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Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
12-19-2005 At 02:51 pm.
ORDINANCE 25.00

ORDINANCE NUMBER 91-11 - 05

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE,
A PART OF THE MASTER PLAN OF
THE CITY OF NOBLESVILLE, INDIANA,
ESTABLISHING THE ESSEX PLANNED DEVELOPMENT
DISTRICT, AND APPROVING PRELIMINARY
DEVELOPMENT PLAN**

Cross-References: EST #2005-30974, 2001-69293, 9120055, 8721473

An Ordinance to Amend the Unified Development Ordinance of the City of Noblesville, Hamilton County, Indiana, enacted by the City of Noblesville under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended.

WHEREAS, the Plan Commission of the City of Noblesville (the "Commission") has conducted a public hearing as required by law in regard to the application for a change of zone district designation filed by Essex on Hazel Dell, LLC for the real estate containing approximately 74.28 acres, legally described on Exhibit "A" attached hereto, and located in Noblesville Township, Noblesville, Indiana (the "Real Estate").

WHEREAS, an Application has been filed to establish an Ordinance to amend the Zoning Ordinance to establish on the Real Estate a residential planned development district, to include an amenities facility, to be known as Essex Planned Development District (the "District").

WHEREAS, an Application has been filed for approval of a Preliminary Development Plan, Overall Landscaping Plan, and Architectural Building Requirements for the District, copies of which are attached hereto as Exhibits "B", "C", "D-1" and "D-2".

WHEREAS, the Plan Commission of the City of Noblesville (the "Plan Commission") has conducted a public hearing on such applications, and has, by a vote of 9-0, sent a favorable recommendation relating to such applications to the Common Council dated November 21, 2005.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Zoning Ordinance and the Zone Maps of the Ordinance are hereby amended as follows.

Section 1. Zoning. The Real Estate is hereby designated as a Residential Planned Development District known as the Essex Residential Planned Development District.

Section 2. Legislative Intent. Having given reasonable regard to the City's Comprehensive Master Plan and the other matters specified in Article VIII of the Zoning Ordinance, and specifically to Section 4, the intent of the Council in adopting this Ordinance is to encourage a more creative approach in land and building site planning; encourage an efficient, aesthetic, and desirable use of open space; promote variety in the physical development pattern of the community; and permit special consideration of property with unique features.

Section 3. Applicability of Ordinance. Development in the District shall be governed entirely by the provisions of this Ordinance with the exception that provisions of the Zoning Ordinance specifically referenced within this Ordinance shall also apply.

Section 4. Definitions. Unless otherwise stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated. Any word used in this Ordinance which is not defined herein and which is defined in Article II of the Zoning Ordinance shall, for the purpose of this Ordinance, have the meaning defined therein, unless the context otherwise requires.

Application. The application filed with the Director of Planning and Development for the City of Noblesville to establish a Planned Development District for the Real Estate and includes all plans, documents, and supporting information filed therewith.

Architectural Building Requirements. The criteria and guidelines, including illustrative material, presented to and approved by the City of Noblesville Architectural Review Board outlining the architectural character of Residences and attached hereto as Exhibit "D".

Department. The Department of Planning and Development of the City of Noblesville, Indiana.

Developer. Essex on Hazel Dell, LLC and its successors and assigns engaged in development of one or more residential phases of Essex of Noblesville.

Development Plan. Except where the context refers to the Preliminary Development Plan filed with and as a part of the Application approved by the Commission and Council, the Detailed Development Plan for the District, as the same may be modified from time to time pursuant to Section 5.

Home. A detached single-family Residence to be constructed on a Lot having a lot area of at least 12,500 square feet as depicted on the Preliminary Development Plan.

Residence. A Home.

Modification. A change to the Development Plan approved pursuant to Section 5.

Open Space. A parcel, or parcels, of land, an area of water, or a combination of land and water, within the District designed and intended for the use and enjoyment of some or all of the residents of the District.

Zoning Ordinance. The Unified Development Ordinance for the City of Noblesville, Indiana as it existed on October 3, 2005.

Section 5. Modification of Development Plan. The Commission may, upon petition of the Developer, modify the Development Plan and development standards specified in this Ordinance.

Section 6. Permitted Uses; Maximum Density; Accessory Uses.

6.1 The uses permitted in the District or parts thereof are (i) those permitted in the "R-1" District of the City of Noblesville, listed in Appendix C, Use Matrix, of the Zoning Ordinance, (ii) an amenities facility which may include an indoor and outdoor pool complex (the "Amenities Facility") and (ii) temporary real estate sales office use. The maximum number of Residences permitted in the District is one hundred and sixty-three (163), which computed as provided in the Zoning Ordinance is a maximum density of 2.4 dwelling units per acre.

6.2 The accessory uses permitted in the District or parts thereof are those permitted in the "R-1" District of the City of Noblesville, listed in Appendix C, Use Matrix, of the Zoning Ordinance.

Section 7. Residential Bulk Requirements.

7.1 Area "A"

- A. Minimum Lot Area per Residence: 11,400 square feet
- B. Minimum Lot Width: Ninety (90) feet
- C. Minimum Yard Dimensions:
 - Front yard: Twenty-five (25) feet
 - Side yard: 15 feet total, but with a minimum on either side of the residence of five (5) feet
 - Rear yard: Twenty (20) feet
- D. Maximum building height: Thirty-five (35) feet
- E. Minimum Floor Area (one story residence): 2,000 square feet
- F. Minimum Floor Area (two story residence): 2,200 square feet
- G. Maximum Floor Area Ratio: 0.5

7.2 Accessory uses such as public utility installations, private walks, driveways, retaining walls, mail boxes, nameplates, lighting fixtures, patios at grade, birdbaths and structures of a like nature are permitted in any required front, side or rear yard.

7.3 Fences may be located in any side or rear yard subject to the provisions of Section 14 of this Planned Development District Ordinance.

Section 8. Amenities Facility Development Requirements.

8.1 Unless otherwise approved by the Commission, the Amenities Facility will be located substantially as shown in the Preliminary Development Plan.

