

**ORDINANCE NUMBER 14-55**

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON  
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO  
THE HARMONY PLANNED UNIT DEVELOPMENT AND THE UNIFIED  
DEVELOPMENT ORDINANCE**

This is an Ordinance (this "Ordinance") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended;

**WHEREAS**, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

**WHEREAS**, the Council enacted Ordinance No. 12-14, the Harmony Planned Unit Development District (the "Harmony PUD Ordinance"), on January 14, 2014;

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1412-PUD-\_\_\_\_\_**), requesting an amendment to the Harmony PUD Ordinance with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

**WHEREAS**, the Commission forwarded **Petition No. 1412-PUD-\_\_\_\_\_** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a \_\_\_\_\_ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

**WHEREAS**, the Secretary of the Commission certified the action of the Commission to the Common Council on \_\_\_\_\_, 2015;

**WHEREAS**, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Harmony PUD Ordinance and the Unified Development Ordinance and are hereby amended as follows:

**Section 1. Applicability of Ordinance.**

- 1.1 This Ordinance shall amend the Harmony PUD Ordinance, as applicable to the Real Estate. Development of the Real Estate shall be governed by (i) the Harmony PUD Ordinance as amended by this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by the Harmony PUD Ordinance, as amended.
- 1.2 Chapter (“*Chapter*”) and Article (“*Article*”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.3 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of the Harmony PUD Ordinance, as amended.

**Section 2. Architectural Standards.** The standards of *Section 3.4: Architectural Standards* in the Harmony PUD Ordinance shall apply to the development of the District, except as otherwise modified by the Harmony PUD Ordinance and below.

- 2.1 Architectural Design Standards: *Section 3.4 (A) Architectural Design Standards* shall apply to the Real Estate, except that as an alternative to complying with one of the defined architectural designs detailed in Section 3.4.A.3, homes located on the 42’ alley-load series lots and the 42’ mew series lots may follow an architectural style substantially similar to the Cottage Collection homes shown in **Exhibit B** attached hereto (the "Cottage Collection homes").

ALL OF WHICH IS ORDAINED/RESOLVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

WESTFIELD CITY COUNCIL

**Voting For**

**Voting Against**

**Abstain**

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

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

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

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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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Charles Lehman

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Charles Lehman

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Charles Lehman

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Robert J. Smith

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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 hereby certify that **ORDINANCE** \_\_\_\_ - \_\_\_\_ was delivered to the Mayor of  
Westfield on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_.m.

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

I hereby APPROVE **ORDINANCE** \_\_\_\_ - \_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

I hereby VETO **ORDINANCE** \_\_\_\_ - \_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

This document prepared by:  
Bryan D. Stumpf, PLA, AICP  
12965 Old Meridian Street  
Carmel, IN 46032

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. Bryan D. Stumpf

**SCHEDULE OF EXHIBITS**

Exhibit A Real Estate (Legal Description)

Exhibit B Cottage Collection Homes Architectural Elevations

**EXHIBIT A**

**REAL ESTATE**

**LEGAL DESCRIPTION FOR THE RESIDENTIAL DISTRICT**

Part of the Northeast, Southeast and Northwest Quarters of Section 16, Township 18 North, Range 3 East in Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Northeast Quarter; thence South 00 degrees 00 minutes 00 seconds East (assumed basis of bearings) along the east line of said Northeast Quarter 2,630.58 feet to the northeast corner of said Southeast Quarter; thence South 00 degrees 12 minutes 08 seconds East along the east line of said Southeast Quarter 2,636.09 feet to the southeast corner thereof; thence South 89 degrees 25 minutes 04 seconds West along the south line of said Southeast Quarter 1,352.43 feet to the southwest corner of the East Half of said Southeast Quarter; thence North 00 degrees 18 minutes 09 seconds West along the west line of said East Half 2,633.15 feet to the southeast corner of the West Half of said Northeast Quarter; thence South 89 degrees 17 minutes 41 seconds West along the south line of said West Half 1,357.06 feet to the southeast corner of said Northwest Quarter; thence South 89 degrees 01 minute 52 seconds West along the south line of said Northwest Quarter 678.57 feet to the southwest corner of the East Half of the Southeast Quarter of said Northwest Quarter; thence North 00 degrees 11 minutes 39 seconds West along the West line of said East Half 1,315.85 feet to the northwest corner thereof; thence South 89 degrees 07 minutes 05 seconds West along the south line of the Northeast Quarter of said Northwest Quarter 679.24 feet to the southwest corner thereof; thence North 00 degrees 13 minutes 25 seconds West along the west line of the Northeast Quarter of said Northwest Quarter 823.62 feet to a point that is 493.24 feet South 00 degrees 13 minutes 26 seconds East from the northwest corner of the Northeast Quarter of said Northwest Quarter; thence North 89 degrees 12 minutes 17 seconds East parallel with the north line of said Northwest Quarter 794.85 feet; thence North 00 degrees 13 minutes 25 seconds West 3.82 feet; thence North 89 degrees 12 minutes 17 seconds East parallel with the north line of said Northwest Quarter 285.30 feet to an east line of the 119.55-acre tract described in Instrument Number 200300107178, on file in the Office of the Recorder of Hamilton County, Indiana, the following six (6) courses are along the east, south and west lines of said 119.55-acre tract; 1) thence South 00 degrees 09 minutes 53 seconds East 108.70 feet; 2) thence North 89 degrees 12 minutes 17 seconds East 279.15 feet to the west line of said Northeast Quarter; 3) thence North 89 degrees 16 minutes 38 seconds East 450.00 feet; 4) thence South 00 degrees 09 minutes 53 seconds East 57.15 feet; 5) thence North 89 degrees 16 minutes 38 seconds East 518.47 feet; 6) thence North 00 degrees 00 minutes 00 seconds West parallel with the east line of said Northeast Quarter 655.30 feet to a point in the north line of said Northeast Quarter that is 1,751.34 feet west of the northeast corner of said Northeast Quarter; thence North 89 degrees 16 minutes 38 seconds East along said north line 1,751.34 feet to the POINT OF BEGINNING. Containing 277.55 acres, more or less.

EXCEPT THEREFROM the following described real estate:

The Southeast Quarter of the Southeast Quarter of Section 16, Township 18 North, Range 3 East, in Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the Southeast Corner of said Quarter Quarter Section, the following four (4) courses are along the south, west, north, and east lines thereof; (1) thence South 89 degrees 25 minutes 04 seconds West 1352.43 feet; (2) thence North 00 degrees 18 minutes 09 seconds West 1316.57 feet; (3) thence North 89 degrees 21 minutes 22 seconds East 1354.74 feet; (4) thence South 00 degree 12 minutes 08 seconds East 1318.04 feet to the POINT OF BEGINNING; containing 40.933, acres more or less.

**EXHIBIT B**

COTTAGE COLLECTION HOMES ARCHITECTURAL ELEVATIONS