

ORDINANCE NUMBER 15-28

Chatham Hills PUD District Amendment

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENTS TO
THE CHATHAM HILLS PLANNED UNIT DEVELOPMENT DISTRICT AND THE
UNIFIED DEVELOPMENT ORDINANCE**

This is an 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. 13-24, Chatham Hills Planned Unit Development on January 13, 2014;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1510-PUD-19**), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1510-PUD-19** 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 October 6, 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 Chatham Hills Planned Unit Development, Unified Development Ordinance and Zoning Map are hereby amended as follows:

COPY

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to incorporate the real estate described in **Exhibit A** into the Chatham Hills Planned Unit Development District (the “District”).
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the Chatham Hills PUD Ordinance (the “PUD Ordinance”); and (iii) 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 this Ordinance or the PUD Ordinance.
- 1.3 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.
- 1.4 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 this Ordinance.

Section 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

- 2.1 Underlying Zoning District: The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various subareas, as set forth in Section 3 of this Ordinance.

Section 3. Underlying Zoning District(s). The Underlying Zoning District of Parcel 3 as described in Exhibit A shall be the AG-SF1: Agriculture/Single-Family Rural District. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Underlying Zoning District, as set forth above, shall apply.

Section 4. General Regulations. The standards of *Chapter 4: Zoning Districts*, as applicable to the Underlying Zoning District, shall apply to the development of Parcel 3, except as otherwise modified below.

- 4.1 Minimum Lot Area: Two (2) acres.
- 4.2 Minimum Lot Frontage: 240 feet
- 4.3 Minimum Building Setback Line:
 - A. Front Yard: Twenty (20) feet
 - B. Side Yard: Fifteen (15) feet

4.4 Subdivisions: Major and Minor Subdivisions shall be permitted

Section 5. **Development Standards.** The standards of *Chapter 6: Development Standards* shall apply to the development of Parcel 3, except as otherwise modified below.

5.1 Article 6.3 Architectural Standards: Shall not apply.

5.2 Article 6.8 Landscaping Standards: Shall not apply.

Section 6. **Design Standards.** The standards of *Chapter 8: Design Standards* shall apply to the development of the District, except as otherwise modified below.

6.1 Access shall be permitted from the Lot via a driveway cut onto 206th Street.

[Remainder of page intentionally left blank, signature page follows]

ALL OF WHICH IS ORDAINED/RESOLVED THIS 12 DAY OF Oct, 2015.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain


Jim Ake

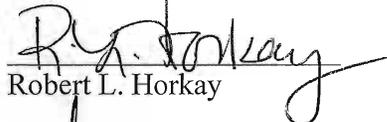
Jim Ake

Jim Ake


Steven Hoover

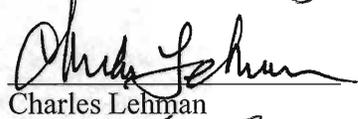
Steven Hoover

Steven Hoover


Robert L. Horkay

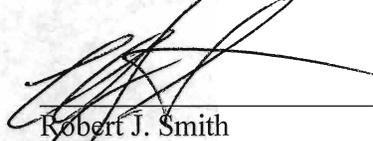
Robert L. Horkay

Robert L. Horkay


Charles Lehman

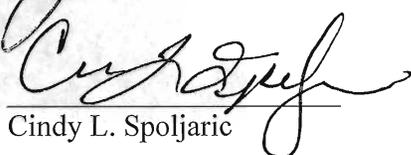
Charles Lehman

Charles Lehman


Robert J. Smith

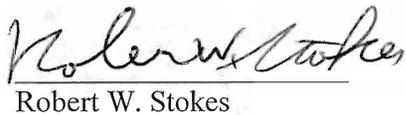
Robert J. Smith

Robert J. Smith


Cindy L. Spoljaric

Cindy L. Spoljaric

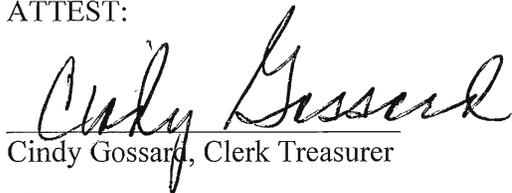
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Robert W. Stokes

Robert W. Stokes

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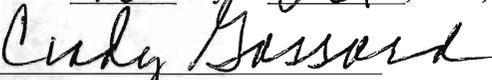
ATTEST:


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: Jon C. Dobosiewicz

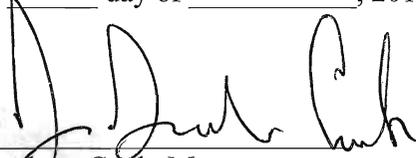
I hereby certify that **ORDINANCE 15-28** was delivered to the Mayor of Westfield

on the 13 day of Oct, 2015, at 10:25am.


Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 15-28**

this _____ day of _____, 2015.


J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 15-28**

this _____ day of _____, 2015.