8.2 Without the approval of the Commission, (i) permanent above ground buildings that are part of the Amenities Facility shall not exceed 2,500 square feet in size and (ii) the Amenities Facility shall not exceed thirty-five (45) feet in height.

8.3 No building that is part of the Amenities Facility will be located within two hundred (200) feet of the external boundaries of the District.

8.4 No off-street parking area shall be closer than ten (10) feet to the boundaries of the Amenities Facility and/or park common area. Off-street parking areas shall include perimeter landscaping subject to Article 12, Landscaping and Screening, of the Zoning Ordinance.

8.5 Parking shall be provided at a minimum of one space per 500 sq. ft. of water and deck area.

8.6 Lighted areas shall not infringe upon other properties, pursuant to Article 13, Environmental Performance Standards, of the Zoning Ordinance.

8.7 Noise shall comply with the provisions of Article 13, Environmental Performance Standards, of the Zoning Ordinance.

Section 9. Open Space; Peripheral Yard. Open space shall be provided substantially in the size and configuration and in the locations depicted on the Preliminary Development Plan, provided that in no event shall less than twenty-eight percent (28%) of the Real Estate be open space. Open space shall be used for social, recreational, and/or environmental preservation purposes. Recreational buildings, structures, and improvements (for example, picnic structures, playground equipment and gazebos) may be constructed in the open space. A fifty (50) foot wide peripheral yard as required by the Zoning Ordinance shall be provided along the perimeter of the District except as depicted on Exhibit "B" attached hereto.

Section 10. Streets and Sidewalks.

10.1 The streets and street layout within the District (including rights-of-way) shall be substantially as indicated on the Preliminary Development Plan, adapted as appropriate to the topography, unique natural features and environmental constraints of the Real Estate.

10.2 Streets within the District shall be dedicated to the public.

10.3 Sidewalks shall be provided substantially as shown on the Preliminary Development Plan.

10.4 Streets depicted on the Preliminary Development Plan may be eliminated or relocated as part of the approved Detailed Development Plan so long as there is no materially adverse affect on traffic flow within the District.

Section 11. Signs. The provisions of the Zoning Ordinance shall apply to any signs within the District.

Section 12. Lot Landscaping. Each Residence within the District shall be landscaped in accordance with the Architectural Building Requirements.

Section 13. Architectural Building Requirements. Each Home within the District shall be constructed in accordance with the Architectural Building Requirements described on Exhibit D-1 attached hereto. The pool house amenity shall be constructed in accordance with the Architectural Building Requirements described on Exhibit D-2, attached hereto.

Section 14. Fences and Walls.

14.1 Fences shall not be permitted in the front yard of any Residence.

14.2 Fences in all other yards shall be no taller than six (6) feet in height. Fences shall be measured from the topmost point thereof to the ground adjacent to the fence; provided, however, that decorative caps or spires which extend above the highest horizontal member of a fence shall not be included in the measurement of height.

14.3 No fence shall be constructed within a drainage easement so as to obstruct the flow of water therein.

14.4 No fences or structures shall be constructed within any common areas or the Peripheral Yard except as depicted on the Preliminary Development Plan.

Section 15. Preliminary Development Plan. The Preliminary Development Plan for the District is approved. The approved Preliminary Development Plan for the District shall include the overall landscaping plan and architectural building requirements presented to the Plan Commission on November 21, 2005.

Section 16. Detailed Development Plan. Detailed development plan approval may be granted in phases. Approval of a detailed development plan is subject to the requirements of Article 8, Part E, Section 4, of the Zoning Ordinance. A Detailed Development Plan shall be considered to meet the filing, review, and approval requirements of a final plat for administration purposes. The provisions of Article 5, Part B Section 2E of the Zoning Ordinance shall not apply to any approved Detailed Development Plan.

Section 17. Certification and Recordation of the Development Plan.

17.1 Promptly upon approval thereof, the Director of the Department shall sign a mylar copy of each approved Detailed Development Plan, record the signed Detailed Development Plan in the Office of the Recorder of Hamilton County, Indiana and deliver a copy of the signed Detailed Development Plan to the Developer. The Recorder shall return the originally recorded Development Plan to the Department.

17.2 The Department shall record approved modifications of the Detailed Development Plan in the Office of the Recorder of Hamilton County, Indiana, promptly following the approval of

such modification. Subsequent to recordation, the Department shall deliver a copy of the recorded modification to the Developer.

Section 18. Improvement Location Permits The provisions of the Zoning Ordinance shall apply to the issuance of improvement location permits in the District.

Section 19. Temporary Real Estate Sales Office Use A Temporary real estate sales office use will be permitted within a temporary structure or consist of an office operated from a model home, and a maximum of three (3) accessory model homes.

19.1 This use shall also be subject to the following conditions:

- A. The use shall be located near the entrance of the development so as to avoid undue traffic through the developing site.
- B. Two (2) off-street parking spaces shall be provided and maintained for each structure proposed for a sales use.
- C. The use shall be required to install a sign indicating the location of off-street parking. Said sign shall be a maximum of four square feet in size.
- D. An American flag and the corporate flag of the builder shall be permitted.
- E. Each model home in Essex shall be permitted, a sign indicating model name and other incidental information.

19.2 Sales offices operated from temporary structures shall be required to meet all standards included in Section 19.1 above, as well as the following standards:

- A. Meet all building setback requirements of the respective district.
- B. Landscaping at a minimum rate of 12 shrubs and 2 trees per temporary structure. Skirting shall be installed around 360 degrees of the structure.
- C. Must have indoor plumbing.
- D. All temporary sales trailers shall be removed upon 20% build out of the subdivision.


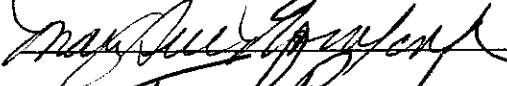
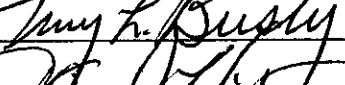
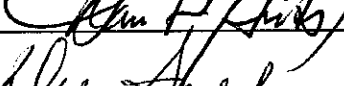
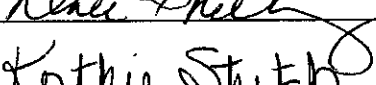
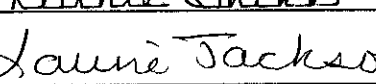

19.3 Such uses shall require a permit by the Director and such permit shall be valid for the duration of home sales within the subdivision.

