



Maple Knoll

PLANNED UNIT DEVELOPMENT

AMENDMENT ORDINANCE

Ordinance No.: 05-22

Adoption Date: July 11, 2006

Instrument No.: 200500045348

AMENDMENT APPLIES TO: The area identified as Suburban Residential District on the Concept Plan.

DESCRIPTION OF AMENDMENT: This amendment modified roof pitch requirements to the PUD District.

RELATED ORDINANCES¹: [04-02](#)

¹ Includes only adopted ordinances prior to the above mentioned ordinance. Please confirm with the Economic and Community Development Department for any succeeding ordinances.

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200500045348
Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
07-20-2005 At 02:03 pm.
ORDINANCE 51.00

ORDINANCE 05-22

AN ORDINANCE OF THE TOWN OF WESTFIELD AMENDING THE TEXT OF THE MAPLE KNOLL PLANNED UNIT DEVELOPMENT DISTRICT PUD ORDINANCE NO. 04-02

WHEREAS, the Town of Westfield, Indiana, hereinafter referred to as "Town", has the authority and responsibility to adopt, maintain and amend the Westfield-Washington Township Zoning Ordinance (hereinafter, "Ordinance") in Westfield; and,

WHEREAS, through a Joinder Agreement with Washington Township, said Ordinance is effective throughout Washington Township; and,

WHEREAS, the Westfield-Washington Township Advisory Plan Commission ("Commission") considered a petition (docket 0505-PUD-03) filed with the Commission to create a text amendment to rezone Ordinance 04-02; and

WHEREAS, the Westfield Washington Township Advisory Plan Commission did take action to forward the request to the Westfield Town council with a positive recommendation under the provision of IC 36-7-4-605; and

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Town Council on June 27, 2005; and

WHEREAS, the Westfield Town Council is subject to the provision of IC 36-7-4-607 (e).

NOW, THEREFORE, BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION I. REVISED ROOF PITCH PROVISION. Section III(2) of Exhibit 16 of the Maple Knoll PUD (Ordinance 04-02) is hereby deleted, in its entirety, and replaced and superseded by the following:

Pitched roofs shall be 6:12 minimum, exclusive of porches, bumpouts, or dormers; provided, however, that pitched roofs for ranch homes, constructed within the Suburban Residential District south of the Jay Edwards Drain Interceptor, shall be 5:12 minimum, exclusive of porches, bumpouts, or dormers.

SECTION II. AMENDED MAPLE KNOLL PUD (ORDINANCE 04-02). The Maple Knoll PUD, as hereby amended, shall remain in full force and effect.

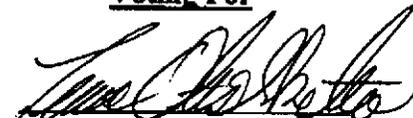
ALL OF WHICH IS SO ADOPTED THIS 11 DAY OF July 2005.

WESTFIELD TOWN COUNCIL

Voting For

Voting Against

Abstain


Teresa Otis Skelton

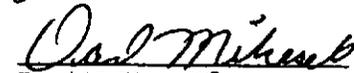
Teresa Otis Skelton

Teresa Otis Skelton


Jack Hart

Jack Hart

Jack Hart


David Mikesell

David Mikesell

David Mikesell


Bob Smith

Bob Smith

Bob Smith

Ron Thomas


Ron Thomas

Ron Thomas



Clerk-Treasurer, Cindy Gossard

This document prepared by
Jerry Rosenberger, Town Manager

**WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Township Advisory Plan Commission met on Monday, June 27, 2005, to consider a proposed text amendment to the Maple Knoll PUD ordinance (Ord. 04-02). Notice of public hearing on June 27, 2005, was presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed text amendment to Section III(2) of Exhibit 16 of the Maple Knoll PUD is as follows:

Pitched roofs shall be 6:12 minimum, exclusive of porches, bumpouts, or dormers; provided, however, that pitched roofs for ranch homes, constructed within the Suburban Residential District south of the Jay Edwards Drain Interceptor, shall be 5:12 minimum, exclusive of porches, bumpouts, or dormers.
(0505-PUD-03)

A motion was approved to forward this request to the Westfield Town Council with a positive recommendation (5-3 (Thomas, Spoljaric, Horkay) – 0).

