ORDINANCE NUMBER 16-29

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

This is a Planned Unit Development District Ordinance (to be known as the "**JUNCTION NORTH PUD DISTRICT**") 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 Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1609-PUD-14**), 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**. **1609-PUD-14** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a recommendation (#-#) 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 _____, 2016;

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 Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. **Applicability of Ordinance.**

1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Junction North PUD District**" (the "District").

1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) 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.

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.

Section 3. **Concept Plan.** The concept plan, attached hereto as **Exhibit B** (the "Concept Plan"), is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. **Underlying Zoning District(s).** The Underlying Zoning District of this District shall be the SF-3: Single-Family Medium Density District (the "Underlying Zoning District").

Section 5. **General Regulations.** The standards of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below.

5.1 Minimum Lot Area: 7,000 square feet

5.2 Minimum Building Setback Lines:

A. Front Yard: 10 feet

B. Side Yard: 5 feet

C. Rear Yard: 10 feet

5.3 Minimum Lot Width: 60 feet

Section 6. Development Standards.

6.1 Homes constructed on the Real Estate shall be substantially consistent with the architectural style and character represented in the illustrative exhibits included as **Exhibit C** (the "Illustrative Exhibits"), attached hereto.

6.2 The front door of a residential dwelling on Lot 1, as identified on the Concept Plan, shall face North Union Street. The front doors of residential dwellings on all other Lots shall face West Hoover Street.

6.3 All homes constructed on the Lots shall incorporate a prominent front porch with a minimum depth of four (4) feet and minimum size of thirty-six (36) square feet.

6.4 Garages on Lots 2, 3, 4 and 5 shall be: (1) side-load, (2) rear-load, or (3) front-load (as long as the garage is setback a minimum of twenty (20) feet behind the primary front elevation). Garage door(s) on Lot 1 shall not be permitted to face North Union Street.

6.5 Vinyl and aluminum shall not be permitted exterior building materials, except for gutters, soffits, trim and other similar building components.

Section 7. Design Standards. The standards of Chapter 8: Design Standards shall apply to the development of the District, except as otherwise modified below.

7.1 Article 8.6 Open Space and Amenity Standards: shall not apply.

7.2 Article 8.7(D) Perimeter/External Pedestrian Network Standards: Sidewalks currently exist along North Union Street and West Hoover Street. As a result, no additional pedestrian facilities shall be required.

7.3 Article 8.9 Street and Right-of-Way Standards: The District shall comply with requirements of the Thoroughfare Plan unless otherwise agreed by the Director of the Westfield Department of Public Works. The District shall be designed in substantial compliance with the Concept Plan. Each Lot in the District shall be accessed from West Hoover Street.

Section 8. Processes & Permits. The standards of Chapter 10: Processes & Permits shall apply to the development of the District, except as otherwise modified below.

8.1 Article 10.12 Subdivision: The subdividing of the Real Estate in accordance with the Concept Plan shall be a Minor Subdivision.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ## DAY OF _____, 2016.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
Jim Ake	Jim Ake	Jim Ake
_____	_____	_____
James J. Ewards	James J. Edwards	James J. Edwards
_____	_____	_____
Steven Hoover	Steven Hoover	Steven Hoover
_____	_____	_____
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
_____	_____	_____
Mark F. Keen	Mark F. Keen	Mark F. Keen
_____	_____	_____
Charles Lehman	Charles Lehman	Charles Lehman
_____	_____	_____
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric

ATTEST:

_____

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 16-29** was delivered to the Mayor of Westfield

on the _____ day of _____, 2016, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-29**

this _____ day of _____, 2016.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-29**

this _____ day of _____, 2016.

_____
J. Andrew Cook, Mayor

This document prepared by: Matthew S. and Teresa O. Skelton
547 N. Union 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 (Matthew S. Skelton).

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

Exhibit C Illustrative Exhibits

EXHIBIT A
REAL ESTATE

Parcel A
A PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BASIS OF BEARINGS) ALONG THE EAST LINE OF SAID QUARTER SECTION 148.50 FEET TO THE SOUTHEAST CORNER OF THE REAL ESTATE CONVEYED TO LOWELL & MABLE WHICKER BY WARRANTY DEED RECORDED IN DEED RECORD 235, PAGE 168 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 88 DEGREES 58 MINUTES 39 SECONDS WEST PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION AND ALONG THE SOUTH LINE OF SAID WHICKER REAL ESTATE 189.54 FEET TO A 5/8" REBAR WITH YELLOW CAP; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST 125.04 FEET TO A 5/8" REBAR WITH YELLOW CAP ON THE SOUTH LINE OF THE REAL ESTATE CONVEYED FOR HOOVER STREET RIGHT OF WAY; THENCE NORTH 87 DEGREES 48 MINUTES 04 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 151.60 FEET; THENCE SOUTH 33 DEGREES 22 MINUTES 13 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 23.34 FEET; THENCE NORTH 0 DEGREES 12 MINUTES 32 SECONDS EAST 40.07 FEET TO THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 88 DEGREES 58 MINUTES 39 SECONDS EAST 25.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.561 ACRES, MORE OR LESS.

