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Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NUMBER 15-34

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE BRIDGEWATER CLUB PLANNED UNIT DEVELOPMENT BEING THAT OF ORDINANCE 06-49, ORDINANCE 08-05, ORDINANCE 09-17, ORDINANCE 10-01, ORDINANCE 10-05, ORDINANCE 10-08, ORDINANCE 10-19, ORDINANCE 11-01, ORDINANCE 12-10, ORDINANCE 13-03, ORDINANCE 13-06, ORDINANCE 13-08, ORDINANCE 14-02, ORDINANCE 14-16, ORDINANCE 14-44, ORDINANCE 15-29 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 Zoning Ordinance (the "Zoning Ordinance);

WHEREAS, on October 9, 2006, the Common Council of the City of Westfield, Hamilton County, Indiana (the "Council"), adopted Ordinance 06-49, as amended by: (i) Ordinance 08-05, enacted by the City Council on February 11, 2008 (ii) Ordinance 09-17, enacted by the Council on September 14, 2009; (iii) Ordinance 10-01, enacted by the Council on February 8, 2010; (iv) Ordinance 10-05, enacted by the Council on April 12, 2010; (v) Ordinance 10-08, enacted by the Council on May 24, 2010; (vi) Ordinance 10-19, enacted by the Council on September 13, 2010; (vii) Ordinance 11-01, enacted by the Council on January 10, 2011; (viii) Ordinance 12-10, enacted by the Council on April 9, 2012; (ix) Ordinance 13-03, enacted by the Council on February 11, 2013; (x) Ordinance 13-06, enacted by the Council on March 11, 2013; (xi) Ordinance 13-08, enacted by the Council on March 25, 2013; (xii) Ordinance 14-02, enacted by the Council on February 24, 2014; (xiii) Ordinance 14-16, enacted by the Council on May 12, 2014; (xiv) Ordinance 14-44, enacted by the Council on September 22, 2014; and (xv) Ordinance 15-29, enacted by the Council on October 12, 2015 (collectively, the "**Bridgewater PUD Ordinance**");

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1511-PUD-24**), requesting an amendment to the Zoning Ordinance and the Bridgewater 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. 1511-PUD-24 to the Council with a favorable recommendation in accordance with Ind. Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505, on November 16, 2015;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on November 16, 2015; and,

WHEREAS, the Council is subject to the provisions of the Indiana Code § 36-7-4-1507 and 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 the Bridgewater PUD Ordinance are hereby amended as follows:

Section 1. **Applicability of Ordinance.**

A. The Zoning Ordinance and Zoning Map are hereby changed to designate the Real Estate as the **Bridgewater PUD District**.

B. The Real Estate shall be identified as **Parcel I1** of the Bridgewater PUD Ordinance, and this Ordinance shall be known as the "Bridgewater PUD Parcel I1 Ordinance".

C. The Real Estate shall be assigned and subject to those standards of the Bridgewater PUD District applicable to "Area X", except as otherwise modified herein.

D. Development of the Real Estate shall be governed by the provisions and exhibits of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Bridgewater PUD Ordinance.

A. Golf Facility: Privately owned golf courses and country clubs as further defined in Section 8.A(3) of Ordinance 06-49.

B. Parcel L: The real estate identified on the attached **Exhibit D**.

Section 3. **Concept Plan.** The Concept Plan is attached hereto and incorporated herein by reference as **Exhibit B** (the "Concept Plan"). The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. **Permitted Uses**. The following uses shall be permitted:

A. Detached single family dwellings.

B. Golf Facility.

Section 5. **General Regulations.** The following shall apply to the Real Estate:

A. Minimum Lot Frontage.

a. Single-Family Detached Lots. Twenty (20) feet.

b. All other Lots. Zero (0) feet; however, an access easement shall be recorded and provided to the Lot from a right-of-way.

B. Access. A driveway shall be permitted within fifty (50) feet of the north property line of the Real Estate to and from Gray Road only to perform maintenance improvements to the area of the Real Estate north of and including the existing Kirkendall Creek Legal Drain, subject to review and approval by the Department of Public Works.

Section 6. **Development Standards.** The Bridgewater PUD Ordinance is hereby amended so that the development standards set forth below are applicable to the Real Estate.