Upon motion duly made and seconded, this ordinance was fully passed by the members of the Common Council this 3rd day of December, 2005.

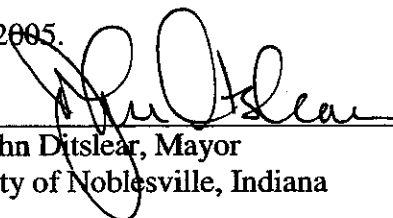
COMMON COUNCIL OF THE CITY OF NOBLESVILLE

Aye

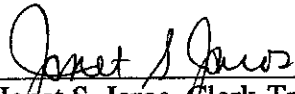
Nay

	Brian Ayer	
	Mary Sue Rowland	
	Terry Busby	
	Alan Hinds	
	Dale Snelling	
	Kathie Stretch	
	Laurie Jackson	

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 3rd day of December, 2005.


John Ditslear, Mayor
City of Noblesville, Indiana

ATTEST:


Janet S. Jaros, Clerk-Treasurer
City of Noblesville, Indiana

EXHIBITS ARE ON FILE AND MAY BE VIEWED IN THE CITY OF NOBLESVILLE CLERK-TREASURER'S OFFICE.

This ordinance prepared by Jon C. Dobosiewicz, Indiana Land Group, 23 South 8th Street, Noblesville, Indiana 46060.

Exhibit "A"

Legal Description

Parcel I:

The Northwest Quarter of the Northwest Quarter of Section 10 Township 18 North, Range 4 East, containing 40 acres, more or less.

Parcel II:

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER SECTION 658.84 FEET NORTH 00 DEGREES 00 MINUTES 00 SECONDS FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 00 DEGREE 00 MINUTES 00 SECONDS ON AND ALONG SAID WEST LINE 330.86 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 50 SECONDS EAST 165.0 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER SECTION 330.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SAID QUARTER SECTION (SAID POINT BEING 165.00 FEET NORTH 89 DEGREES 25 MINUTES 50 SECONDS EAST OF THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER SECTION); THENCE NORTH 89 DEGREES 25 MINUTES 50 SECONDS EAST 1188.91 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER SECTION 669.94 FEET; THENCE SOUTH 89 DEGREES 47 MINUTES 40 SECONDS WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER SECTION 1353.85 FEET TO THE BEGINNING POINT; CONTAINING 19.42 ACRES, MORE OR LESS.

ALSO:

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 4 EAST, IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER SECTION; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS ON AND ALONG THE WEST LINE OF THE SOUTHWEST QUARTER SECTION 658.84 FEET TO A POINT, THAT IS 660.86 FEET SOUTH 00 DEGREES 00 MINUTES 00 SECONDS FROM THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER SECTION; THENCE NORTH 89 DEGREES 47 MINUTES 40 SECONDS EAST AND PARALLEL WITH THE SOUTH LINE OF SAID

SOUTHWEST QUARTER SECTION 1322.33 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER SECTION 658.84 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER SECTION; THENCE SOUTH 89 DEGREES 47 MINUTES 40 SECONDS WEST ON AND ALONG THE SOUTH LINE 1322.33 FEET TO THE BEGINNING POINT, CONTAINING 20.00 ACRES, MORE OR LESS.

EXCEPT:

A part of the South Half of the Southwest Quarter of Section 3, Township 18 North, Range 4 East, in Hamilton County, Indiana, described as follows:

Beginning at a point on the West line of said South Half, South 0 degrees 00 minutes 00 seconds East, 330.00 feet from the Northwest corner of said Half; thence North 89 degrees 25 minutes 50 seconds East, 415.00 feet parallel to the North line of said Half; thence South 0 degrees 00 minutes 00 seconds West, 435.00 feet; thence South 89 degrees 25 minutes 50 seconds West 415.00 feet to the West line of said Half; thence North 0 degrees 00 minutes 00 seconds East 435 feet along said West line to the point of beginning and containing 4.144 acres more or less.

ALSO EXCEPT:

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID HALF QUARTER SECTION; THENCE NORTH 89 DEGREES 25 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE THEREOF, AND ALONG THE CENTERLINE OF 169TH STREET 527.12 FEET; THENCE SOUTH 00 DEGREES 34 MINUTES 10 SECONDS EAST TO A POINT ON THE SOUTHERN RIGHT-OF-WAY LINE OF SAID 169TH STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89 DEGREES 25 MINUTES 50 SECONDS EAST PARALLEL WITH THE AFORESAID NORTH LINE OF SAID HALF QUARTER SECTION 235.46 FEET; THENCE SOUTH 00 DEGREES 34 MINUTES 10 SECONDS EAST 185.00 FEET; THENCE SOUTH 89 DEGREES 25 MINUTES 50 SECONDS WEST PARALLEL WITH THE AFORESAID NORTH LINE OF SAID HALF QUARTER SECTION 235.46 FEET; THENCE NORTH 00 DEGREES 34 MINUTES 10 SECONDS WEST 185.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS.

EXHIBIT D-1:

ARCHITECTURAL BUILDING REQUIREMENTS: ESSEX

Section 1. Definitions.

- A. **Ridge line.** The intersection of two horizontal roof planes, or the angle formed by them, which form the peak of a pitched area. A hip roof shall be the equivalent of one ridge line.
- B. **Overhang.** The portion of the roof structure that extends beyond the exterior walls of a home offering it protection from the elements.
- C. **Masonry.** Brick, limestone, natural stone, cultural stone, stucco and EIFS or other similar building material or a combination of the same, bonded together with mortar to form a wall, buttress or similar mass.
- D. **Natural Materials.** Brick, wood, limestone, concrete fiber board (Hardiplank or similar materials), or natural stone.
- E. **Corner Lot.** A Lot having frontage on two (2) public streets.

