



Common Council

Agenda Item

Cover Sheet

MEETING DATE: June 10, 2025

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

ITEM or ORDINANCE: #15-06-25

PRESENTED BY: Amy Steffens, Attorney Jim Shinaver

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

ORDINANCE NO. 15-06-25

**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. 200300070352

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-0006-2025 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 99.3 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.

[The remainder of this page intentionally left blank; signature page follows.]

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.

Bending Branch - Rezone Ordinance 3 052825

EXHIBIT A

Legal Description (Page 1 of 1)

AS-SURVEYED LAND DESCRIPTION

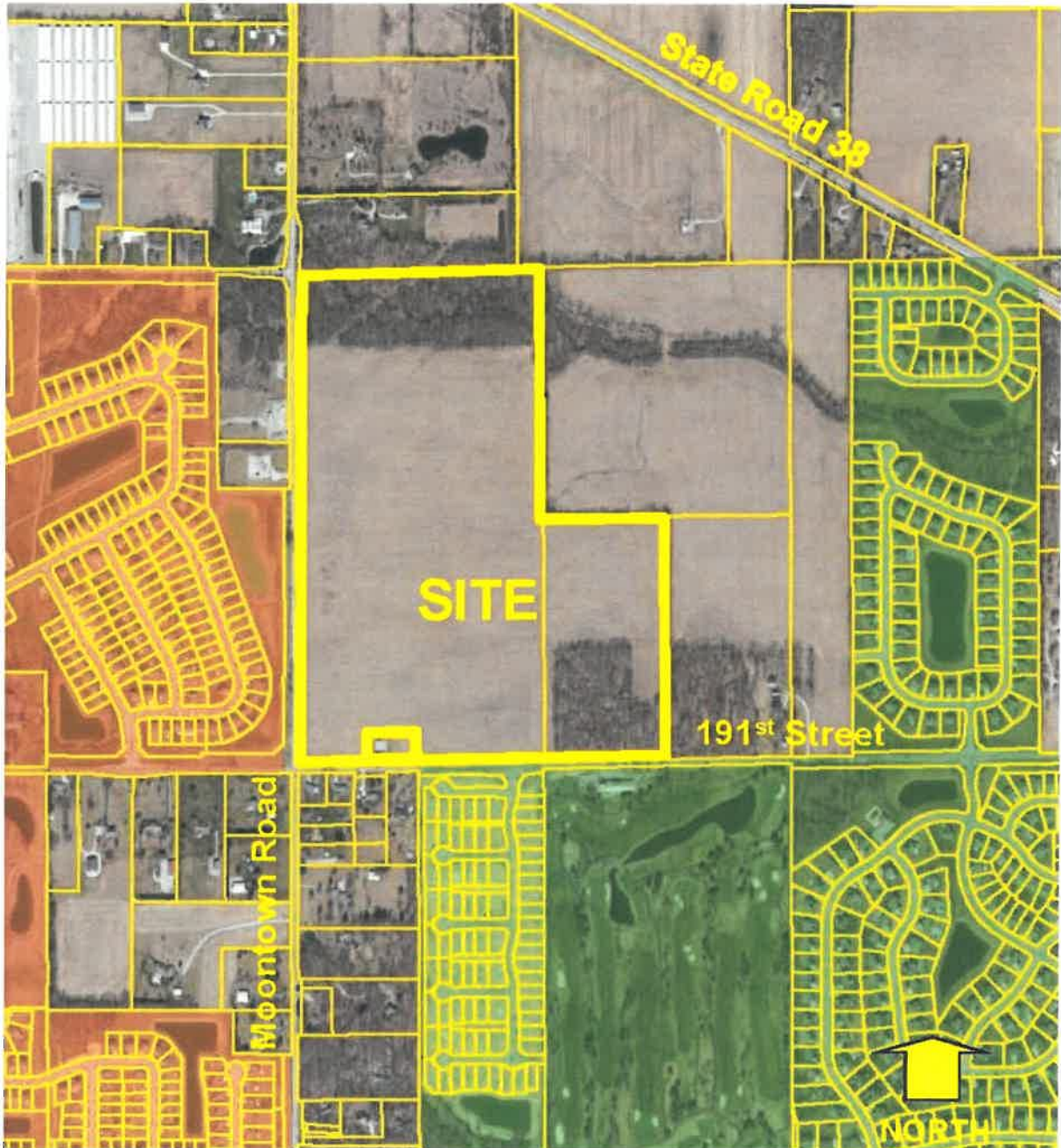
A PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 08 MINUTES 42 SECONDS EAST ALONG THE WEST LINE OF THE SAID QUARTER FOR A DISTANCE OF 2397.96 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 25.00 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 42 SECONDS EAST, PARALLEL WITH THE SAID WEST LINE, FOR A DISTANCE OF 100.00 FEET; THENCE NORTH 16 DEGREES 50 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 52.50 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 42 SECONDS EAST, PARALLEL WITH THE SAID WEST LINE, FOR A DISTANCE OF 100.39 FEET; THENCE NORTH 89 DEGREES 09 MINUTES 56 SECONDS EAST, ALONG THE NORTH LINE OF THE SAID QUARTER, FOR A DISTANCE OF 1288.02 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SAID QUARTER; THENCE SOUTH 00 DEGREES 09 MINUTES 43 SECONDS WEST, ALONG THE EAST LINE OF THE SAID WEST HALF, FOR A DISTANCE OF 1324.58 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SAID QUARTER; THENCE NORTH 89 DEGREES 11 MINUTES 29 SECONDS EAST FOR A DISTANCE OF 663.85 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 1324.89 FEET TO A POINT ON THE SOUTH LINE OF THE SAID QUARTER; THENCE SOUTH 89 DEGREES 13 MINUTES 02 SECONDS WEST, ALONG THE SAID SOUTH LINE, FOR A DISTANCE OF 1990.95 FEET TO THE POINT OF BEGINNING, CONTAINING 100.712 ACRES OF LAND, MORE OR LESS.