A. Parcel L. The standards of the AG-SF1: Agricultural / Single-Family Rural (AG-SF1) District, as amended, shall apply to the development of Parcel L, with the following modifications:

1. Minimum Lot Area: 1.6 acres

2. Subdivisions: Major Subdivisions shall be permitted.

B. Detached Single-family Dwellings. The development standards of Parcel H in Exhibit 12 of Ordinance 06-49 shall apply to detached single family dwellings. The following shall also apply:

1) Character Exhibit. The Character Exhibit of Homes, attached hereto as **Exhibit E**, is hereby incorporated as a compilation of images designed to capture the intended architecture of structures to be constructed on the Real Estate. Although the images do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of structures that are required to be constructed on the Real Estate. It is not the intent to limit the architecture shown in the Character Exhibit, but to encourage diversity in the architecture of Dwellings within the District. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's determination may be appealed to the Plan Commission.

C. Golf Facility. The building materials and building elevations of the Golf Facility shall be developed in substantial compliance with the Character Exhibit of Golf Facility, attached hereto as **Exhibit F.**

D. Landscaping. Landscaping shall be installed in substantial compliance with landscaping plan, attached hereto and incorporated herein as **Exhibit C**. In addition, the following minimum plantings shall be installed per single family dwelling lot: (i) four (4) shade trees; (ii) two (2) ornamental trees; and (iii) four (4) shrubs.

Section 7. Upon motion duly made and seconded, this Ordinance 15-34 was fully passed by members of the Council this 23rd day of November, 2015. Further, this Ordinance 15-34 shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict with this Ordinance 15-34 are hereby amended. To the extent that this Ordinance 15-34 conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of this Ordinance 15-34 shall prevail.

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

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 24 DAY OF Nov, 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: Jon C. Dobosiewicz

I hereby certify that ORDINANCE No. 15-34 was delivered to the Mayor of Westfield on the 25 day of Nov, 2015, at 9:30 Am.

Cindy J. Gossard

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE No. 15-34

This 25 day of November, 2015.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. 15-34

this _____ day of _____, 2015.

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard

Cindy J. Gossard, Clerk-Treasurer

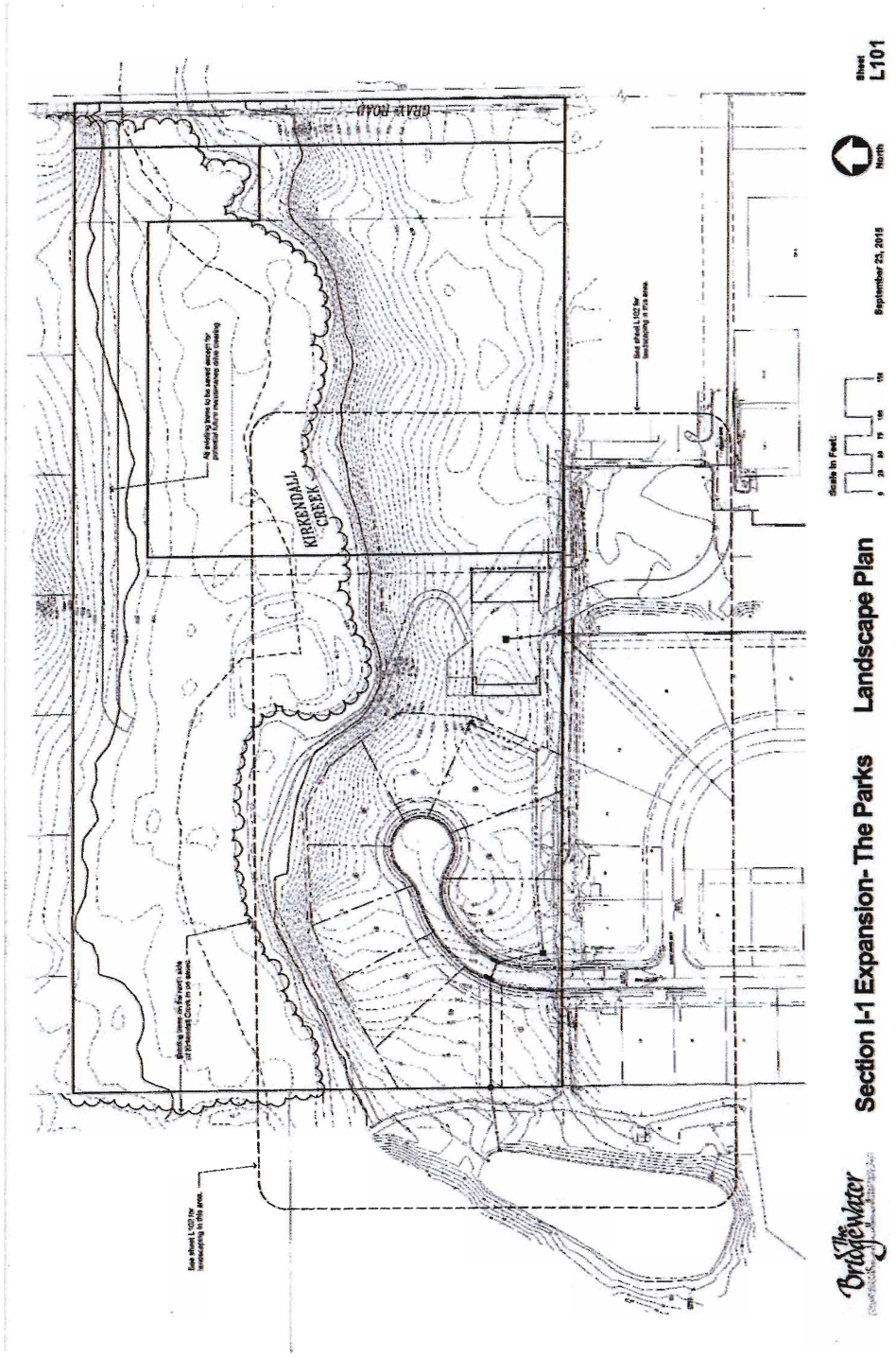
Prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenberger
550 Congressional Blvd, Suite 210, Carmel, IN 46280, (317) 844-0106