Parcel B
BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION THIRTY-SIX (36) IN TOWNSHIP NINETEEN (19) NORTH, RANGE THREE (3) EAST AND RUNNING THENCE WEST TWENTY-SIX (26) RODS, THENCE SOUTH NINE (9) RODS; THENCE EAST TWENTY-SIX (26) RODS; THENCE NORTH TO THE POINT OF BEGINNING.
EXCEPT:
BEGIN AT A POINT EIGHTEEN (18) RODS WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST AND RUN WEST EIGHT (8) RODS; SOUTH NINE (9) RODS; EAST EIGHT (8) RODS; NORTH NINE (9) RODS TO THE PLACE OF BEGINNING, CONTAINING 0.45 ACRES MORE OR LESS IN HAMILTON COUNTY, STATE OF INDIANA, EXCEPTING TEN (10) FEET BY PARALLEL LINES OFF THE NORTH SIDE OF SAID PARCEL.
ALSO EXCEPT:
A PART OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BASIS OF BEARINGS) ALONG THE EAST LINE OF SAID QUARTER SECTION 148.50 FEET TO THE SOUTHEAST CORNER OF THE REAL ESTATE CONVEYED TO LOWELL &

MABLE WHICKER BY WARRANTY DEED RECORDED IN DEED RECORD 235, PAGE 168 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE SOUTH 88 DEGREES 58 MINUTES 39 SECONDS WEST PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION AND ALONG THE SOUTH LINE OF SAID WHICKER REAL ESTATE 189.54 FEET TO A 5/8" REBAR WITH YELLOW CAP; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST 125.04 FEET TO A 5/8" REBAR WITH YELLOW CAP ON THE SOUTH LINE OF THE REAL ESTATE CONVEYED FOR HOOVER STREET RIGHT OF WAY; THENCE NORTH 87 DEGREES 48 MINUTES 04 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 151.60 FEET; THENCE SOUTH 33 DEGREES 22 MINUTES 13 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 23.34 FEET; THENCE NORTH 0 DEGREES 12 MINUTES 32 SECONDS EAST 40.07 FEET TO THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 88 DEGREES 58 MINUTES 39 SECONDS EAST 25.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.561 ACRES, MORE OR LESS.

Parcel C

BEGIN AT A POINT EIGHTEEN (18) RODS WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 3 EAST AND RUN WEST EIGHT (8) RODS; SOUTH NINE (9) RODS; EAST EIGHT (8) RODS; NORTH NINE (9) RODS TO THE PLACE OF BEGINNING, IN HAMILTON COUNTY, STATE OF INDIANA, EXCEPTING TEN (10) FEET BY PARALLEL LINES OFF THE NORTH SIDE OF SAID PARCEL.

EXHIBIT B
CONCEPT PLAN

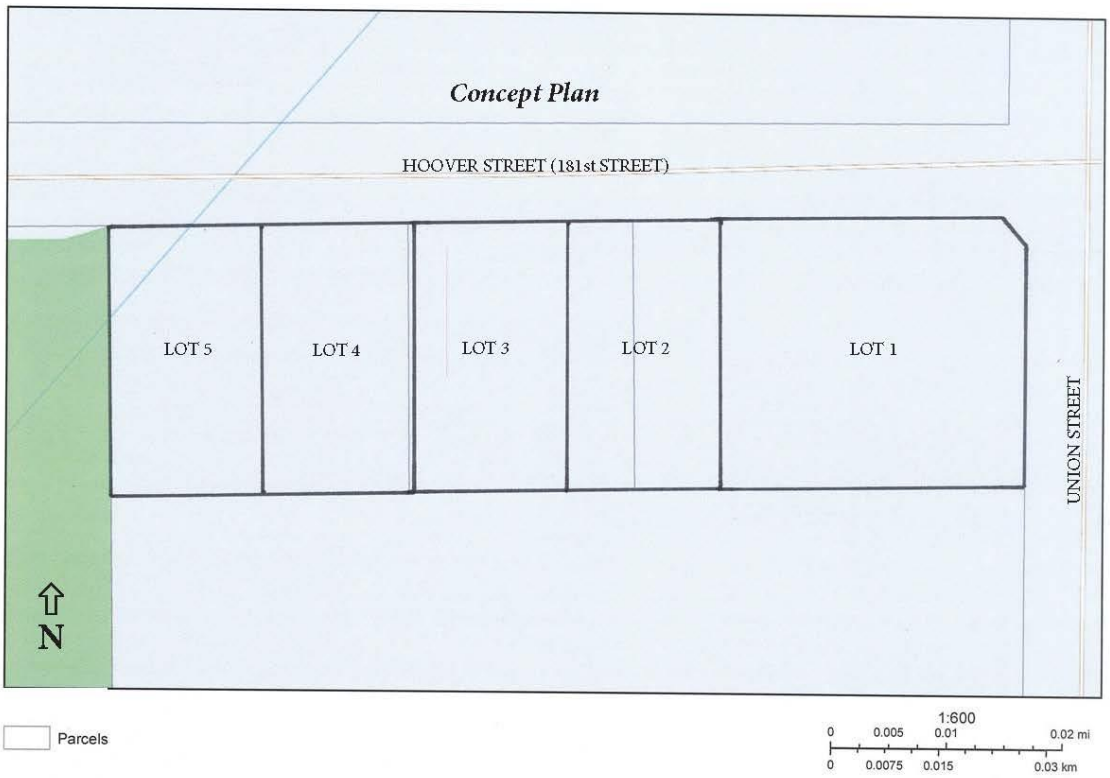

EXHIBIT C
ILLUSTRATIVE EXHIBITS

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