I, Kevin G. Buchheit, AICP, being the Secretary of the Westfield-Washington Township Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Township Advisory Plan Commission held on June 27, 2005.



Kevin G. Buchheit, AICP, Secretary

June 28, 2005

Date

DRAFT

WWTAPC 04.27.2005

0505-PUD-03

Maple Knoll Text Amendment 0505-PUD-03. Maple Knoll PUD text amendment (Ord. 04-02, Exhibit 16, III), roof pitch requirements in Suburban Residential District, by Platinum Properties, LLC.

Smith moved to waive the 21-day notice.

Spoljaric seconded, and the motion passed by voice vote.

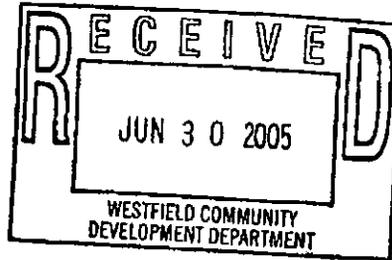
Mr. Charles Frankenberger, Nelson & Frankenberger, presented details of the text amendment, which is to lower the roof pitch, and gave some background on the Maple Knoll project.

A Public Hearing opened at 9:17 p.m.

No one spoke, and the Public Hearing closed at 9:18 p.m.

Kelleher moved to approve the text change and change the wording in the ordinance to "pitched roofs shall be 6/12 minimum exclusive of porches, bump outs, or dormers provided however that pitched roofs for ranch homes constructed within the suburban residential district south of the J. Edwards drain interceptor shall be 5/12 minimum exclusive of porches, bump outs, or dormers."

Smith seconded, and the motion passed 5-3 (Thomas, Spoljaric, Horkay).



WESTFIELD, INDIANA

**MAPLE KNOLL
TEXT AMENDMENT**

Town Council - July 11, 2005

Applicant: Platinum Properties, LLC
Attention: Paul Rioux - 818-2900
9551 Delegates Row
Indianapolis, IN 46240

Attorney: Charles D. Frankenberger
NELSON & FRANKENBERGER
3105 East 98th Street, Suite 170
Indianapolis, IN 46280
Telephone: (317) 844-0106

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EXPLANATION

On February 9, 2004, the Town Council enacted the Maple Knoll PUD Ordinance, following a favorable recommendation from the Plan Commission. Included under Tab 2 is an aerial photograph identifying the perimeter boundary of Maple Knoll and the four internal districts.

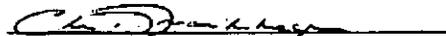
Pulte Homes is the builder within the Suburban Residential District identified on the aerial photograph. Within the Suburban Residential District, and north of the Jay Edwards Drain Interceptor, Pulte is building two story residences, samples of which are included under Tab 3. Within the Suburban Residential District, and south of the Jay Edwards Drain Interceptor, Pulte is building its empty-nester ranches. The empty-nester ranches have an average sales price in excess of \$230,000, and have the added benefit of delivering significant assessed valuation with only a nominal, if any, corresponding impact on the school system. Photographs of all five empty-nester ranch models are included in this informational brochure under Tab 4.

Regarding residences constructed in the Suburban Residential District, the Maple Knoll PUD includes a provision that "pitched roofs shall be 6:12 minimum, exclusive of porches, bumpouts, or dormers". The subject roof of three of Pulte's five empty-nester ranch models has a pitch of 5:12, representing an angle defined by a rise of 5 inches for a run of every 12 inches. The three empty-nester ranch models with a 5:12 roof pitch are the Abernathy, the Chatfield, and the Kendrick.

