

21.00  
6



**ORDINANCE NUMBER 15-19**

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND THE ANDOVER PLANNED UNIT DEVELOPMENT DISTRICT 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. 03-40, the Andover Planned Unit Development District (the "Andover PUD Ordinance"), on December 8, 2003, as amended by Ordinance No. 06-24 and Ordinance No. 12-37;

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1507-PUD-13**), requesting an amendment to the Andover 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. 1507-PUD-13** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a **favorable recommendation** (9-0) 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 June 16, 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 Andover PUD Ordinance and the Unified Development Ordinance are hereby amended as follows:

COPY

**Section 1. Applicability of Ordinance.**

- 1.1 This Ordinance shall amend the Andover PUD Ordinance, as applicable to the Real Estate. Development of the Real Estate shall be governed by the Andover PUD Ordinance, as amended by this Ordinance and its exhibits.
- 1.2 All other provisions of the Andover PUD Ordinance shall remain in effect with the adoption of this 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 Andover PUD Ordinance, as amended.

**Section 2. Setback Standards.** The standards of *Exhibit 7: Development Standards Matrix* of the Andover PUD Ordinance shall apply to the development of the Real Estate, except as otherwise modified below:

- 2.1 Side-Load Garages: The minimum side yard building setback line for a single-family detached dwelling on the Real Estate may be reduced to five (5) feet for dwellings with a side or courtyard loading garage; however, the lot's aggregate building setback lines shall be sixteen (16) feet and the minimum building separation shall be ten (10) feet.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,  
HAMILTON COUNTY, INDIANA THIS 22 DAY OF June, 2015.

Voting For

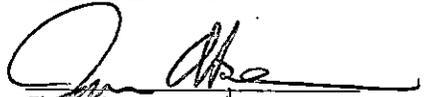
Voting Against

Abstain

  
Charles Lehman

\_\_\_\_\_  
Charles Lehman

\_\_\_\_\_  
Charles Lehman

  
Jim Ake

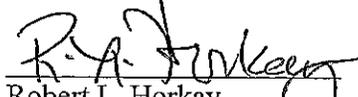
\_\_\_\_\_  
Jim Ake

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

  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

  
Robert L. Horkay

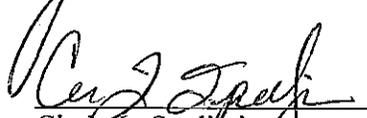
\_\_\_\_\_  
Robert L. Horkay

\_\_\_\_\_  
Robert L. Horkay

  
Robert J. Smith

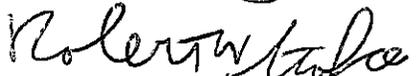
\_\_\_\_\_  
Robert J. Smith

\_\_\_\_\_  
Robert J. Smith

  
Cindy L. Spoljaric

\_\_\_\_\_  
Cindy L. Spoljaric

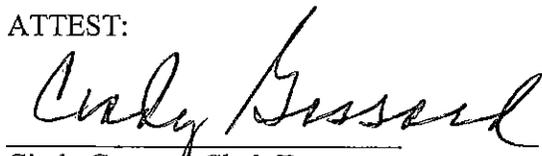
\_\_\_\_\_  
Cindy L. Spoljaric

  
Robert W. Stokes

\_\_\_\_\_  
Robert W. Stokes

\_\_\_\_\_  
Robert W. Stokes

ATTEST:

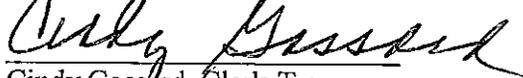
  
Cindy Gossard, Clerk Treasurer

This document prepared by:  
Jeffrey M. Lauer  
2728 E. 171<sup>st</sup> Street  
Westfield, IN 46074

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: Jeffrey M. Lauer

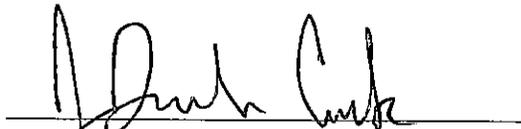
I hereby certify that **ORDINANCE 15-19** was delivered to the Mayor of Westfield

on the 23 day of June, 2015, at 9:30 a.m.

  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 15-19**

this 24 day of June, 2015.

  
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 15-19**

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

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

**EXHIBIT A**

**Real Estate (Legal Description)**

A part of the Northwest Quarter of Section 32, Township 19 North, Range 4 East, located in Washington Township, Hamilton County, Indiana, being described as follows:

Beginning at the Southeast corner of said Quarter Section; thence North 89 degrees 53 minutes 46 seconds West along the South line of said Quarter Section 2,647.32 feet to the Southwest corner of said Quarter Section; thence North 00 degrees 19 minutes 20 seconds East along the West line of said Quarter Section 2,681.38 feet to the Northwest corner of said Quarter Section; thence South 89 degrees 40 minutes 39 seconds East along the north line thereof a distance of 1832.88 feet to the Northeast corner of the Northwest quarter of said Quarter Section; thence South 00 degrees 19 minutes 21 seconds West along the east line of thereof a distance of 1226.26 feet; thence South 89 degrees 39 minutes 38 seconds East 814.87 feet to the East line of said Quarter Section; thence South 00 degrees 20 minutes 22 seconds West along said East line 1,444.78 feet to the POINT OF BEGINNING of this description containing 139.728 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

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

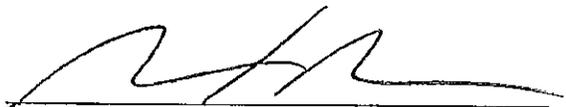
---

The Westfield-Washington Township Advisory Plan Commission held a public hearing on Monday, June 15, 2015, to consider an amendment to the Andover Planned Unit Development District and Westfield-Washington Township Unified Development Ordinance. Notice of the public hearing was advertised and noticed in accordance with Indiana law and the Advisory Plan Commission's Rules of Procedure. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The petition is as follows:

Docket No.	1507-PUD-13
Ordinance No.	15-19
Petitioner	Langston Residential Development, LLC
Description	Langston Residential Development, LLC requests a text amendment to modify the setback standards applicable to the Lakes of Westfield subdivision in the Andover Planned Unit Development (PUD) District.

On June 15, 2015, a motion was made and passed to send a unanimous favorable recommendation to the City Council regarding this petition (Vote: 9 in favor, 0 opposed).

The above-mentioned proposal and the Advisory Plan Commission's recommendation thereof are hereby certified.

  
Matthew S. Skelton, Secretary

June 17, 2015  
Date