

# Common Council

## Agenda Item

### Cover Sheet

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**MEETING DATE:** June 10, 2025

- ☐ Previously Discussed Ordinance
- ☐ Proposed Development Presentation
- ☒ New Ordinance for Discussion
- ☐ Miscellaneous
- ☐ Transfer

**ITEM or ORDINANCE:** #17-06-25

**PRESENTED BY:** Amy Steffens, Attorney Jim Shinaver

- ☒ Information Attached
- ☐ Verbal
- ☐ No Paperwork at Time of Packets

**ORDINANCE NO. 17-06-25**

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE AND  
OFFICIAL ZONING MAP, ALL PART OF THE COMPREHENSIVE PLAN OF THE  
CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA**

*Document Cross Reference Nos. 2009005087, 2010022173, 9909904880, 2009070777, 2016014960, 2019066132*

This Ordinance amends the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the “UDO”), enacted by the City of Noblesville (the “City”) under authority of Indiana Code § 36-7-4-600, et seq., as amended.

**WHEREAS**, the Plan Commission of the City of Noblesville (the “Plan Commission”) conducted a public hearing on docket number LEGP-0263-2024 at its May 19, 2025 meeting as required by law concerning a change of zoning of certain property described in **Exhibit A** attached hereto (the “Real Estate”) containing approximately 93.35 acres, and depicted in **Exhibit B** attached hereto; and,

**WHEREAS**, the Plan Commission has sent a Favorable Recommendation for adoption of said amendment with a vote of nine (9) AYES and one (1) NAY to the Common Council;

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Official Zoning Map, are hereby amended as follows:

- Section 1.** The Official Zone Map is hereby amended to change the zoning of the parcel legally described in **Exhibit A** and depicted in **Exhibit B** from the R1 Residential District to the R3 Residential District;
- Section 2.** That the Zoning map shall be updated concurrently to reflect the changes referred to in Section 1.
- Section 3.** This Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.

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Approved on this \_\_\_\_\_ day of \_\_\_\_\_, 2025 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Mark Boice		
	Michael J. Davis		
	Evan Elliott		
	David M. Johnson		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Todd Thurston		
	Megan G. Wiles		

ATTEST: \_\_\_\_\_  
Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_\_\_ M.

\_\_\_\_\_  
Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

\_\_\_\_\_  
Chris Jensen, Mayor

\_\_\_\_\_  
Date

MAYOR'S VETO

\_\_\_\_\_  
Chris Jensen, Mayor

\_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Evelyn L. Lees, City Clerk

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

Prepared by: James E. Shinaver, attorney at law, NELSON & FRANKENBERGER and Jon C. Dobosiewicz, land use professional, NELSON & FRANKENBERGER. 550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106.

