2015002392 ORDINANCE $19.00
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Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE 14-34

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF THE SPRINGMILL TRAILS PLANNED UNIT DEVELOPMENT BEING THAT OF ORDINANCE 11-19 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 Unified Development Ordinance (the "UDO"); and;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Docket 1409-PUD-14), filed with the Commission requesting an amendment to Ordinance 11-19, enacted by the Council on September 12, 2011 (the "Springmill Trails PUD Ordinance")

WHEREAS, on December 15, 2014 the Commission took action to forward Docket Number 1409-PUD-14 to the Westfield City Council with a **favorable recommendation (7-0)** in accordance with Ind. Code 36-7-4-608, as required by Ind. Code 36-7-4-1505;

WHEREAS, on December 16, 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 SPRINGMILL TRAILS PUD ORDINANCE AND UNIFIED DEVELOPMENT ORDINANCE BE AMENDED AS FOLLOWS:

Section 1. Applicability of Ordinance

1.1 The Springmill Trails PUD Ordinance is hereby amended in accordance with the standards established in the attached **Exhibit B**.

1.2 This ordinance shall hereafter be referred to as The Springmill Trails PUD Amendment Ordinance (this "Ordinance").

1.3 This Ordinance applies to the subject real estate, generally described in **Exhibit A**, attached hereto and incorporated herein (the "Real Estate").

1.4 All other provisions of The Springmill Trails PUD shall remain in effect with the adoption of this Ordinance.

1.5 All provisions and representations of the UDO or The Springmill Trails PUD as amended, that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

COPY

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 12 DAY OF Jan, 2015

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For	Voting Against	Abstain
Jim Ake	Jim Ake	Jim Ake
Chuck Lehman	Chuck Lehman	Chuck Lehman
Steven Hoover	Steven Hoover	Steven Hoover
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
Robert J. Smith	Robert J. Smith	Robert J. Smith
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric
Robert W. Stokes	Robert W. Stokes	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: Tammy K. Haney

I hereby certify that ORDINANCE No. 14-34 was delivered to the Mayor of Westfield

on the 14 day of Jan, 2015, at 9:30AM

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE No. 14-34

This 14 day of January, 2015.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. 14-34

This_____day of_____, 2015.

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

Prepared by: Tammy K. Haney, Keller Macaluso LLC, 760 3rd Avenue SW, Suite 210, Carmel, IN 46032

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

Signed

EXHIBIT A
Legal Description

Lots 24, 25, 56, 61, 76, 80 and 82 in Waters Edge at Springmill Trails Section Two as per plat thereafter recorded on November 12, 2013 as Instrument No. 2013068442.

EXHIBIT B

I. Minimum Setback Lines.

a) Section 2.3.D.1(d) of the Springmill Trails PUD shall be deleted and replaced with the following:
   i. 60' front load lots – Twenty (20) feet; except nineteen (19) feet front yard setbacks are permitted on the following Lots on the Real Estate:
      A. Lot Numbers 24 and 25; provided further that homes and driveways constructed on Lots 24 and 25 will not face nor be accessed by Starview Drive.

b) Section 2.3.D.2(d) of the Springmill Trails PUD shall be deleted and replaced with the following:
   i. 60' front load lots – Six (6) feet; except five (5) feet side yard setbacks are permitted on the following Lots on the Real Estate:
      A. Lot Numbers 56, 61, 76, 80 and 82; provided further that the minimum building separation between dwellings on these lots and dwellings on adjacent Lots shall be twelve (12) feet.