

19.00  
(6)

Instrument  
9909929766

ORDINANCE NO. 13-4-99

**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 Platinum Properties, LLC, for the real estate containing 198 acres, legally described on Exhibit "A" hereto, and located in Noblesville Township east of and adjacent to Little Chicago Road; west of and adjacent to Mill Creek Road; and South of and adjacent to State Road 38 ("Real Estate").

WHEREAS, the Commission has sent to the Common Council its favorable recommendation adapted on April 19, 1999;

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 use only, as more

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Filed for Record in  
HAMILTON COUNTY, INDIANA  
MARY L CLARK  
On 05-17-1999 At 03:14:46 pm.  
ORDINANCE 19.00

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. Single family detached dwellings; and
- ii. Park and recreation area(s) intended primarily for use by the residents of the planned development.

b. The gross density of the development shall not exceed 2.39 dwelling units per acre;

c. The standards for the development of the Property shall be as set forth in Table 1, attached hereto.

**SECTION 3.** The development standards created by this Ordinance supersede the development standards of the City of Noblesville, Indiana, Unified Development Ordinance, as specifically described.

**SECTION 4.** Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 10th day of May, 1999.

COMMON COUNCIL, CITY OF NOBLESVILLE

AYE

Terry L. Busby Terry L. Busby

Alan Hinds Alan Hinds

Laurie Hurst Laurie Hurst

NAY

Alan Hinds

AYE

NAY

Jack Martin  
Jack Martin

Rick B. Moore  
Rick B. Moore

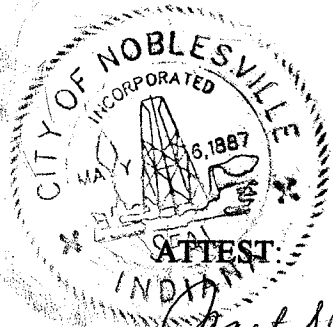
Dale Snelling  
Dale Snelling

C. Murphy White  
C. Murphy White

Paul R. G. [Signature]

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana,  
this 10<sup>th</sup> day of May, 1999.

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



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

This Ordinance prepared by:

James J. Nelson, Attorney at Law  
NELSON & FRANKENBERGER  
3021 East 98<sup>th</sup> Street, Suite 220  
Indianapolis, IN 46280

## EXHIBIT "A"

### ZONING DESCRIPTION

#### PARCEL ONE

A part of the West Half of the Northwest Quarter of Section 34, Township 19 North, Range 4 East, in Hamilton County, Indiana, more particularly described: Beginning 200 feet east of the northwest corner of the northwest quarter of Section 34, Township 19 North, Range 4 East, and on the north line thereof; thence continuing east on an along aforesaid north line 1120.0 feet to the east line of the west half of said northwest quarter; thence south on and along aforesaid east line 300 feet; thence west parallel with the north line of said northwest quarter, 1120.00 feet to a point, which is 200.0 feet east, measured parallel with the north line of said northwest quarter of the west line of said northwest quarter; thence north parallel with the west line of said northwest quarter; 300 feet to the place of beginning, containing 7.71 acres, more or less.

#### PARCEL TWO

a part of the Northwest quarter of Section 34, Township 19 North, Range 4 East, described as follows: Begin at the Northwest corner of the Northwest Quarter of Section 34, Township 19 North, Range 4 East, run thence East on and along the North line of said Quarter 200 feet to an iron stake; thence South parallel with the West line of said Quarter 170 feet to an iron stake; thence West parallel with the North line of said Quarter 200 feet to the intersection with the West line of said Quarter; thence North on and along said West line 170 feet to the place of beginning, containing .78 acres, more or less.

#### PARCEL THREE

A part of the Northwest Quarter of Section 34, Township 19 North, Range 4 East, described as follows: Beginning 170 feet south of the Northwest corner of said quarter section, and run thence east parallel to the north line of said Section 200 feet thence south 130 feet, thence west 200 feet to the west line of said section, thence north 130 feet to the place of beginning, containing .596 of an acre, more or less.