EXHIBIT A
REAL ESTATE
(Page 1 of 1)

Lot 1 in Houk Property at Bridgewater, a subdivision in Hamilton County, Indiana, the plat of which is recorded as Instrument Number 2015048459 in Plat Cabinet 5, Slide 388 in the Office of the Recorder of Hamilton County, Indiana.

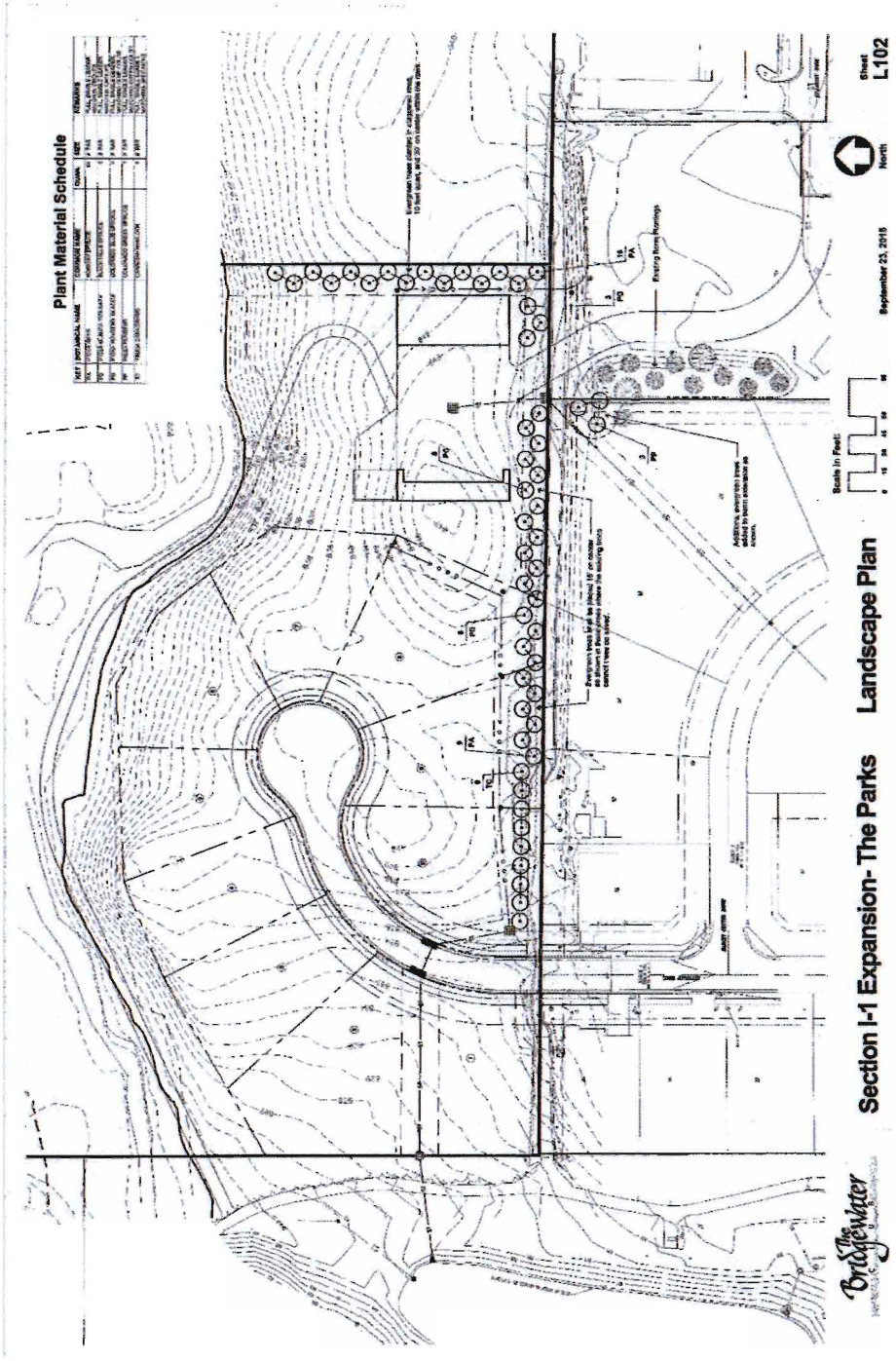
EXHIBIT B
CONCEPT PLAN
(Page 1 of 1)