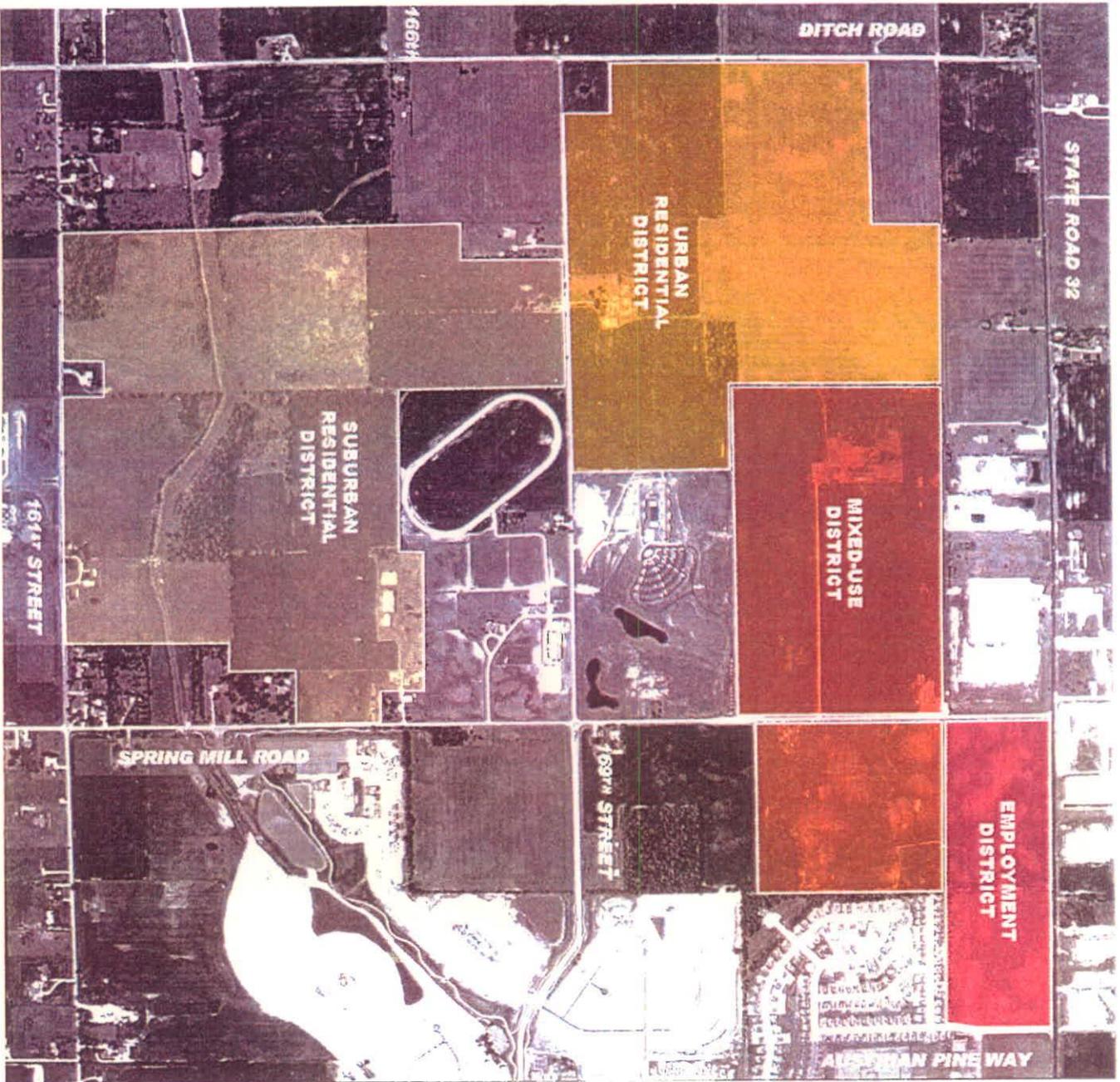
Diversity of selection is necessary for the success of the empty-nester ranches. In order to allow Pulte to provide such diversity and make available all five models of the ranch homes, Pulte is requesting a text amendment permitting a limited reduction in the minimum roof pitch from 6:12 to 5:12. This request is needed only with respect to three of the five ranch models, and is limited to the area of the Suburban Residential District south of the Jay Edwards Drain.