J. Andrew Cook, Mayor

This document prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenger
550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106

Chatham Hills PUD - 2015 Text Amendment 100515

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

EXHIBIT A
REAL ESTATE

Parcel 1:

Part of the Southeast and Northeast Quarters of Section 23, Township 19 North, Range 3 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northwest corner of said Southeast Quarter; thence North 89 degrees 50 minutes 51 seconds East 1,325.20 feet along the north line of said Southeast Quarter to the southeast corner of the South Half of the Southwest Quarter of said Northeast Quarter, being the POINT OF BEGINNING; thence South 00 degrees 13 minutes 12 seconds West 692.69 feet along the west line of the Northeast Quarter of said Southeast Quarter to a line that is 40.00 feet southwest of and parallel with the centerline of the former Monon Railroad; thence North 33 degrees 25 minutes 36 seconds West 1,617.52 feet along said parallel line; thence North 89 degrees 50 minutes 26 seconds East 47.84 feet; thence North 33 degrees 25 minutes 36 seconds West 10.69 feet; thence North 89 degrees 48 minutes 48 seconds East 853.94 feet; thence South 00 degrees 11 minutes 13 seconds West 669.12 feet to the POINT OF BEGINNING. Containing 613,711 square feet or 14.089 acres, more or less.

Parcel 2:

Part of the Northwest Quarter of Section 23, Township 19 North, Range 3 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter; thence South 00 degrees 06 minutes 55 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 550.50 feet along the east line of said Northwest Quarter to the northeast corner of Parcel III as described in Instrument Number 9609601704, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing South 00 degrees 06 minutes 55 seconds West 351.63 feet along said east line to the southeast corner of Parcel II as described in Instrument Number 9445140, on file in the Office of said Recorder; thence South 89 degrees 48 minutes 48 seconds West 100.09 feet along the south line of said Parcel II to its southwest corner; thence North 18 degrees 24 minutes 34 seconds West 368.41 feet along the west lines of said Parcel II and Parcel I as described in said Instrument Number 9445140 to the northwest corner of said Parcel I; thence North 89 degrees 21 minutes 55 seconds East 217.16 feet along the north lines of said Parcels I and III and their north lines extended to the POINT OF BEGINNING. Containing 1.2784 acres, more or less.

Parcel 3:

BEGINNING at a point on the North line of the Northeast Quarter of the Section 23, Township 19 North, Range 3 East, said point of beginning being the Northeast corner of a 10.34 acre tract of land described in Instrument #4343 and recorded in Deed Record Book 208, Page 77 in the records of Hamilton County, Indiana, said point of beginning also being North 89 degrees 45 minutes 21 minutes East (assumed bearing) 1,085.00 feet from the Northwest corner of said Northeast Quarter; thence South 00 degrees 01 minutes 39 seconds West 531.99 feet along the East line of said 10.34

acre tract of land to the North line of a 10 acre tract of land (Ref.: Parcel #3, Misc. Rec. Bk. 138, Pg. 456 in the records of Hamilton County, Indiana); thence North 89 degrees 245 minutes 21 seconds East 242.44 feet along the North line of said 10 acre tract of land and parallel with the North line of said Northeast Quarter to a point on the East line of the West Half of said Northeast Quarter, said point being 532.00 feet South of the Northeast corner of the West Half of said Northeast Quarter; thence North 00 degrees 08 minutes 05 seconds East 532.00 feet along the East line of the West Half of said Northeast Quarter to the Northeast corner of the West Half of said Northeast Quarter, said corner being collinear with and equidistant from the Northeast corner and the Northwest corner of said Northeast Quarter; thence South 89 degrees 45 minutes 21 seconds West 243.44 feet along the North line of said Northeast Quarter to the POINT OF BEGINNING. Containing 2.967 acres more or less, being subject to all applicable easements and rights-of-way record.

Parcel 4:

A part of the Northwest Quarter of Section 24, Township 19 North, Range 3 East in Washington Township, Hamilton County, Indiana being more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of Section 24, Township 19 North, Range 3 East; thence on the East line of said Northwest Quarter North 00 degrees 00 minutes 00 seconds East (deed bearing) 1394.00 feet to the Southeast corner of a tract of real estate as described in Instrument #86-10282; thence North 57 degrees 51 minutes 12 seconds West 135.50 feet; thence North 65 degrees 43 minutes 37 seconds West 45.00 feet to the point of beginning of this description, said point being the Southeast corner of a 0.83 acre, more or less, tract of real estate described in Instrument 200200031087, the following 3 courses being along the South line of said 0.83 acres more or less, Tract; 1) thence North 72 degrees 12 minutes 14 seconds West 60.32 feet; 2) thence North 76 degrees 37 minutes 57 seconds West 78.56 feet; 3) thence North 70 degrees 40 minutes 19 seconds West 22.55 feet to a point being the Southeast corner of a 2.17 acre, more or less, tract of real estate as described in Instrument #9249819, the following 6 courses being along the perimeter of said 2.17 acre tract; 1) thence North 65 degrees 13 minutes 17 seconds west 41.76 feet; 2) thence North 56 degrees 50 minutes 27 seconds West 47.81 feet; 3) thence North 24 degrees 50 minutes 02 seconds East 504.88 feet; 4) thence North 90 degrees 00 minutes 00 seconds East 175.95 feet to the East line of said Northwest quarter; 5) thence on said east line South 00 degrees 00 minutes 00 seconds East 335.96 feet; 6) thence North 89 degrees 21 minutes 52 seconds West 70.00 feet to the Northeast corner of said 0.83 acre, more or less, tract; thence on the East line of said 0.83 acre, more or less, tract of real estate South 22 degrees 11 minutes 43 seconds West 227.00 feet to the point of beginning, containing 3.00 acres more or less.

EXHIBIT "A"
(Real Estate)