MontClaire Rezone - Rezone Ordinance 3 052824

## **EXHIBIT A**

### **Legal Description**

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A PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 4 EAST  
LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON CNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS PLUG AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER SOUTH 00 DEGREES 22 MINUTES 15 SECONDS WEST (BASIS OF BEARING) 629.91 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 28 SECONDS EAST 71.61 FEET TO THE EAST RIGHT OF WAY LINE OF LITTLE CHICAGO ROAD AS DESCRIBED IN INSTRUMENT NO. 200300096660 IN THE RECORDER'S OFFICE OF HAMILTON COUNTY; THENCE FOLLOWING THE NEXT NINE (9) COURSES ALONG THE EAST LINE OF SAID INSTRUMENT NUMBER AND CONTINUING ALONG THE EAST LINE OF LAND DESCRIBED IN INSTRUMENT NO. 2004005004 AND 20040036701 IN SAID RECORDER'S OFFICE; 1) SOUTH 00 DEGREES 04 MINUTES 07 SECONDS WEST 360.62 FEET TO A REBAR WITH YELLOW PLASTIC CAP STAMPED "K&G LS FIRM 0141" (HEREINAFTER "CAPPED REBAR") AT THE POINT OF BEGINNING; 2) SOUTH 00 DEGREES 04 MINUTES 07 SECONDS WEST 74.49 FEET TO A "CAPPED REBAR"; 3) SOUTH 01 DEGREES 07 MINUTES 36 SECONDS WEST 197.35 FEET TO A "CAPPED REBAR"; 4) SOUTH 06 DEGREES 29 MINUTES 10 SECONDS EAST 209.41 FEET TO A "CAPPED REBAR"; 5) NORTH 83 DEGREES 21 MINUTES 16 SECONDS EAST 6.55 FEET TO A "CAPPED REBAR"; 6) SOUTH 06 DEGREES 21 MINUTES 55 SECONDS EAST 12.79 FEET TO A "CAPPED REBAR"; 7) SOUTH 83 DEGREES 14 MINUTES 45 SECONDS WEST 6.45 FEET TO A "CAPPED REBAR"; 8) SOUTH 06 DEGREES 27 MINUTES 57 SECONDS EAST 150.37 FEET TO A "CAPPED REBAR"; 9) SOUTH 00 DEGREES 42 MINUTES 00 SECONDS EAST 276.57 FEET TO THE CENTERLINE OF SLY RUN REGULATED DRAIN; THENCE FOLLOWING THE NEXT TWENTY SEVEN (27) COURSES ALONG SAID CENTERLINE; 1) SOUTH 64 DEGREES 13 MINUTES 00 SECONDS EAST 320.10 FEET; 2) SOUTH 60 DEGREES 19 MINUTES 10 SECONDS EAST 42.68 FEET; 3) SOUTH 44 DEGREES 13 MINUTES 04 SECONDS EAST 46.55 FEET; 4) SOUTH 26 DEGREES 08 MINUTES 49 SECONDS EAST 71.33 FEET; 5) SOUTH 51 DEGREES 17 MINUTES 39 SECONDS WEST 21.04 FEET; 6) SOUTH 22 DEGREES 49 MINUTES 09 SECONDS WEST 15.01 FEET; 7) SOUTH 12 DEGREES 22 MINUTES 31 SECONDS EAST 70.06 FEET; 8) SOUTH 30 DEGREES 32 MINUTES 54 SECONDS EAST 8.99 FEET; 9) SOUTH 81 DEGREES 23 MINUTES 41 SECONDS EAST 42.66 FEET; 10) SOUTH 43 DEGREES 28 MINUTES 56 SECONDS EAST 30.26 FEET; 11) SOUTH 64 DEGREES 13 MINUTES 38 SECONDS EAST 29.25 FEET; 12) SOUTH 61 DEGREES 37 MINUTES 07 SECONDS EAST 105.83 FEET; 13) SOUTH 14 DEGREES 25 MINUTES 19 SECONDS EAST 29.17 FEET; 14) SOUTH 41 DEGREES 27 MINUTES 17 SECONDS EAST 34.72 FEET; 15) SOUTH 16 DEGREES 53 MINUTES 01 SECONDS EAST 28.44 FEET; 16) SOUTH 10 DEGREES 44 MINUTES 43 SECONDS WEST 14.43 FEET; 17) SOUTH 25 DEGREES 57 MINUTES 13 SECONDS WEST 14.18 FEET; 18) NORTH 66 DEGREES 37 MINUTES 03 SECONDS WEST 21.81 FEET; 19) NORTH 86 DEGREES 55 MINUTES 51 SECONDS WEST 18.48 FEET; 20) SOUTH 25 DEGREES 18 MINUTES 33 SECONDS WEST 28.41 FEET; 21) SOUTH 45 DEGREES 59 MINUTES 03 SECONDS EAST 71.65 FEET; 22) SOUTH 75 DEGREES 57 MINUTES 17 SECONDS EAST 45.60 FEET; 23) SOUTH 40 DEGREES 34 MINUTES 27 SECONDS EAST 20.10 FEET; 24) SOUTH 01 DEGREES 05 MINUTES 33 SECONDS WEST 19.93 FEET; 25) SOUTH 56 DEGREES 53 MINUTES 16 SECONDS WEST 40.95 FEET; 26) SOUTH 00 DEGREES 46 MINUTES 08 SECONDS WEST 18.91 FEET; 27) SOUTH 46 DEGREES 29 MINUTES 07 SECONDS EAST 29.38 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE ALONG SAID SOUTH LINE NORTH 89 DEGREES 21 MINUTES 34 SECONDS EAST 552.77 FEET TO A "CAPPED REBAR" ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE ALONG SAID EAST LINE NORTH 00 DEGREES 19 MINUTES 56 SECONDS EAST 462.22 FEET TO A "CAPPED REBAR"; THENCE SOUTH 89 DEGREES 41 MINUTES 26 SECONDS EAST 57.75 FEET TO A "CAPPED REBAR"; THENCE NORTH 66 DEGREES 53 MINUTES 59 SECONDS EAST 131.45 FEET TO A "CAPPED REBAR"; THENCE NORTH 89 DEGREES 19 MINUTES 37 SECONDS EAST 371.24 FEET TO A "CAPPED REBAR"; THENCE NORTH 68 DEGREES 03 MINUTES 42 SECONDS EAST 55.49 FEET TO A "CAPPED REBAR"; THENCE NORTH 19 DEGREES 27 MINUTES 22 SECONDS EAST 50.81 FEET TO A