Section 2. Architectural Standards.

A. STRUCTURAL, LANDSCAPING, ARCHITECTURAL

1. RIDGE LINES:

- a. A ranch home shall have a minimum of three (3) ridge lines.
- b. A two story home shall have a minimum of four (4) ridge lines.

2. CORNER BREAKS:

- a. All homes shall have a minimum of three (3) corner breaks on the four facades of the structure. Three corner breaks are not required on side and rear facades where Architectural Masonry, full first floor wrap, is provided.

3. WINDOWS:

- a. All homes shall have a minimum of four (4) windows on the front facade of the structure.
(**Corner Lots**): the side (non front door) facades abutting the public roadway shall have a minimum of three (3) windows.
- b. All homes shall have a minimum of three (3) windows on each of the two side facades.
- c. All homes shall have a minimum of seven (7) windows on the rear facade of the structure.
- d. All homes shall have a minimum aggregate of seventeen (17) windows.

4. **FOUNDATION:**
 - a. Exposed concrete or block foundations are limited to four (4) inches or the minimum required by the applicable building code, whichever is greater. All other façade areas must be finished materials.
5. **GARAGE DOOR PERCENTAGE (OF FAÇADE):**
 - a. Homes with front facing garage doors shall have a maximum garage door façade covering of 20% for two-story homes and 33% for ranch homes. For the purposes of this calculation, doors and windows shall count toward the overall façade square footage. The percentage may be exceeded only on a home with a 3-stall garage option as long as the 2-stall garage door façade conforms to the maximum.
6. **FRONT LOAD GARAGE:**
 - a. Garages with front facing doors must be on a separate plane from the main body of the residence. The garage must be recessed or projected from the main house plane a minimum of four (4) feet and a maximum of twelve feet. In an instance where this requirement is not met an additional ridge line will be provided on the front facing façade.
7. **FRONT PORCHES:**
 - a. One front covered landing, stoop or porch is required on all homes. The minimum size shall be 30 square feet and no less than four (4) feet in width or depth.
8. **ROOF PITCH:**
 - a. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
9. **EQUIPMENT VENTS:**
 - a. Vents shall be located to the rear half of the home. All vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
10. **OVERHANGS:**
 - a. The roof overhangs shall be a minimum of 12". Horizontal overhangs projecting from the front façade shall be a minimum of 8" on homes providing the following; (i) a minimum of one (1) additional corner break, (ii) a minimum of three ridge lines, and (iii) a minimum of 85 percent masonry materials, on the front façade.
11. **FRONT LANDSCAPING:**
 - a. Street trees shall be provided 40' to 60' on center along all interior street frontages.

- b. Two (2) shade trees, and twelve (12) shrubs shall be placed in the front of the home.
- c. A planting bed (minimum 2' width) will be provided along 100% of the front facade unless adjacent to garage doors.
- d. **(Corner Lots):** the side (non front door) facades abutting the public roadway shall be subject to the requirements of subparagraph b. and c. of this section unless the façade contains the garage door in which case this requirement is superseded by requirement A.12. Side Landscaping below.

12. SIDE LANDSCAPING:

- a. A minimum of one (1) ornamental tree and ten (10) shrubs shall be planted in each side yard.
- b. A planting bed (minimum 2' width) will be provided along 100% of each side facade unless adjacent to a garage door.

13. REAR LANDSCAPING:

- a. Each home shall have a minimum rear landscape package containing one (1) tree.

14. NATURAL MATERIALS:

- a. Each home shall have a minimum of 50% of the front façade containing masonry materials (not including doors and windows).
(Corner Lots): this requirement applies to both facades abutting the public roadway.
- b. Each home shall have a minimum of 100% of the remaining façade area containing natural materials (not including doors and windows).

15. SHUTTERS AND/OR ARCHITECTURAL REQUIREMENTS:

- a. All windows shall have either shutters and/or architectural treatment. For windows in brick façade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick façade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.

B. SITE DEVELOPMENT

- 1. Ponds within the subdivision have been designed as a neighborhood amenity. While less formal in character they provide visual interest within their respective settings. Ponds have been landscaped to enhance the quality of the space by defining the edge between common areas and private lots.
- 2. Entrance Treatments will establish the character of the neighborhood which will be carried throughout the amenity area, perimeter roadway buffers, and interior streetscapes.
- 3. Corner lots have received additional treatments on the side of the home and yard adjacent to the street as specifically noted in the requirements of Section A. above.

C. GENERALLY RELATED ITEMS

1. All windows shall have either shutters and/or architectural treatment.
2. In counting windows, a double window will count as two windows and a sliding glass patio door will count as a window and the permanent glass adjacent to a door will count as a window. Except as noted in this section one window for the purposes of calculating the required number of windows shall have a minimum area of eight (8) square feet. Windows of less than eight (8) square feet shall count towards the requirements only when their aggregate is greater than eight (8) square feet in area. (example: Three six (6) square foot windows, 18 square feet total, would equal two windows for the purposes of calculating the required number of windows.
3. Windows within bathrooms, laundry rooms, and above countertops in kitchens shall be exempt from the minimum size requirements.
3. The minimum caliper of street trees shall be 2-1/2", measured at 12" above grade.
4. Shade trees shall have a minimum caliper of 2-1/2" measured at 12" above grade.
5. The minimum caliper of ornamental trees shall be 1-1/2" measured at 12" above grade or for multi-trunk trees, 10' tall planted.
6. Shrubs shall be a minimum of 24" tall at planting.

D. SPECIFICALLY RELATED ITEMS

1. Covered, but non-enclosed, porches shall count toward the ridgeline requirement if the roof extends to the main roofline of the residence.
2. Corner breaks shall only be counted if they form "exterior" corners along the façade. The "exterior" corners of a covered porch and the outermost corners of the residence shall count toward this requirement.
3. Any façade area within a dormer projecting from a roof area shall not be counted in the calculation for the percent of masonry required on a front elevation.
4. Secondary elements such as porches, bays, walkways, etc., may be covered with fewer than twelve (12) inches of overhang.
5. No two homes of the same plan number and elevation may be constructed next door to or directly across the street from one another.

