2016000825 ORDINANCE $25.00
01/08/2016 10:30:47A 7 PGS
Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE 15-45

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AMENDMENT TO TEXT OF THE MAPLE KNOLL PLANNED UNIT DEVELOPMENT BEING THAT OF ORDINANCE 04-02, 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; and;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (Docket 1512-PUD-29), filed with the Commission requesting an amendment to Ordinance 04-02, enacted by the Town Council on February 9, 2004 (the "Maple Knoll PUD Ordinance")

WHEREAS, on December 7th, 2015 the Commission took action to forward Docket 15-PUD-29 to the Westfield City Council with a favorable recommendation in accordance with Ind. Code 36-7-4-608, as required by Ind. Code 36-7-4-1505;

WHEREAS, on December 7th, 2015 the Secretary of the Commission certified the action of the Commission to the City Council; and,

WHEREAS, the Westfield City Council is subject to the provisions of the Indiana Code IC 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE MAPLE KNOLL PUD ORDINANCE AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

SECTION 1. The Maple Knoll PUD Ordinance is hereby amended so that the standards established in what is attached hereto and incorporated herein by reference as Exhibit "A" are applicable to the real estate described in what is attached hereto and incorporated herein by reference as Exhibit "B" (the "Real Estate"). In all other respects, the Maple Knoll PUD Ordinance shall remain in effect and unchanged.

SECTION 2. Definitions. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Zoning Ordinance.

2.1 Accessory Structure: For the terms of this Ordinance, as accessory structure shall refer to the outdoor classroom/greenhouse as generally located and identified in Exhibit B and as depicted in Exhibit C.

SECTION 3. Development and Architectural Standards: The Urban Residential District standards shall apply with the following exceptions:

3.1 Building Orientation: The Accessory Structure shall be developed in substantial compliance with the site plan with Exhibit B, attached hereto and incorporated herein.

3.2 Building Material: The building materials and elevations shall be developed in substantial compliance with Exhibit C, attached hereto and incorporated herein.

SECTION 4. Upon motion duly made and seconded, this Ordinance 15-45 was fully passed by members of the Council this 14 day of December, 2015. Further, this Ordinance 15-45 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 15-45 are hereby amended. To the extent that this Ordinance 15-45 conflicts with the terms of any previously-adopted ordinance or part thereof, the terms of this Ordinance 15-45 shall prevail.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 14 DAY OF Dec, 2015.

WESTFIELD CITY 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
Chuck Lehman	Chuck Lehman	Chuck 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 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: Amanda Rubadue

I hereby certify that ORDINANCE No. 15-__ was delivered to the Mayor of Westfield

on the 15 day of Dec, 2015, at 9:30A m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE No. 15-45

This 16 day of December, 2015.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE No. 15-45

this _____ day of _____, 2015.

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

Prepared by: Amanda Rubadue, City of Westfield Economic & Community Development Department
2728 East 171st Street, Westfield, IN 46074, 317.804.3170

EXHIBIT A

(Legal Description)

Part of the Northeast Quarter of Section 9, Township 18 North, Range East, Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the northwest corner of the Northeast Quarter of Section 9, Township 18 North, Range 3 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana; thence North 89 degrees 58 minutes 41 seconds East (Indiana State Plane Coordinate System-East Zone NAD 83) a distance of 181.00 feet on the north line of said Northeast Quarter to the northeast corner of the real estate described in Deed Book 305 Page 665, in the Office of the Recorder, Hamilton County, Indiana, said corner being the point of beginning of the herein described parcel; thence South 00 degrees 08 minutes 09 seconds West 1314.99 feet on the east line of the real estate described in said Deed Book 305 Page 665, and the southerly prolongation thereof to a 5/8 inch diameter rebar with cap marked Weihe Engineers 0012 ("capped rebar") on the south line of the North Half of said Northeast Quarter; thence North 89 degrees 54 minutes 49 seconds East 762.15 feet on the south line of the North Half of said Northeast Quarter to a "capped rebar"; thence North 00 degrees 08 minutes 09 seconds East 1314.06 feet to a pk nail on the north line of said Northeast Quarter; thence South 89 degrees 58 minutes 41 seconds West 762.15 feet on the north line of said Northeast Quarter to the point of beginning, containing 23.00 acres, more or less.

EXHIBIT B

(Site Location Exhibit)