## **EXHIBIT A**

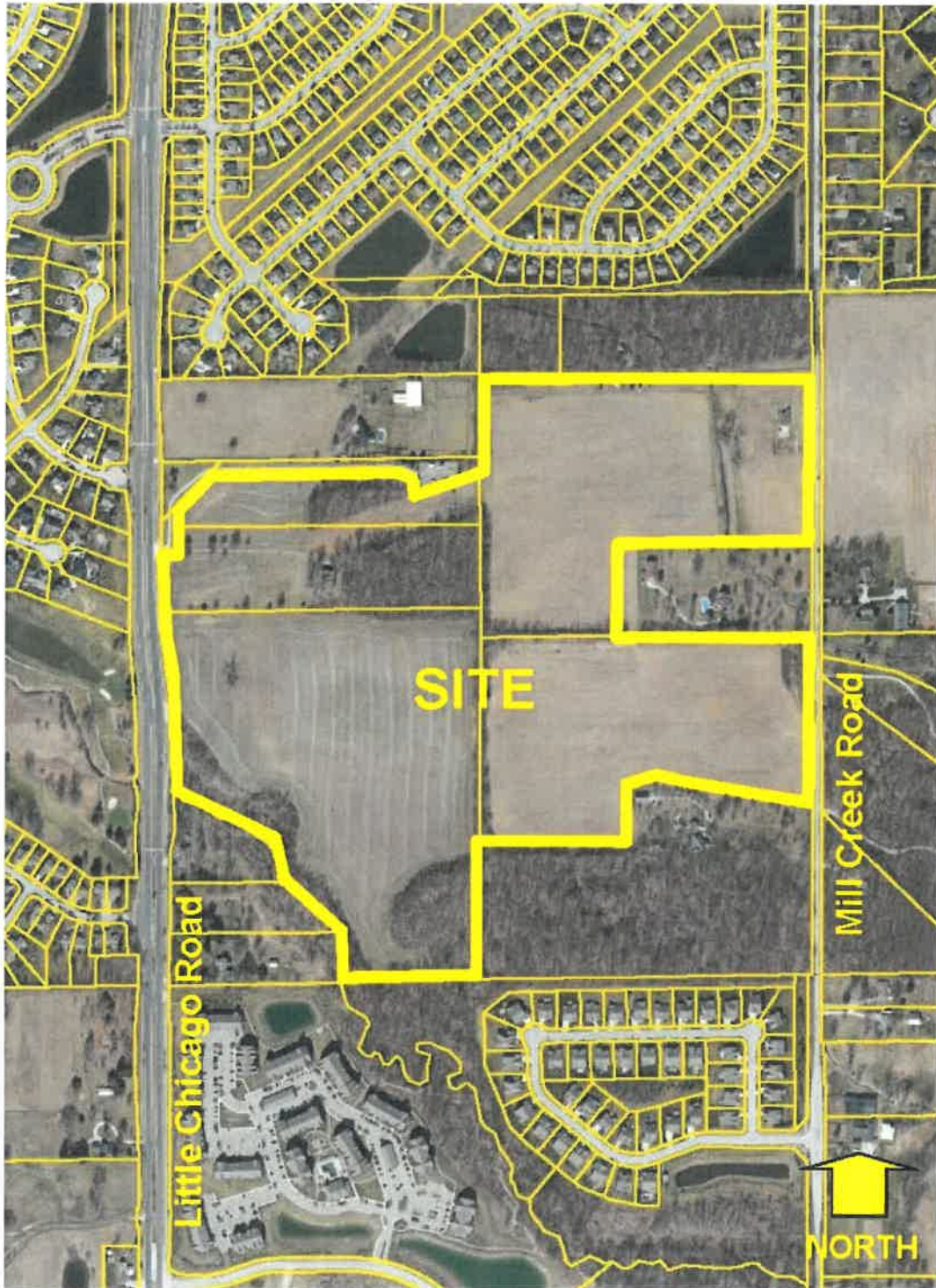
### **Legal Description**

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“CAPPED REBAR”; THENCE NORTH 24 DEGREES 43 MINUTES 26 SECONDS WEST 64.94 FEET TO A “CAPPED REBAR”; THENCE NORTH 40 DEGREES 37 MINUTES 38 SECONDS WEST 55.23 FEET TO A “CAPPED REBAR”; THENCE NORTH 13 DEGREES 52 MINUTES 52 SECONDS WEST 29.39 FEET TO A “CAPPED REBAR”; THENCE NORTH 19 DEGREES 00 MINUTES 05 SECONDS EAST 30.32 FEET TO A “CAPPED REBAR”; THENCE NORTH 65 DEGREES 55 MINUTES 02 SECONDS EAST 44.02 FEET TO A “CAPPED REBAR”; THENCE SOUTH 86 DEGREES 28 MINUTES 15 SECONDS EAST 114.45 FEET TO A “CAPPED REBAR”; THENCE SOUTH 72 DEGREES 39 MINUTES 02 SECONDS EAST 246.91 FEET TO A “CAPPED REBAR”; THENCE NORTH 89 DEGREES 19 MINUTES 37 SECONDS EAST 374.80 FEET TO A MAG NAIL WITH WASHER STAMPED “K&G LS FIRM 0141” (HEREINAFTER “MAG NAIL WITH WASHER”) ON THE EAST LINE OF NORTHWEST QUARTER OF SAID SECTION; THENCE ALONG SAID EAST LINE NORTH 00 DEGREES 17 MINUTES 37 SECONDS EAST 658.71 FEET TO A “MAG NAIL WITH WASHER” AT THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN INSTRUMENT NO. 2021045841; THENCE FOLLOWING THE NEXT THREE (3) COURSES ALONG SAID LAND; 1) SOUTH 89 DEGREES 27 MINUTES 21 SECONDS WEST 782.53 FEET TO A T-POST; 2) NORTH 00 DEGREES 17 MINUTES 37 SECONDS EAST 333.94 FEET TO AN IRON PIPE; 3) NORTH 89 DEGREES 27 MINUTES 21 SECONDS EAST 782.53 FEET TO A “MAG NAIL WITH WASHER” ON THE EAST LINE OF SAID QUARTER SECTION; THENCE ALONG SAID EAST LINE NORTH 00 DEGREES 17 MINUTES 37 SECONDS EAST 668.05 FEET TO A “CAPPED REBAR” AT THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN INSTRUMENT NO. 9904483 IN SAID RECORDER’S OFFICE; THENCE ALONG THE SOUTH LINE OF SAID LAND AND THE WESTERLY EXTENSION THEREOF SOUTH 89 DEGREES 33 MINUTES 07 SECONDS WEST 1320.52 FEET TO A “CAPPED REBAR” ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 19 MINUTES 56 SECONDS WEST 350.24 FEET TO A POINT ON THE SOUTH LINE OF THE LAND DESCRIBED IN INSTRUMENT NO. 2010022173 IN SAID RECORDER’S OFFICE; THENCE FOLLOWING