Section 3. Administration.

- A. The City of Noblesville Planning Staff has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

EXHIBIT D-2:
ARCHITECTURAL BUILDING REQUIREMENTS
ESSEX: POOL HOUSE AND AMENITIES

Section 1. Definitions.

- A. Ridge line. The intersection of two horizontal roof planes, or the angle formed by them, which form the peak of a pitched area. A hip roof shall be the equivalent of only one ridge line.
- B. Natural Materials. Brick, wood, limestone, concrete fiber board (Hardiplank or similar materials), or natural stone.
- C. Overhang. The portion of the roof structure that extends beyond the exterior walls of a home offering it protection from the elements.
- D. Masonry. Brick, limestone, natural stone, cultural stone, stucco and EIFS or other similar building material or a combination of the same, bonded together with mortar to form a wall, buttress or similar mass.

Section 2. Architectural Standards.

A. STRUCTURAL, LANDSCAPING, ARCHITECTURAL

- 1. **RIDGE LINES:**
 - a. The pool house shall have a minimum of two (2) ridge lines.
- 2. **CORNER BREAKS:**
 - a. The pool house shall have a minimum of three (3) corner breaks on the four facades of the structure.
- 3. **WINDOWS:**
 - a. The pool house shall have a minimum aggregate of four (4) windows.
- 4. **FOUNDATION:**
 - a. Exposed concrete foundations are not permitted.
- 5. **GARAGE DOOR PERCENTAGE (OF FAÇADE):**
Not applicable.
- 6. **FRONT LOAD GARAGE:**
Not applicable.

7. **FRONT PORCHES:**
 - a. One front covered landing, stoop or porch a minimum of 30 square feet shall be provided.
8. **ROOF PITCH:**
 - a. The minimum roof pitch of the main roof shall be 6/12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
9. **EQUIPMENT VENTS:**
 - a. Vents shall be located to the rear half of the structure. All vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
10. **OVERHANGS:**
 - a. The roof overhangs shall be a minimum of 12" for all facades. Secondary elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.
11. **FRONT LANDSCAPING:**
 - a. Street trees shall be provided 40' to 60' on center along all interior street frontages.
 - b. Two (2) shade trees, and ten (10) shrubs shall be placed in the front of the pool house.
 - c. A planting bed (minimum 2' width) will be provided along 100% of the front facade unless adjacent to doors.
12. **SIDE LANDSCAPING:**
 - a. A minimum of two (2) ornamental trees and eighteen (18) shrubs shall be planted in each side yard.
 - b. A planting bed (minimum 2' width) will be provided along 100% of each side facade unless adjacent to a door.
 - c. A planting bed (minimum 2' width) will be provided along 100% of each side of the pool fence unless adjacent to a gate.
13. **REAR LANDSCAPING:**
 - a. The pool area shall have a minimum rear landscape package containing ten (10) trees and twenty (20) shrubs.
 - b. A planting bed (minimum 2' width) will be provided along 100% of the rear of the pool fence unless adjacent to a gate.
14. **NATURAL MATERIALS:**
 - a. The pool house shall have a minimum of 20% of the front and side façades containing masonry materials (not including doors and windows).
 - b. The remainder of the pool house façades shall contain natural materials (not including doors and windows).

15. SHUTTERS AND/OR ARCHITECTURAL REQUIREMENTS:

- a. All windows shall have either shutters and/or architectural treatment. The treatment shall be of natural or masonry materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.

B. SITE DEVELOPMENT

1. Ponds within the subdivision have been designed as a neighborhood amenity. While less formal in character both provide visual interest within their respective settings. Both have been landscaped to enhance the quality of the space by defining the edge between common areas and private lots.

C. GENERALLY RELATED ITEMS

1. Shade trees shall have a minimum caliper of 2-1/2" measured at 12" above grade.
2. The minimum caliper of street trees shall be 2-1/2", measured at 12" above grade.
3. The minimum caliper of ornamental trees shall be 1-1/2" measured at 12" above grade or for multi-trunk trees, 10' tall planted.
4. Shrubs shall be a minimum of 24" tall at planting.
5. 25% of required shrubs may be substituted with perennial plants at the rate of 4 perennials per 1 shrub.

