2015028843 ORDINANCE $27.00
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Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NUMBER 15-13

Document Cross Reference No. 200500022608, 2010068626, 2012023476, 2013012833, 2013043809 and 2013065216

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 – LAND USE CONTROLS

This is a Planned Unit Development District Ordinance to amend the Westfield-Washington Township Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Zoning Ordinance") and Ordinance No. 04-22, as amended by Ordinance No. 10-30, Ordinance No. 12-05, Ordinance 13-11, Ordinance 13-25 and Ordinance 15-06 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 Zoning Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Docket 1506-PUD-10**), filed with the Commission requesting an amendment to the Zoning Ordinance;

WHEREAS, the Commission forwarded **Docket 1506-PUD-10** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation (Vote: 7 in favor to 0 opposed) 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 2, 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;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Zoning Ordinance and Zoning Map are hereby amended to read as follows:

Section 1. Applicability of Ordinance.

1.1 This ordinance shall hereafter be referred to as the Two Gaits at Viking Meadows PUD Amendment Ordinance for Lot 17 (this "Ordinance").

1.2 This Ordinance applies only to the subject real estate, generally described as Lot 17 within Parcel B of the Viking Meadows PUD Ordinance, and more particularly described in Exhibit A attached hereto (the "Real Estate").

1.3 Any provisions of the Viking Meadows PUD Ordinance or Zoning Ordinance 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. All other provisions of the PUD Ordinance not affected by this Ordinance shall remain in effect with the adoption of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Viking Meadows PUD Ordinance or as otherwise ascribed to them in the Zoning Ordinance.

2.1 Original PUD Ordinance. Shall mean and refer to The Viking Meadows Planned Unit Development District Ordinance recorded as Instrument No. 200500022608 in the Office of the Recorder of Hamilton County, Indiana and adopted by the Westfield Town Council on June 14, 2004 as Ordinance No. 04-22.

2.2 Viking Meadows PUD Ordinance. Shall mean and collectively refer to the Original PUD Ordinance and the Viking Meadows Planned Unit Development Amendment Ordinance recorded as Instrument No. 2010068626 in the Office of the Recorder of Hamilton County, Indiana and adopted by the Westfield City Council on December 13, 2010 as Ordinance No. 10-30.

Section 3. **Development Standards.** The standards of the Viking Meadows PUD Ordinance shall apply to the Real Estate, except as otherwise modified below.

3.1 Minimum Building Setback Lines. The Rear Yard Minimum Building Setback Line shall be six (6) feet.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK; SIGNATURE PAGES FOLLOW.]

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 8 DAY OF June, 2015.

WESTFIELD COMMON COUNCIL
HAMILTON COUNTY, INDIANA

Voting For	**Voting Against**	**Abstain**
Jim Ake	Jim Ake	Jim Ake
Steven Hoover	Steven Hoover	Steven Hoover
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
Charles Lehman	Charles Lehman	Charles Lehman
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 J. Gossard, Clerk-Treasurer

SEAL

"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

Prepared by Andrew Murray

I hereby certify **ORDINANCE** 15-13 was delivered to the Mayor of Westfield on the 9 day of June, 2015.

Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 15-13
this 10 day of June, 2015.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 15-13
this _____ day of _____, 2015.

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk Treasurer

EXHIBIT A
REAL ESTATE

Lots #17 of Two Gaits at Viking Meadows Section one per the plat thereof recorded as Instrument No. 2007071773 in the Office of the Recorder of Hamilton County, Indiana.