THE NEXT FOUR (4) COURSES ALONG THE SOUTHERLY LINE OF SAID LAND; 1) SOUTH 71 DEGREES 31 MINUTES 16 SECONDS WEST 264.17 FEET TO A REBAR; 2) NORTH 00 DEGREES 19 MINUTES 24 SECONDS EAST 50.53 FEET TO A REBAR; 3) NORTH 60 DEGREES 27 MINUTES 32 SECONDS WEST 79.98 FEET TO A REBAR; 4) SOUTH 89 DEGREES 32 MINUTES 28 SECONDS WEST 739.35 FEET TO A REBAR ON THE EAST LINE OF THE LAND DESCRIBED IN INSTRUMENT NO. 2009070777 IN SAID RECORDER’S OFFICE; THENCE ALONG SAID EAST LINE SOUTH 47 DEGREES 28 MINUTES 46 SECONDS WEST 189.70 FEET TO A REBAR AT THE NORTHEAST CORNER OF THE LAND DESCRIBED IN SAID INSTRUMENT NO. 20100022173; THENCE FOLLOWING THE NEXT TWO (2) COURSES ALONG SAID LAND; 1) SOUTH 00 DEGREES 04 MINUTES 07 SECONDS WEST 193.98 FEET TO A “CAPPED REBAR”; 2) NORTH 89 DEGREES 55 MINUTES 53 SECONDS WEST 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 92.31 ACRES, MORE OR LESS.

**EXHIBIT B**

**Depiction of Legal Description  
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## Noblesville Plan Commission Noblesville, Indiana

*To the Noblesville City Council:*

*This is to certify that the Plan Commission of Noblesville, Indiana held a public hearing on the 19<sup>th</sup> day of May 2025 for a change of zoning, a part of the Comprehensive Master Plan, and after due consideration, recommends that the City of Noblesville ADOPT said amendment.*

**Request:**      **Application No. 0263-2024**      Change of Zoning from "R1 Single-Family Residential" to "R3 Single-Family Residential" for approximately 93 acres. Submitted by the Roman Catholic Diocese of Lafayette In Ind Inc., Don B. McMahon, Joseph Spencer (Owners); MI Homes (Jonathan Isaacs, Applicant); and Nelson & Frankenberger (Jim Shinaver, Attorney and Jon Dobosiewicz, Land Use Professional)  
*Staff Reviewer - Amy Steffens*

**Plan Commission Action:** 9 **Ayes** 1 **Nays** 0 **Abstentions**

Petition is forwarded with a FAVORABLE recommendation

*Respectfully submitted,  
Noblesville Plan Commission*

**By:**

  
Malinda Wilcox      President

  
Caleb P. Gutshall      Secretary