#### PARCEL FOUR

A part of the Southwest Quarter of Section 27, Township 19 North, Range 4 East, Hamilton County, Indiana, described as follows:

Beginning at the Southwest corner of said quarter section; thence North 0 degrees 01 minutes 48 seconds East (assumed bearing) along the west line of said quarter section 75.00 feet; thence North 89 degrees 17 minutes 39 seconds East parallel with the South line of said quarter section 1320.04 feet; thence South 0 degrees 01 minutes 48 seconds West 75.00 feet to the northeast corner of the real estate conveyed to Robert E. and Bethel L. Byers by Warranty Deed, recorded in Deed Record

209, page 289, in the Office of the Recorder of Hamilton County, Indiana, thence South 89 degrees 17 minutes 39 seconds West along the south line of said quarter section 1320.04 feet to the Point of Beginning and containing 2.273 acres, more or less.

ALSO:

The Southwest Quarter and a part of the Northwest Quarter of Section 27, Township 19 North, Range 4 East, Hamilton County, Indiana, and being more particularly described as follows:

Beginning at the Northeast corner of said Southwest Quarter Section; thence south 0 degrees 07 minutes 26 seconds West along the East lone of said Southwest Quarter Section, 2655.26 feet to the Southeast corner thereof; thence South 89 degrees 17 minutes 39 seconds West along the South line of said southwest Quarter Section 1320.03 feet to a point being North 89 degrees 17 minutes 39 seconds East 1320.04 feet from the Southwest corner of said Quarter Section; thence North 0 degrees 01 minutes 48 seconds east 75.00 feet; thence South 89 degrees 17 minutes 39 seconds West parallel with the South line of said Quarter Section 1320.04 feet to a point on the West line of said Quarter Section being North 0 degrees 01 minutes 48 seconds East 75.00 feet from the Southwest corner thereof; thence North 0 degrees 01 minutes 48 seconds East along the West line of said southwest Quarter Section 2577.90 feet to the Northwest corner thereof, also being the Southwest corner of said Northwest Quarter Section; thence North 0 degrees 00 minutes 21 seconds West along the West line of said Northwest Quarter Section, 1710.05 feet to the center line of State Road 38; thence South 60 degrees 59 minutes 47 seconds East along said centerline, 3023.45 feet to the East line of said Northwest Quarter Section; thence South 0 degrees 02 minutes 29 seconds East along said East line, 209.21 feet to the point of beginning and containing 216.953 acres, more or less.

EXCEPT:

Part of the Northwest Quarter of Section 27, Township 19 North, Range 4 East in Noblesville Township, Hamilton County, Indiana being more particularly described as follows:

Commencing at the southeast corner of said Quarter Section; thence North 00 degrees 02 minutes 29 seconds West (assumed bearing) along the East line of said Quarter Section 209.21 feet to a point on the centerline of State Road 38; thence 60 degrees 59 minutes 47 seconds West along said centerline 1477.01 feet to the POINT OF BEGINNING of this description; thence South 29 degrees 00 minutes 13 seconds West 414.30 feet; thence South 49 degrees 57 minutes 51 seconds West 279.05 feet; thence South 62 degrees 08 minutes 58 seconds West 483.96 feet; thence South 89 degrees 59 minutes 39 seconds West 509.88 feet to a point on the West along said West line 1517.79 feet to a point on the aforesaid centerline; thence South 60 degrees 59 minutes 47 seconds East along said centerline 1546.41 feet to the place of beginning, containing 30.115 acres, more or less.

**Mill Grove**  
**Development Standards for**  
**Single Family Detached Dwellings**

	<b>Area A</b>	<b>Area B</b>	<b>Area C</b>
<b>Street Widths</b>	<b>28' BB</b>	<b>28' BB</b>	<b>28' BB</b>
<b>Sidewalks</b>	<b>both sides</b>	<b>both sides</b>	<b>both sides</b>
<b>Minimum Lot Width at Setback Line</b>	<b>60'</b>	<b>70'</b>	<b>90'</b>
<b>Minimum Lot Area</b>	<b>7200 sf</b>	<b>8750 sf</b>	<b>12000 sf</b>
<b>Minimum Front Yard Setback</b>	<b>20'</b>	<b>25'</b>	<b>25'</b>
<b>Minimum Side Yard Setback</b>	<b>6'</b>	<b>6'</b>	<b>10'</b>
<b>Minimum Rear Yard Setback</b>	<b>25'</b>	<b>25'</b>	<b>25'</b>
<b>Maximum Building Height</b>	<b>35'</b>	<b>35'</b>	<b>35'</b>
<b>Minimum Living Area</b>	<b>1200 sq. ft.</b>	<b>1400 sq. ft.</b>	<b>1600 sq. ft.</b>
<b>Covenants &amp; Restrictions</b>	<b>yes</b>	<b>yes</b>	<b>yes</b>