D. SPECIFICALLY RELATED ITEMS

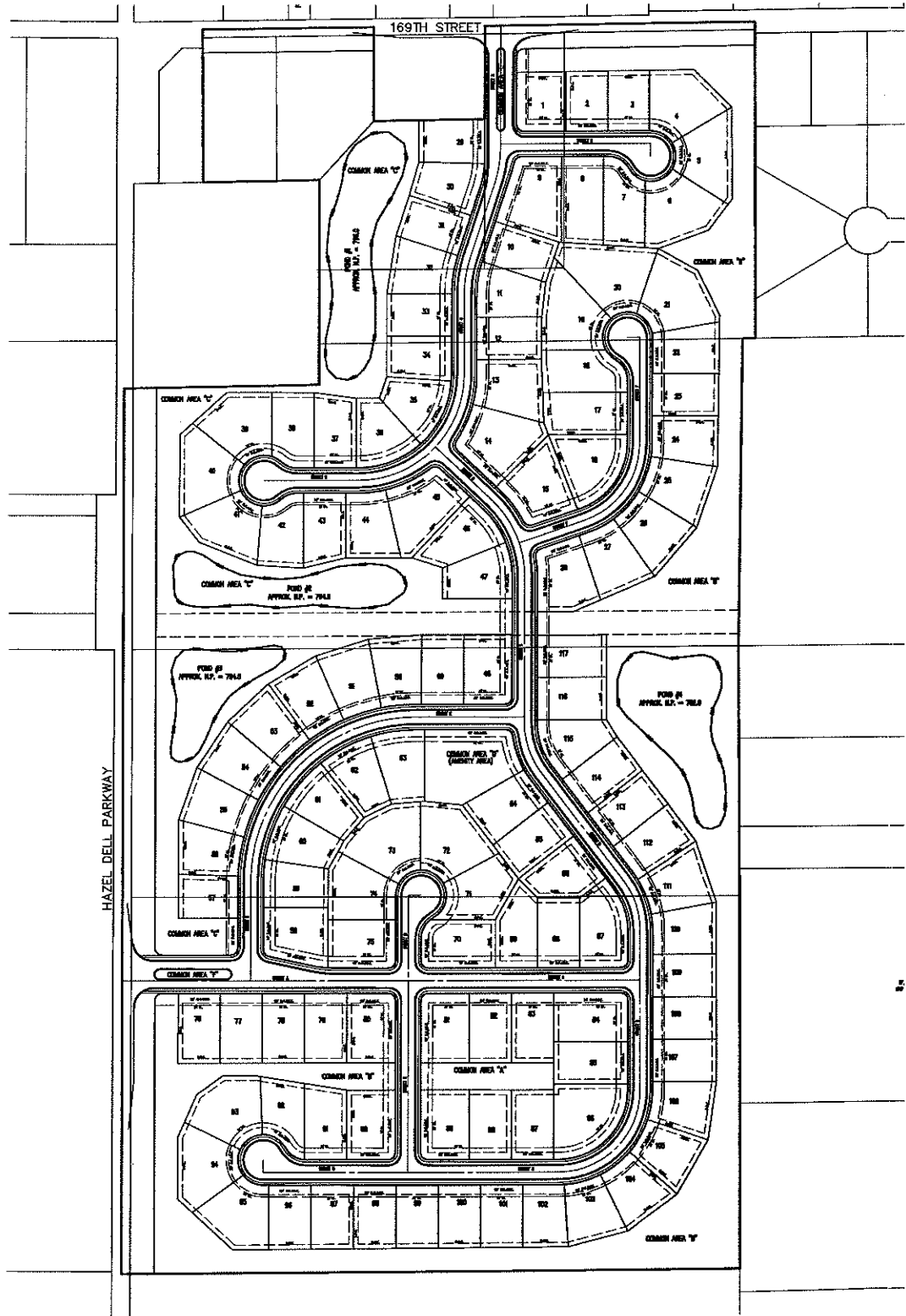
1. Corner breaks shall be counted if they form corners along the façade.

Section 3. Administration.

- A. The City of Noblesville Planning Staff has the authority to determine the pool house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

PRELIMINARY
DEVELOPMENT PLAN
for
ESSEX PROPERTY

NOBLESVILLE, INDIANA
PROPOSED R1/PD ZONING



LAND DESCRIPTION

OVERALL LAND DESCRIPTION (BASED ON DEEDS)
ESSEX PROPERTY PD - NOBLESVILLE, INDIANA

Parcel 1:
The Northwest Quarter of the Northwest Quarter of Section 10,
Township 16 North, Range 4 East, containing 40 acres, more or less.

Parcel 2:
PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF
SECTION 3, TOWNSHIP 16 NORTH, RANGE 4 EAST IN HAMILTON
COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHWEST
QUARTER SECTION 658.04 FEET NORTH 00 DEGREES 00 MINUTES 00 SECONDS
00 SECONDS FROM THE SOUTHWEST CORNER OF SAID QUARTER
SECTION; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS
ON AND ALONG SAID WEST LINE 330.00 FEET; THENCE NORTH
00 DEGREES 25 MINUTES 50 SECONDS EAST 165.00 FEET;
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS AND
PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER
SECTION 330.00 FEET TO A POINT ON THE NORTH LINE OF THE
SOUTH HALF OF SAID QUARTER SECTION (SAID POINT BEING
165.00 FEET NORTH BY DEGREES 25 MINUTES 50 SECONDS EAST
OF THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID
SOUTHWEST QUARTER SECTION); THENCE NORTH 89 DEGREES 25
MINUTES 50 SECONDS EAST 116.51 FEET; THENCE SOUTH 00
DEGREES 00 MINUTES 00 SECONDS AND PARALLEL WITH THE
WEST LINE OF SAID SOUTHWEST QUARTER SECTION 658.04 FEET;
THENCE SOUTH 89 DEGREES 47 MINUTES 40 SECONDS WEST AND
PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER
SECTION 1332.33 FEET TO THE BEGINNING POINT, CONTAINING
19.42 ACRES, MORE OR LESS.

ALSO:
PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF
SECTION 3, TOWNSHIP 16 NORTH, RANGE 4 EAST, IN HAMILTON
COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST
QUARTER SECTION; THENCE NORTH 00 DEGREES 00 MINUTES 00
SECONDS ON AND ALONG THE WEST LINE OF THE SOUTHWEST
QUARTER SECTION 658.04 FEET TO A POINT, THAT IS 658.04
FEET SOUTH 00 DEGREES 00 MINUTES 00 SECONDS FROM THE
NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHWEST
QUARTER SECTION; THENCE NORTH 89 DEGREES 47 MINUTES 40
SECONDS EAST AND PARALLEL WITH THE SOUTH LINE OF SAID
SOUTHWEST QUARTER SECTION 1332.33 FEET; THENCE SOUTH 00
DEGREES 00 MINUTES 00 SECONDS AND PARALLEL WITH THE
WEST LINE OF THE SOUTHWEST QUARTER SECTION 658.04 FEET
TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER
SECTION; THENCE SOUTH 89 DEGREES 47 MINUTES 40 SECONDS
WEST ON AND ALONG THE SOUTH LINE 1332.33 FEET TO THE
BEGINNING POINT, CONTAINING 20.00 ACRES, MORE OR LESS.