EXHIBIT C
LANDSCAPE PLAN
(Page 1 of 2)



Note: Larger scale paper and digital copies of the Landscape Plan are on file with the Department of Economic and Community Development under Docket Number 1511-PUD-24.

EXHIBIT C
LANDSCAPE PLAN
(Page 2 of 2)



Note: Larger scale paper and digital copies of the Landscape Plan are on file with the Department of Economic and Community Development under Docket Number 1511-PUD-24.

EXHIBIT D
PARCEL L
(Page 1 of 1)

A part of the East Half of the Southeast Quarter of Section 8, Township 18 North, Range 4 East, in Washington Township, Hamilton County, Indiana, more particularly described as follows:

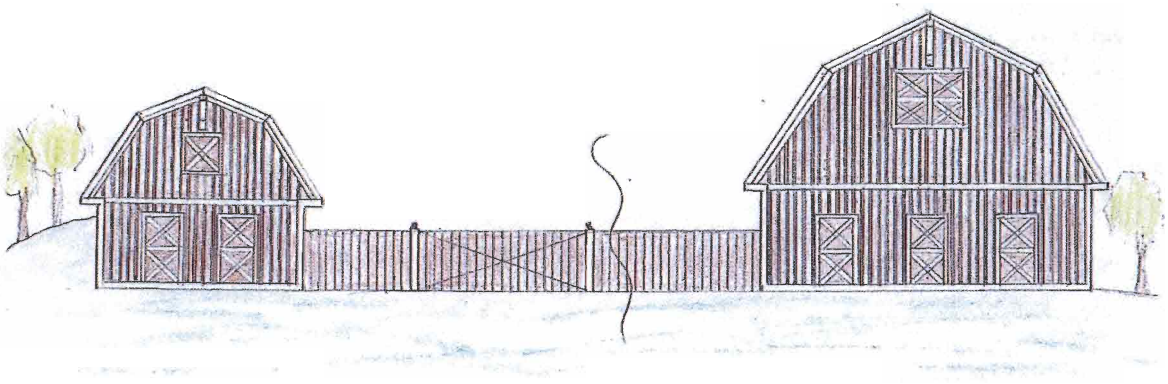
Commencing at a Harrison monument found at the Northeast corner of the East Half of the Southeast Quarter of said Section 8; thence South 00 degrees 08 minutes 07 seconds East (assumed bearing) along the East line of said East Half 521.07 feet to the Northeast corner of land described in Instrument No. 2012-54343, recorded in the Office of the Recorder of Hamilton County, Indiana; thence North 89 degrees 08 minutes 05 seconds West along the North line of said described land and parallel with the North line of said East Half 60.01 feet to the POINT OF BEGINNING; thence South 00 degrees 08 minutes 07 seconds East parallel with the East line of said East Half 250.00 feet; thence North 89 degrees 08 minutes 05 seconds West parallel with the North line of said East Half 100.02 feet; thence North 00 degrees 08 minutes 07 seconds West parallel with the East line of said East Half 149.98 feet; thence North 89 degrees 08 minutes 05 seconds West parallel with the North line of said East Half 448.13 feet; thence North 00 degrees 05 minutes 28 seconds West parallel with the West line of said East Half 100.01 feet to the North line of land described in said Instrument No. 2012-54343; thence South 89 degrees 08 minutes 05 seconds East along said North line and parallel with the North line of said East Half 548.07 feet to the POINT OF BEGINNING, containing 1.603 acres, more or less.