The first consideration of this request took place at the Town Council meeting on May 9, 2005, and this request was then forwarded to Plan Commission without the requirement of a second consideration before the Town Council. On June 27, 2005, we received a favorable recommendation from the Plan Commission. We look forward to presenting this request to the Town Council on July 11, 2005.

Respectfully submitted,


Charles D. Frankenberger

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N →

3

ST. JAMES & LAFAYETTE



ST. JAMES



KENSINGTON



4

HAMPTON



ABERNATHY



HAMPTON



ABERNATHY



CHATFIELD



HANSBURY



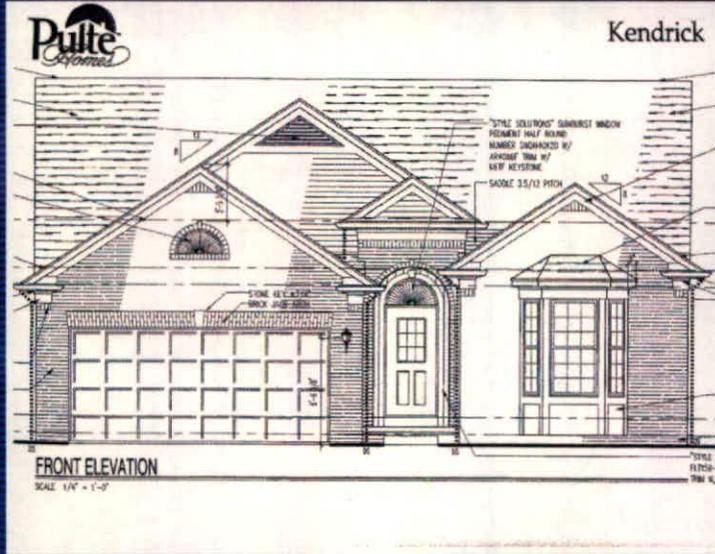
CHATFIELD



HANSBURY



KENDRICK



5

WESTFIELD, INDIANA
MAPLE KNOLL

PUD ORDINANCE NO. _____
AMENDING THE TEXT OF
THE MAPLE KNOLL
PLANNED UNIT DEVELOPMENT DISTRICT
PUD ORDINANCE NO. 04-02

This Ordinance, to be known and referred to as the Maple Knoll Text Amendment, amends the text of the Maple Knoll Planned Unit Development District PUD Ordinance No. 04-02 (the "Maple Knoll PUD");

WITNESSETH:

WHEREAS, the Plan Commission of the Town of Westfield and Washington Township (the "Commission") has conducted a public hearing as required by law in regard to the application filed by Platinum Properties, LLC to change the text of the Maple Knoll PUD;

WHEREAS, the Commission has sent to the Town Council of the Town of Westfield, Indiana (the "Town Council") its recommendation adopted the ____ day of _____, 2005, by a vote of ____ in favor and ____ opposed; and

NOW, THEREFORE, be it ordained by the Town Council meeting in regular session, that the text of the Maple Knoll PUD is amended as follows:

SECTION 1. REVISED ROOF PITCH PROVISION. Section III(2) of Exhibit 16 of the Maple Knoll PUD is hereby deleted, in its entirety, and replaced and superseded by the following:

Pitched roofs shall be 6:12 minimum, exclusive of porches, bumpouts, or dormers; provided, however, that pitched roofs for ranch homes, constructed within the Suburban Residential District south of the Jay Edwards Drain Interceptor, shall be 5:12 minimum, exclusive of porches, bumpouts, or dormers.

SECTION 2. AMENDED MAPLE KNOLL PUD. The Maple Knoll PUD, as hereby amended, shall remain in full force and effect.

Upon motion duly made and seconded, this Bridgewater Extension was fully passed by the members of the Council this _____ day of _____, 2005.

TOWN COUNCIL, TOWN OF WESTFIELD

BY:	AYE		NAY
	_____	Teresa Otis Skelton	_____
	_____	John Hart	_____
	_____	David Mikesell	_____
	_____	Robert Smith	_____
	_____	Ronald Thomas	_____