordinance supersede the development standards of the City of Noblesville, Indiana, Unified Development Ordinance, as specifically described.

SECTION 5. Upon motion duly made and seconded, this PD Ordinance was fully passed by the members of the Common Council this 12th day of June, 2001.

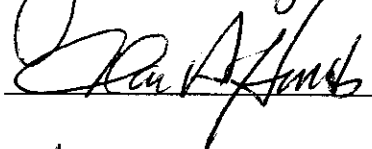
COMMON COUNCIL, CITY OF NOBLESVILLE

BY: AYE

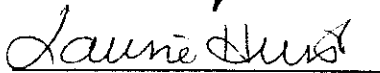
NAY



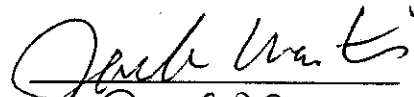
James Snyder



Alan Hinds



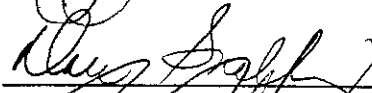
Laurie Hurst



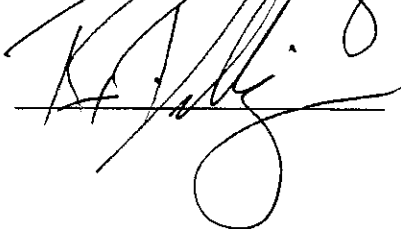
Jack Martin



Jay McCoskey

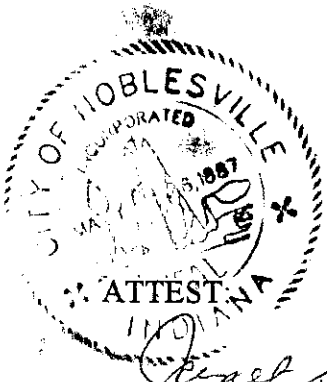


Dale Snelling



Rex Dillinger

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana,  
this 22<sup>nd</sup> day of June, 2001.



Janet S. Jaros  
Janet S. Jaros, Clerk-Treasurer  
City of Noblesville, Indiana

Dennis R. Redick  
Dennis R. Redick, Mayor,  
City of Noblesville, Indiana

This Ordinance prepared by: Charles D. Frankenberger, Attorney at Law  
NELSON & FRANKENBERGER  
3021 East 98<sup>th</sup> Street, Suite 220  
Indianapolis, IN 46280

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## EXHIBIT "A"