EXHIBIT E
CHARACTER EXHIBIT OF HOMES
(Page 1 of 2)

EXHIBIT E
CHARACTER EXHIBIT OF HOMES
(Page 2 of 2)

EXHIBIT F
CHARACTER EXHIBIT OF GOLF FACILITY
(Page 1 of 4)

South Elevation Exterior



West Elevation Exterior

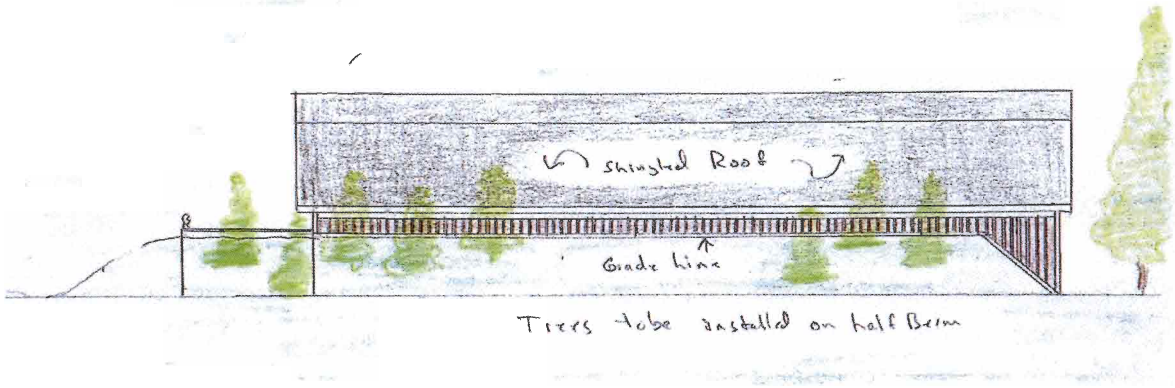
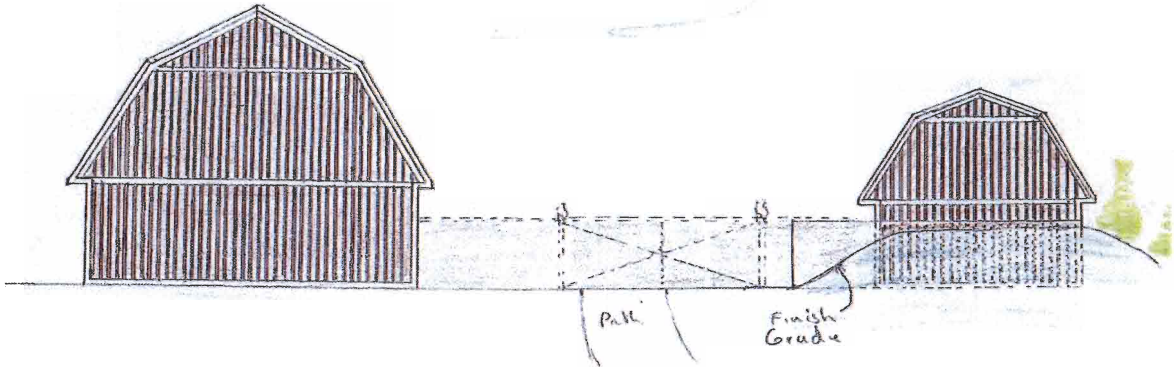


EXHIBIT F
CHARACTER EXHIBIT OF GOLF FACILITY
(Page 2 of 4)