EXCEPT:
A part of the South Half of the Southwest Quarter of Section
3, Township 16 North, Range 4 East, in Hamilton County,
Indiana, described as follows:

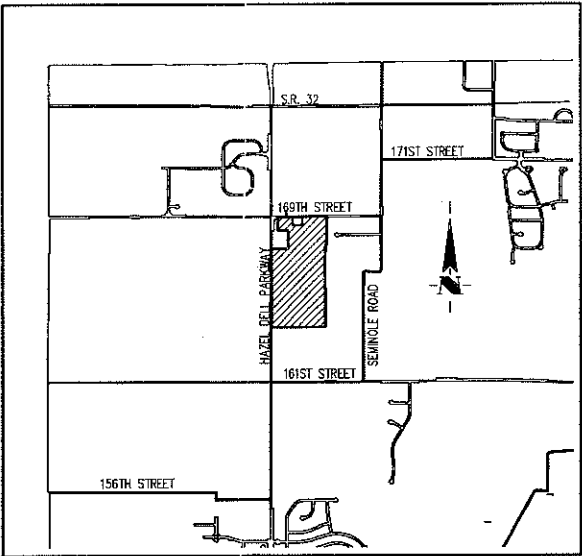
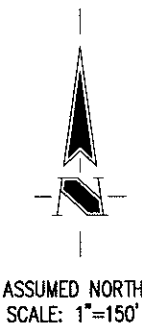
Beginning of a point on the West line of said South Half, South
0 degrees 00 minutes 00 seconds East, 330.00 feet from the
Northwest corner of said Half; thence North 89 degrees 25
minutes 50 seconds East, 415.00 feet parallel to the North line
of said Half; thence South 0 degrees 00 minutes 00 seconds
West, 435.00 feet; thence South 89 degrees 25 minutes 50
seconds West 415.00 feet to the West line of said Half; thence
North 0 degrees 00 minutes 00 seconds East 435 feet, along
said West line to the point of beginning and containing 4.144
acres more or less.

ALSO EXCEPT:

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF
SECTION 3, TOWNSHIP 16 NORTH, RANGE 4 EAST IN HAMILTON
COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID HALF
QUARTER SECTION; THENCE NORTH 89 DEGREES 25 MINUTES 50
SECONDS EAST ALONG THE NORTH LINE THEREOF; AND ALONG
THE CENTERLINE OF 169TH STREET 327.12 FEET; THENCE SOUTH
00 DEGREES 54 MINUTES 10 SECONDS EAST TO A POINT ON THE
SOUTHERN RIGHT-OF-WAY LINE OF SAID 169TH STREET; SAID
POINT ALSO BEING THE POINT OF BEGINNING OF THIS
DESCRIPTION; THENCE NORTH 89 DEGREES 25 MINUTES 50
SECONDS EAST PARALLEL WITH THE APPOSSAD NORTH LINE OF
SAID HALF QUARTER SECTION 235.46 FEET; THENCE SOUTH 00
DEGREES 54 MINUTES 10 SECONDS EAST 165.00 FEET; THENCE
SOUTH 89 DEGREES 25 MINUTES 50 SECONDS WEST PARALLEL
WITH THE APPOSSAD NORTH LINE OF SAID HALF QUARTER
SECTION 235.46 FEET; THENCE NORTH 00 DEGREES 54 MINUTES
10 SECONDS WEST 165.00 FEET TO THE PLACE OF BEGINNING,
CONTAINING 1.00 ACRES, MORE OR LESS.

TOTAL SITE ACREAGE: 74.2 acres



AREA MAP
SCALE: 1" = 2000'

UTILITIES - NOBLESVILLE

Gas Indiana Gas Company 15900 Allisonville Road Noblesville, Indiana 46060 (317)776-5534	Electric Cnergy (PS) 100 South Mill Creek Road Noblesville, Indiana 46060 (317)776-5318
Water Westfield Utilities 2706 E 171st Street Westfield, IN 46074 (317)958-5452	Storm Sewer/Sanitary Sewer City of Noblesville Dept. of Engineering 14701 Cumberland Rd. (Suite 300) Noblesville, Indiana 46060 (317)776-6330
Telephone Ameritech 5858 North College Indianapolis, Indiana 46220 (800)362-5544	Streets City of Noblesville Dept. of Engineering 14701 Cumberland Rd. (Suite 300) Noblesville, Indiana 46060 (317)776-6330
Cable Television Inknight Communications Co. 15229 Stony Creek Way Noblesville, Indiana 46060 (317)776-0680	Fiber Optic McLeod USA 6408 C Street SW PO Box 3177 Cedar Rapids, IA 52406 (317)887-2863 Steve

Utility Hotline: within Indiana 1-800-362-8544
outside Indiana 1-800-428-5200

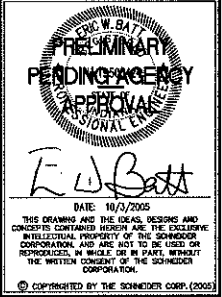
Note:
The nature, size and location of utilities are per plans and locations
provided by the respective utility companies. The above list constitutes
a summary of the utility companies which may provide service to the
area of, and adjacent to, the subject project, based upon the
information available through each plan and location, and any
incident visual inspection. All utility companies should be notified
prior to any excavation for field location of services and verification
of size and nature of services.

DEVELOPER:

INDIANA LAND GROUP, LLC
23 SOUTH 8th STREET
NOBLESVILLE, IN 46060
(317) 428-8393
FAX: (317) 776-1867

INDEX	
SHEET No.	DESCRIPTION
PDP101	COVER SHEET
PDP102-103	PRELIMINARY DEVELOPMENT PLANS

DEVELOPMENT SUMMARY		
NO. OF LOTS	DESCRIPTION	MIN. LOT AREA
117	90' WIDE LOTS (Lots 1-117)	10,500 S.F.