### SAGAMORE

#### Description of Real Estate

#### PERIMETER LAND DESCRIPTION

Part of the North Half of Section 8 and part of the North Half of Section 9 all in Township 18 North, Range 5 East of the Second Principal Meridian in Hamilton County, Indiana, more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of said Section 8, marked by a railroad spike (down 3 inches); thence North 89 degrees 46 minutes 23 seconds East (bearings based on NAD83 State Plane Coordinates - East Zone) along the North line of the said Northeast Quarter 2,639.76 feet to a railroad spike (down 4 inches) marking the Northwest corner of the Northwest Quarter of said Section 9; thence North 89 degrees 33 minutes 39 seconds East along the North line of the said Northwest Quarter 2,656.49 feet to a 1" iron pipe marking the Northwest corner of the Northeast Quarter of said Section 9; thence North 89 degrees 33 minutes 19 seconds East along the North line of the said Northeast Quarter 1,332.73 feet to a MAG Nail marking the Northeast corner of the West Half of the said Northeast Quarter Section; thence South 00 degrees 15 minutes 41 seconds East along the East line of the said Half Quarter Section 1,998.22 feet to a 5/8" dia. rebar with a plastic yellow cap stamped "P.I. Cripe, Inc." (hereinafter referred to as a "rebar"); thence South 89 degrees 33 minutes 19 seconds West parallel with the North line of the said Half Quarter 1,334.31 feet to a "rebar" on the East line of the Northwest Quarter of said Section 9; thence South 00 degrees 12 minutes 58 seconds East along the said East line 659.41 feet to a "rebar" marking the Southeast corner of the said Northwest Quarter; thence South 89 degrees 29 minutes 04 seconds West along the South line of the said Northwest Quarter 1,650.01 feet to a "rebar"; thence North 00 degrees 12 minutes 58 seconds West parallel with the East line of the said Northwest Quarter 443.64 feet to a "rebar" on the Easterly extension of the North line of a tract of land described in Deed Record 343, page 814 in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 29 minutes 04 seconds West along the said Easterly extension and the North line of said tract of land 1,008.25 feet to the Northwest corner of said tract of land, marked by a MAG Nail, which lies on the East line of the Northeast Quarter of said Section 8; thence South 00 degrees 10 minutes 15 seconds East along the said East line 443.64 feet to a 3/4" iron pipe (down 2 inches) marking the Southeast corner of the said Northeast Quarter Section; thence South 89 degrees 50 minutes 10 seconds West along the South line of said Northeast Quarter 2,634.41 to a "rebar" marking the Southeast corner of the Northwest Quarter of said Section 8; thence South 89 degrees 43 minutes 46 seconds West along the South line of the said Northwest Quarter [the South line of said Northwest Quarter being determined as the line between a stone with cut "x" found marking the Southwest Quarter of the said Northwest Quarter and a partition stone found 2,148.58 feet - deed (2,148.51 feet - measured) East of the Southwest corner of said Northwest Quarter] 488.22 feet to the said partition stone and the Southeast corner of a 10.00 acre tract of land described in Deed Record 327, page 693 in the said Recorder's Office; thence North 00 degrees 12 minutes 48 seconds West along the East line of said 10.00 acre tract of land and the East line of a 56.63 acre tract of land described in Instrument #9238502 in the said Recorder's Office and the Northerly extension of the East line of said 56.63 acre tract of land 2,591.00 feet to a MAG Nail on the centerline of 166th Street (Stoney Creek Road); thence North 81 degrees 49 minutes 37 seconds East along the said centerline 489.57 feet to the point of beginning, containing 403.484 acres, more or less.

## EXHIBIT "C"

### SAGAMORE

#### Development Standards for Detached Single Family Dwellings

	Area A	Area B	Area C
Minimum Lot Width at Setback Line	70' for all lots, except lots on cul de sacs or roundabouts, which may be less than 70'	105' for all lots, except lots on cul de sacs or roundabouts, which may be less than 105'	120' for all lots, except lots on cul de sacs or roundabouts, which may be less than 120'
Minimum Lot Frontage on Right of Way	25'	25'	25'
Minimum Lot Area	8,000 SF <sup>1</sup>	12,000 SF	12,500 SF
Minimum Front Yard Setback	25' <sup>2</sup>	30'	30'
Minimum aggregate Side Yard Setback - Measured from Foundation	12'	20'	25'
Minimum Side Yard Setback - Measured from Foundation	6'	7'	7'
Minimum Rear Yard Setback	20'	20'	20'
Maximum Building Height for Residences <sup>3</sup>	35'	35'	35'
Minimum Gross Floor Areas <sup>4</sup>	2,000 SF	2,200 SF	2,400 SF

1 SF = square feet

2 Provided, however, that single family dwelling units with side loaded garages shall be permitted to have a twenty foot minimum front yard set back if (i) the garage portion of the single family dwelling has a minimum front yard set back of at least twenty feet (ii) that portion of the single family dwelling which does not include the garage has a minimum front yard set back of twenty-five feet and (iii) the length of the driveway exceeds twenty feet.

3 Building height shall mean the vertical distance measured from the average finished grade to the highest point of the roof, for flat roofs, to the deck line, for mansard roofs, and to the mean height between eaves and ridges for gabled, hipped and gambrel roofs.

4 Gross floor area for any single-family dwelling shall include all heated areas, including both finished and non-finished basements, but excluding garages.

