

## **ORDINANCE 14-16**

**AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF THE BRIDGEWATER CLUB PLANNED UNIT DEVELOPMENT BEING THAT OF ORDINANCE 06-49, ORDINANCE 08-05, ORDINANCE 09-17, ORDINANCE 10-01, ORDINANCE 10-08, ORDINANCE 10-19, ORDINANCE 11-01, ORDINANCE 12-10, ORDINANCE 13-03, ORDINANCE 13-06, ORDINANCE 13-08, ORDINANCE 14-02 AND TITLE 16 - LAND USE CONTROLS**

**WHEREAS**, The City of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield-Washington Township Zoning Ordinance; and;

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the “Commission”) considered a petition (Docket 14\_\_\_-PUD-\_\_\_), filed with the Commission requesting an amendment to Ordinance 06-49, enacted by the Town Council on October 9, 2006 , and amended by (i) Ordinance 08-05, enacted by the City Council on February 11, 2008 (ii) Ordinance 09-17, enacted by the City Council on September 14, 2009; (iii) Ordinance 10-01, enacted by the City Council on February 8, 2010; (iv) Ordinance 10-05, enacted by the City Council on April 12, 2010; (v) Ordinance 10-08, enacted by the City Council on May 24, 2010; (vi) Ordinance 10-19, enacted by the City Council on September 13, 2010; (vii) Ordinance 11-01, enacted by the City Council on January 10, 2011; (viii) Ordinance 12-10, enacted by the City Council on April 9, 2012; (ix) Ordinance 13-03, enacted by the City Council on February 11, 2013; (x) Ordinance 13-06, enacted by the City Council on March 11, 2013; (xi) Ordinance 13-08, enacted by the City Council on March 25, 2013; and (xii) Ordinance 14-02, enacted by the City Council on February 24, 2014 (collectively, the “Bridgewater PUD Ordinance”)

**WHEREAS**, on \_\_\_\_\_, 2014 the Commission took action to forward Docket Number 13\_\_\_-PUD-\_\_\_ to the Westfield City Council with a \_\_\_\_\_ recommendation in accordance with Ind. Code 36-7-4-608, as required by Ind. Code 36-7-4-1505;

**WHEREAS**, on \_\_\_\_\_, 2014 the Secretary of the Commission certified the action of the Commission to the City Council; and,

**WHEREAS**, the Westfield City Council is subject to the provisions of the Indiana Code IC 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE BRIDGEWATER PUD ORDINANCE AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:**

**SECTION 1.** The Bridgewater PUD Ordinance is hereby amended, but only with respect to (i) the standards applicable to signage on the real estate established in what is attached hereto and incorporated herein by reference as Exhibit “A” and (ii) only

applicable to the real estate described in what is attached hereto and incorporated herein by reference as Exhibit “B” (the “Real Estate”). In all other respects, the Bridgewater PUD Ordinance shall remain in effect and unchanged.

**SECTION 2.** Upon motion duly made and seconded, this Ordinance 14-16 was fully passed by members of the Council this \_\_ day of \_\_\_\_\_, 2014. Further, this Ordinance 14-16 shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict with this Ordinance 14-16 are hereby amended. To the extent that this Ordinance 14-16 conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of this Ordinance 14-16 shall prevail.

**[Rest of page is intentionally left blank]**

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,  
HAMILTON COUNTY, INDIANA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Jim Ake

\_\_\_\_\_  
Chuck Lehman

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Chuck Lehman

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Chuck Lehman

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Steven Hoover

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Steven Hoover

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Steven Hoover

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Robert L. Horkay

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Robert L. Horkay

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Robert L. Horkay

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Robert J. Smith

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Robert J. Smith

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Cindy L. Spoljaric

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Cindy L. Spoljaric

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Cindy L. Spoljaric

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Robert W. Stokes

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Robert W. Stokes

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Robert W. Stokes

ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

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

\_\_\_\_\_  
Signed

I hereby certify that ORDINANCE No. 14-16 was delivered to the Mayor of Westfield  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE No. 14-16

This \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. 14-16

this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
J. Andrew Cook, Mayor

ATTEST:

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

Prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenberger  
3105 East 98<sup>th</sup> Street, Suite 170, Indianapolis, In. 46280, (317) 844-0106

## EXHIBIT "A"

**Signage.** Section 14 (C) (1) (c) of the Bridgewater PUD Ordinance regarding signage shall be replaced and superseded by the following:

The height of the lettering, numbering or graphics shall not exceed twenty four (24) inches.

**EXHIBIT "B"**

**(Legal Description)**

Lot 1 in the Bridgewater Center at 146<sup>th</sup> Street, an Addition to Hamilton County, Indiana, as per plat thereof recorded September 16, 2013, as Instrument No. 2013-59163, in the office of the Recorder of Hamilton County, Indiana.