



RULES OF PROCEDURE ARCHITECTURAL REVIEW BOARD NOBLESVILLE, INDIANA

Article I. General Provisions

1. These Rules of Procedure are established based on the standards established within Article 3 and Article 8 of the Noblesville Unified Development Ordinance.
2. These Rules are supplementary to the provisions of Article 3 and Article 8 of the Noblesville Unified Development Ordinance as they relate only to the procedures of the Noblesville Architectural Review Board.
3. The deliberations, opinions and findings of the Architectural Review Board in matters which may come before it for action are only advisory in nature and do not represent a predisposition of any action by either the Plan Commission or the Noblesville Common Council.
4. Nothing herein shall be construed to give or grant to the Architectural Review Board the power or authority to alter or change the Zoning Ordinance, including the Zone Map, which authority is reserved to the governing body.
5. The City Attorney shall be consulted in cases where the powers of the Architectural Review Board are not clearly defined.
6. The Office of the Architectural Review Board shall be located in the Noblesville City Hall, 16 South 10th Street, in the Department of Planning and Development.
7. A file of materials and decisions relating to each case shall be kept by the Staff as part of the records of the Architectural Review Board.
8. The Architectural Review Board shall keep minutes of its proceedings and record the vote on all actions taken. All minutes and records shall be filed in the Office of the Board, and are public record.

Article II. Officers and Duties

1. The officers shall be a Chairperson and a Vice-Chairperson
2. The Chairperson and Vice Chairperson shall be elected at the first regular meeting of the year. The Vice-Chairperson shall have authority to act as Chairperson during the absence or disability of the Chairperson. A temporary Chairperson shall be elected by the members in attendance at any meeting in case both the Chairperson and Vice Chairperson are absent.

3. The Chairperson shall supervise the affairs of the Architectural Review Board. The Chairperson shall preside over all hearings and all persons shall abide by the orders and directions of the Chairperson. The Chairperson shall determine all matters concerning the procedure of each petition, and admissibility of evidence.

4. The Vice-Chairperson, in the absence or disability of the Chairperson, shall perform all duties and exercise all the powers of the Chairperson.

5. The Staff shall record and maintain permanent minutes of the Architectural Review Board's proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indication of that fact; keep records of its examinations and other official actions; summarize accurately the testimony of those appearing before the Architectural Review Board or keep a transcript of all hearings; record the names and addresses of all persons appearing before the Architectural Review Board; file said minutes and records in the Office of the Architectural Review Board which minutes and records shall be a public record and be the custodian of the files of the Architectural Board and keep all records.

Article III. Meetings

1. Regular meetings of the Architectural Review Board shall be held pursuant to the schedule approved by the members of the Architectural Review Board. Such schedule and meeting locations shall be properly posted and shall be of public record.

2. Regular meetings may be canceled by the Chairperson or Staff when there are no cases pending. Notification must be given to members, however, not less than twenty-four (24) hours prior to the time set for such meetings.

3. Special meetings of the Architectural Review Board shall be held at the call of the Chairperson, written request of two members, or as may be determined at a regular meeting. Only matters included in the call for a special meeting shall be considered, except upon the unanimous approval of all members of the Board.

4. All meetings shall be open to the public.

5. A majority of the total membership of the Architectural Review Board shall constitute a quorum. The total membership of the Board is five (5) members. No action shall be binding unless approved by a majority of the Architectural Review Board at a regular or duly called special meeting.

6. A quorum consisting of a minimum of three members of the Architectural Board shall be present for the transaction of any business.

Article IV. Order of Business

1. All meetings of the Architectural Review Board shall proceed as follows:

- 1.1 Roll call and declaration of quorum.
- 1.2 Approval of minutes of previous meeting(s).
- 1.3 Communications/reports of committees.
- 1.4 Call of requests for continuances.
 - (a) Old Business
 - (b) New Business
- 1.5 Miscellaneous
- 1.6 Adjournment

Article V. Powers and Duties

1. The Architectural Review Board shall hear and make recommendations on the following types of requests:

- 1.1 Review of Architectural Elevation Plans for Residential Planned Developments
- 1.2 Appeals of Decisions of the Planning Department Director regarding the appropriateness and adherence of the architectural building elevations to the standards approved as a part of the Planned Development Ordinance.
- 1.3 Other actions as designated by the Common Council and Plan Commission.

Article VI. Procedures for Consideration of New Applications

1. All information required as part of the application for a residential Planned Development must be present at the time of the application deadline prescribed by the Noblesville Unified Development Ordinance and the adopted Filing Deadlines and Meetings Schedule. This information shall be forwarded to the Architectural Review Board for their consideration prior to consideration by the Plan Commission.