North Elevation Exterior



East Elevation Exterior

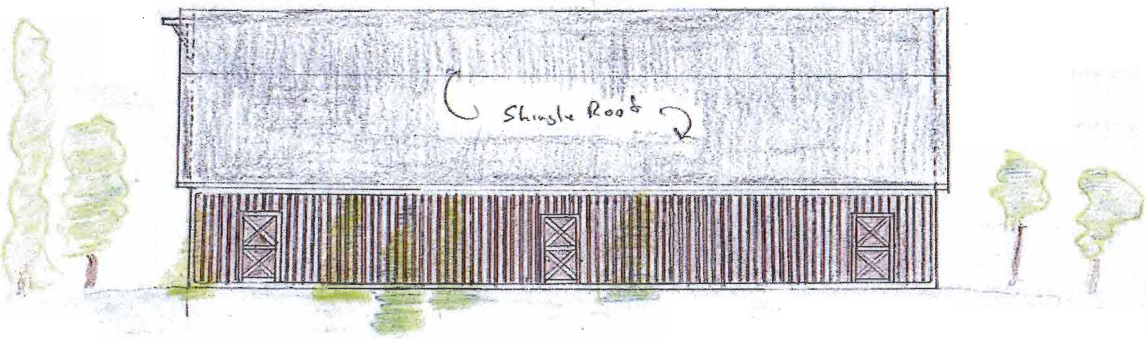
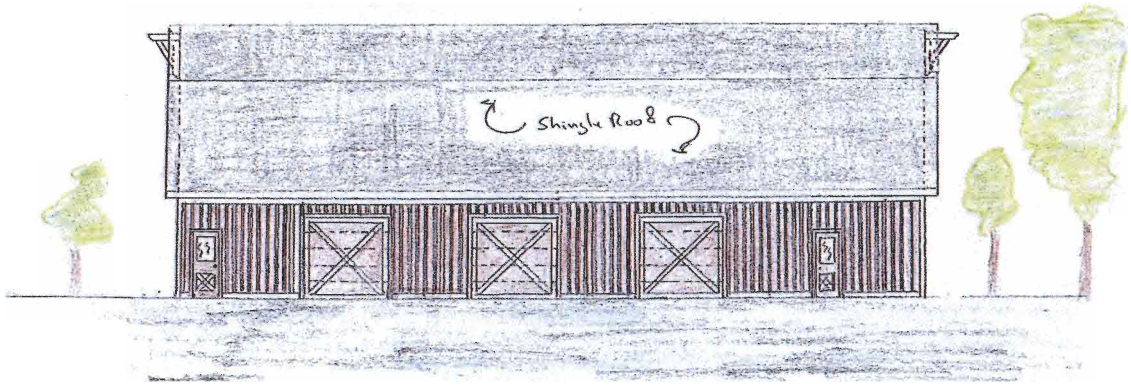


EXHIBIT F
CHARACTER EXHIBIT OF GOLF FACILITY
(Page 3 of 4)

West Elevation Interior



East Elevation Interior

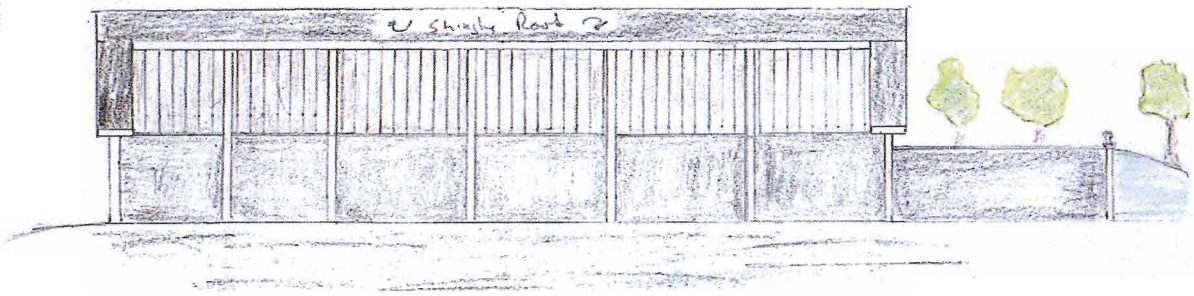


EXHIBIT F
CHARACTER EXHIBIT OF GOLF FACILITY
(Page 4 of 4)