## EXHIBIT "D"

### Architectural Guidelines

1. Street Lights. Street lights will be installed only at the intersections of public streets internal to the community. In the developer's discretion, custom and/or architectural street lights may be substituted for standard street lights specified in the Subdivision Control Ordinance of the City of Noblesville, Indiana.
2. Dusk to Dawn Lights. The builder on each lot shall supply and install a light on such lot at a location, having a height and of a type, style and manufacturer approved by the Developer's Architectural Review Board. Each such light shall either be pole mounted in the front yard of a lot or attached as a carriage light to the residence, and shall be equipped with a photo electrical cell or similar device to ensure automatic illumination from dusk to dawn. The yard light shall be maintained in proper working order by the owner of each lot.
3. Height of Club House. The maximum building height of the club house shall not exceed 45'. Building height shall mean the vertical distance measured from the average finished grade to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridges for gable, hip and gambrel roofs.
4. Residential Landscaping. Each lot shall have a minimum of 4 trees. In connection with the construction of a residence, the builder shall be required to submit a landscape plan to the Developer's Architectural Control Committee.
5. Architectural Grade Shingles. All residences shall be roofed with architectural grade shingles, which shall have greater texture than standard shingles.
6. Street Signage. In the Developer's discretion, the Developer shall be permitted to substitute custom signage for standard street signage specified in the Subdivision Control Ordinance for the City of Noblesville, Indiana.
7. Minimum Roof Pitch. The minimum roof pitch for all residences shall be six (6) to twelve (12).
8. Driveways. Asphalt driveways are prohibited.
9. Chimneys. A wood chimney covering is prohibited.
10. Siding. Aluminum and vinyl siding are prohibited.
11. Windows and Architectural Breaks. Single-family dwellings within Areas B and C shall have windows on all four (4) sides. Single-family dwellings within Area A shall have windows on at least three (3) sides; provided, however, that in the event a side of a single-family dwelling within Area A does not have a window, it shall have at least two (2) architectural breaks such as a chimney or other corner break. The outermost corners of a dwelling unit shall not be considered architectural breaks.
12. Mailboxes. All mailboxes shall be uniform in design, coloring, lettering, and numbering.

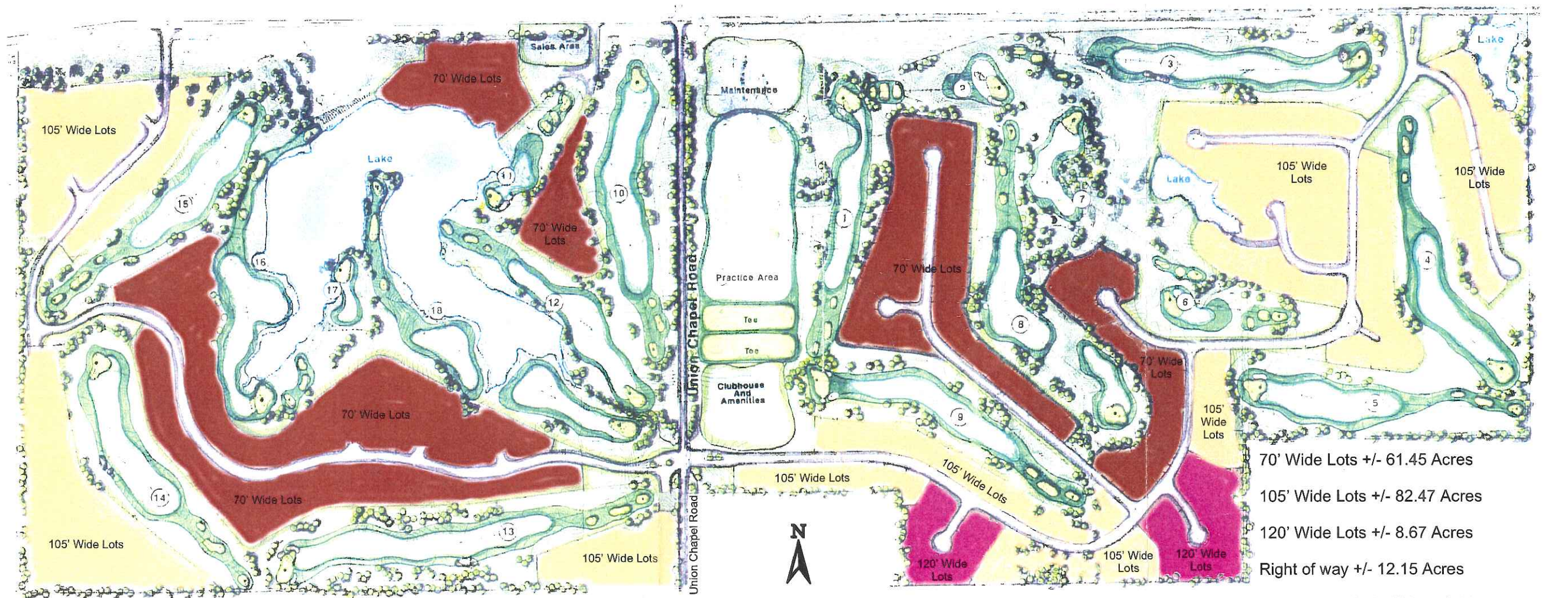
13. Street Number. The number of the street address of each single-family dwelling shall be placed on both the single-family dwelling and the mailbox for that single-family dwelling. All such numbering shall be of uniform design, coloring, and numbering. The number attached to the single-family dwelling shall be etched in stone, concrete, or other brass type plate.
14. Roof Overhang. Each single-family residence shall have eaves of a minimum 8" overhang.
15. Exterior Colors. As part of the application for a building permit, exterior color selection shall be submitted and approved. Exterior colors shall be in harmony with the development of the real estate and shall include earth tones and other traditional colors.
16. Elevations. Single family residences with identical or substantially similar building elevations shall not be located on adjacent lots or directly across the street from each other. Where a single house design is used repeatedly, materials and detailing of major facade elements shall be varied from lot to lot.
17. General Considerations. Consideration shall be given to the appropriate uses of architectural style, form, height, size, scale, quality of workmanship, and color.
18. Design Elements. Design elements and detailing shall be continued completely around the structure. Such design elements shall include, but are not limited to, windows, window placement, trim detailing, and exterior wall materials. Long, massive, unbroken exterior building walls shall be avoided.
19. Roof Form. Roof form and design will include, where appropriate, varied pitches and ridge levels.