A PART OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, AND BEING THAT PART OF THE GRANTOR'S LAND DESCRIBED IN INSTRUMENT 200300070352, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SAID QUARTER SECTION AND THE GRANTOR'S LAND; THENCE ON AND ALONG THE WEST LINE OF SAID QUARTER SECTION AND GRANTOR'S LAND NORTH 00 DEGREES 04 MINUTES 06 SECONDS WEST (BASIS OF BEARING BEING THE LOCATION CONTROL ROUTE SURVEY PLAT RECORDED AS INSTRUMENT NUMBER 2018052014 IN THE OFFICE OF THE RECORDER OF SAID COUNTY) 62.93 FEET; THENCE NORTH 89 DEGREES 00 MINUTES 08 SECONDS EAST 409.67 FEET TO THE POINT OF BEGINNING, DESIGNATED "652" ON SAID PLAT; THENCE NORTH 00 DEGREES 59 MINUTES 52 SECONDS WEST 101.00 FEET TO POINT DESIGNATED "653" ON SAID PLAT; THENCE NORTH 89 DEGREES 00 MINUTES 08 SECONDS EAST 215.00 FEET TO POINT DESIGNATED "654" ON SAID PLAT; THENCE SOUTH 00 DEGREES 59 MINUTES 52 SECONDS EAST 101.00 FEET TO POINT DESIGNATED "655" ON SAID PLAT; THENCE SOUTH 89 DEGREES 00 MINUTES 08 SECONDS WEST 215.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.499 ACRES (21715.00 SQUARE FEET), MORE OR LESS.

EXHIBIT B

Depiction of Legal Description
(Page 1 of 1)



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 19th 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. 0006-2025 Change of Zoning from "R1 Single-Family Residential" to "R3 Single-Family Residential" for approximately 100 acres. Submitted by Moontown LLC (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 FORWARD recommendation

*Respectfully submitted,
Noblesville Plan Commission*

By:


Malinda Wilcox President


Caleb P. Gutshall Secretary