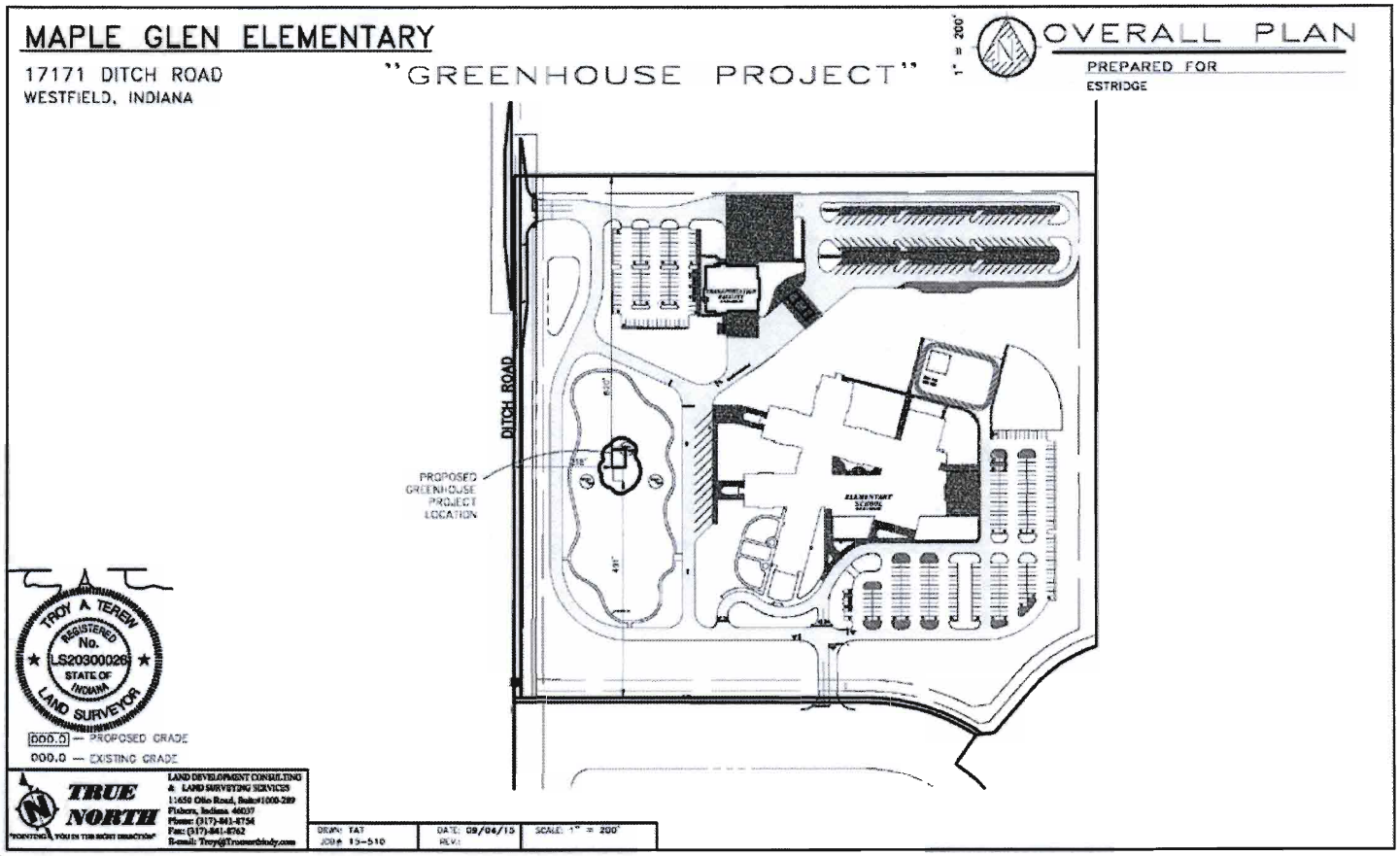
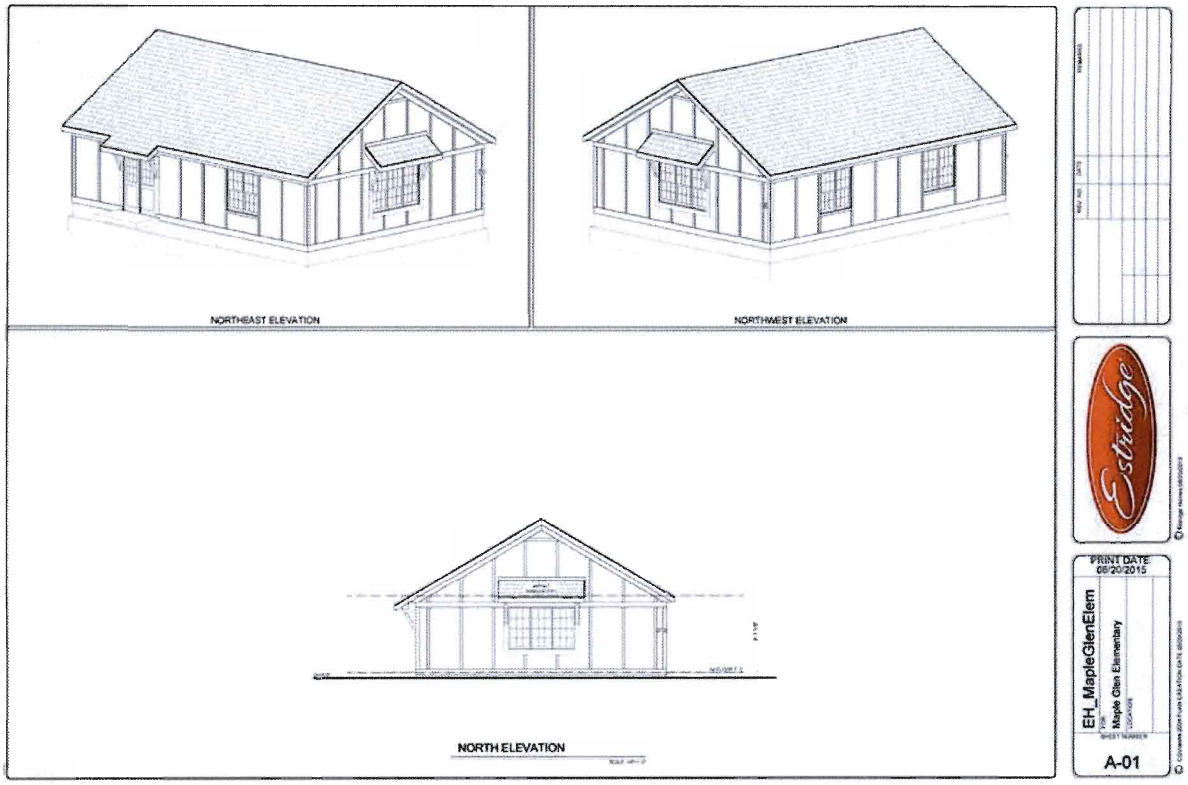


EXHIBIT C

(Elevations & Building Materials Exhibit)



<u>Building materials:</u>
Hardie Fiber Cement
LP Smart Trim
Aluminum
Glass

Green House Portion of Building