## EXHIBIT "E"

### DEVELOPMENT STANDARDS PERTAINING TO STREETS AND PARKING AREAS

1. Streets. Four lots within the community, located between the fourth fairway and the fifth fairway, may be served by a private street and need not, therefore, have frontage on a public right of way; provided, however, that (i) such private street shall be built to city specifications, but shall not be required to end in a cul-de-sac, and shall be snow plowed and maintained by the subdivision's homeowners association, and (ii) other private streets will require a variance.
6. Entrances and Curb Cuts. A total of three road cuts shall be permitted off of Union Chapel, and a total of four road cuts shall be permitted off of 166<sup>th</sup> Street. The golf club house shall be permitted to have a total of two (2) curb cuts for ingress and egress to the public streets internal to the subdivisions. All other road cuts will require application, hearing, and approval.
7. Continuation of Streets. With the exception of the continuation of Emerald Drive from the adjacent Stony Ridge subdivision, internal streets shall not be required to extend to the boundary line of adjacent real estate.
8. Cul-de-Sacs. The cul-de-sac located on the Preliminary Plan between the green for the 1<sup>st</sup> hole and the green for the 2<sup>nd</sup> hole shall have a radius, measured from back of curb, of fifty (50) feet and there shall be installed along the street concluded by such cul-de-sac a turn around, and/or roundabout, at a location and of dimensions deemed acceptable by the Noblesville City Engineer. Other cul-de-sacs which are located east of Union Chapel Road and which exceed 750 feet in length must have a radius, measured from back of curb, of fifty (50) feet. Any cul-de-sacs which are greater than 600 feet in length and which are located west of Union Chapel Road shall require a variance.
9. Curbing. Curbing shall not be required for parking lots within the maintenance and storage areas of the golf course.
10. Street Width. All internal streets shall have a minimum width of 28', from back of curb to back of curb.
11. Right-of-Way Width. All internal rights-of-way shall have a minimum width of 50'.
12. Sidewalks. There shall be sidewalks within the right-of-way of all internal streets, which sidewalks shall be 4' in width.



Conceptual Plan  
Exhibit 8