2. The Architectural Review Board shall recommend favorably, recommend unfavorably, or recommend amendments to the elevation plans proposed. The recommendation will be based on the standards and guidelines established by the Noblesville Unified Development Ordinance.

3. Once an item has been denied by the Architectural Review Board, it shall not be placed back on the agenda until a period of one year has elapsed from the date of

denial except upon the motion of a member and adopted by a unanimous vote of all members present at a regular or special meeting.

4. A denied elevation plan shall be significantly modified (easily identified and meaningful modifications) as determined by the Director of Planning and Development prior to consideration of the resubmittal to the Architectural Review Board.

Article VII. Procedures on Appeals

1. The Architectural Review Board shall hear and determine all Appeals from and review of the following:

1.1 Any administrative decision made by Director of Planning/Staff to determine the compliance of an elevation plan or set of elevation plans meeting the intent of the originally approved Planned Development Ordinance and elevation plans.

2. Appeals shall be filed with the Architectural Review Board after the decision of the Director of Planning or administrative official has presented the applicant with written reasons for the denial.

3. Appeals shall be prepared in letter format and shall specify the grounds of the Appeal in such a manner that the Architectural Review Board may be fully informed of all facts and elements involved, and a clear statement of the reasons the applicant deems to justify the Appeal.

4. Copies of documents, elevation plans, and papers constituting the Appeal shall also be filed at the same time of the filing of the written correspondence and shall be filed as per the deadlines set forth in the adopted Schedule of Meeting Dates and Filing Deadlines.

5. Upon Appeal, action by the Architectural Review Board may approve, approve subject to conditions, or deny an applicant's request.

6. Any Appeal of the Architectural Review Board's decision shall be appealed to the Board of Zoning Appeals following the same procedure as set forth above.

Article VIII. Procedures on Applications

1. At the time of the meeting, the applicant may appear on his own behalf or be represented by his counsel or agent. The agent must have the authority to make commitments on the applicant's behalf.

2. Any application filed with the Architectural Review Board by the necessary deadline and unsupported by the site plan, architectural plans, or other necessary

documentation as may be deemed necessary by the Architectural Review Board or Staff shall be held in abeyance until after the filing of such documentation and continued until the next meeting.

3. The applicant or his representative may make an initial statement outlining the nature of the request prior to introducing evidence.

4. Evidence shall be presented in the following order:

4.1 The Chairperson introduces the case.

4.2 Staff summarizes the Staff Report, presents evidence, and additional comments.

4.3 The Chairperson may direct questions from the Architectural Review Board of the Staff regarding evidence or clarification of statements.

4.4 The applicant presents evidence and is available for questions from the Architectural Review Board.

5. A presentation of information by the applicant and/or his representative should be completed in twenty (20) minutes. The Chairperson may increase the length of time for a presentation if requested by the applicant or his representative.

6. In the event that the Architectural Review Board is unable to render a recommendation of the majority membership, the application and all submitted documentation shall be sent to the Plan Commission with no recommendation. The Plan Commission at their public hearing shall consider and review each building elevation as a part of the applicants planned development submittal and send a favorable, favorable with modifications, or unfavorable recommendation to the Council. Otherwise, the Plan Commission may vote to have the matter remanded to the Architectural Review Board for further consideration prior to a formal recommendation being made by the Plan Commission for the proposed planned development.

7. The Chairperson shall rule on all questions relating to the admissibility of information, which may be overruled by a majority of the Architectural Review Board.

8. Discourtesy and disorderly or contemptuous conduct shall be regarded as a breach of the privileges of the Board and shall be dealt with as the Chairperson may deem proper.

Article IX. Decisions

1. The Architectural Review Board shall conduct its deliberations and vote on all matters in public session at the meeting in which evidence is concluded.

2. All deliberations of the Architectural Review Board shall be conducted and made at a meeting that is open to the public.

3. A concurring vote of three (3) members of the Architectural Review Board shall be necessary to offer a formal recommendation to the Plan Commission.

4. All recommendations of the Architectural Review Board shall be made at a public meeting by motion made and seconded, and called for by the Chairperson by membership voice votes of ayes or nays. If conditions or variations are imposed in the granting of the application, such conditions and/or variations shall be included in the motion.

Article X. Amendment of Rules

1. These Rules may be amended by an affirmative majority vote of all members of the Architectural Review Board.

2. The proposed amendment(s) must be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

These Rules of Procedure were presented and discussed at the August 28, 2014 meeting and adopted by a majority vote at the Architectural Review Board Meeting held on September 18, 2014.



Christy Langley, President