Schneider

THE SCHNEIDER CORPORATION
Historic Fort Harrison
8901 Otis Avenue
Indianapolis, IN 46216-1037
Telephone: 317.826.7100
Fax: 317.826.7300
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ESSEX PROPERTY
RES. PLANNED DEVELOPMENT
HAMILTON COUNTY, NOBLESVILLE, INDIANA

INDIANA LAND GROUP, LLC
23 South 8th Street, Noblesville, IN 46060

DATE: 10/3/2005 PROJECT NO.: 5575.001
DRAWN BY: Z.M. CHECKED BY: EWB

SHEET TITLE:
OVERALL PRELIMINARY
DEVELOPMENT PLAN

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SHEET NO.:
PDP101

LEGEND

- Existing Storm Sewer
- New Storm Sewer
- Existing Sanitary Sewer
- New Sanitary Sewer
- Subsurface Drain
- Existing Contour
- Water Main
- 4-Foot Wide Concrete Sidewalk
- 8-Foot Wide Multi-Use Asphalt Path
- Hatch Pattern Denotes: Wetland Area
- Hatch Pattern Denotes: Wooded Area

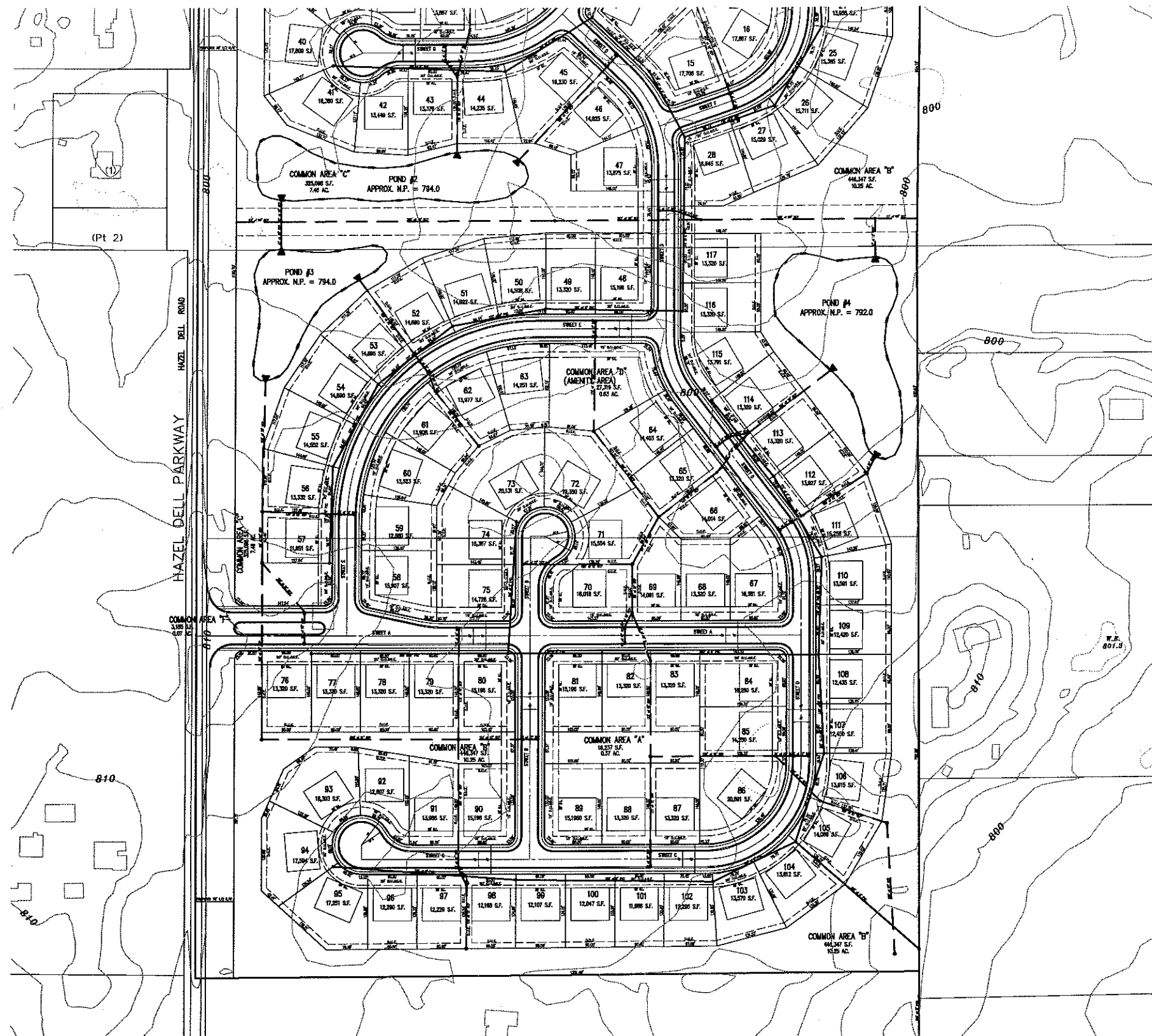
DEVELOPER

INDIANA LAND GROUP, LLC
23 SOUTH 8th STREET
NOBLESVILLE, IN 46060
(317) 428-8393
FAX: (317) 776-1867

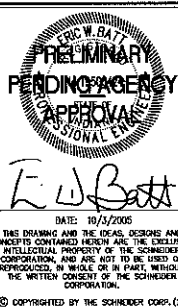
ASSUMED NORTH
SCALE: 1"=100'

PRELIMINARY DEVELOPMENT PLAN for ESSEX PROPERTY

NOBLESVILLE, INDIANA
PROPOSED R1/PD ZONING



REVISIONS:



THE SCHNEIDER CORPORATION
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Transportation Engineering

ESSEX PROPERTY
RES. PLANNED DEVELOPMENT
HAMILTON COUNTY, NOBLESVILLE, INDIANA
INDIANA LAND GROUP, LLC
23 South 8th Street, Noblesville, IN 46060

DATE: 10/3/2005 PROJECT NO: 5575.001
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- LEGEND**
- Existing Storm Sewer
 - New Storm Sewer
 - Existing Sanitary Sewer
 - New Sanitary Sewer
 - Subsurface Drain
 - Existing Contour
 - Water Main
 - 4-Foot Wide Concrete Sidewalk
 - 8-Foot Wide Multi-Use Asphalt Path
- Hatch Pattern Denotes: Wetland Area
- Hatch Pattern Denotes: Wooded Area

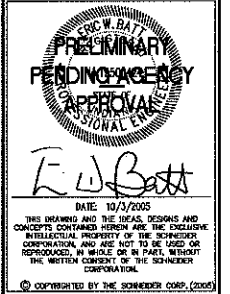
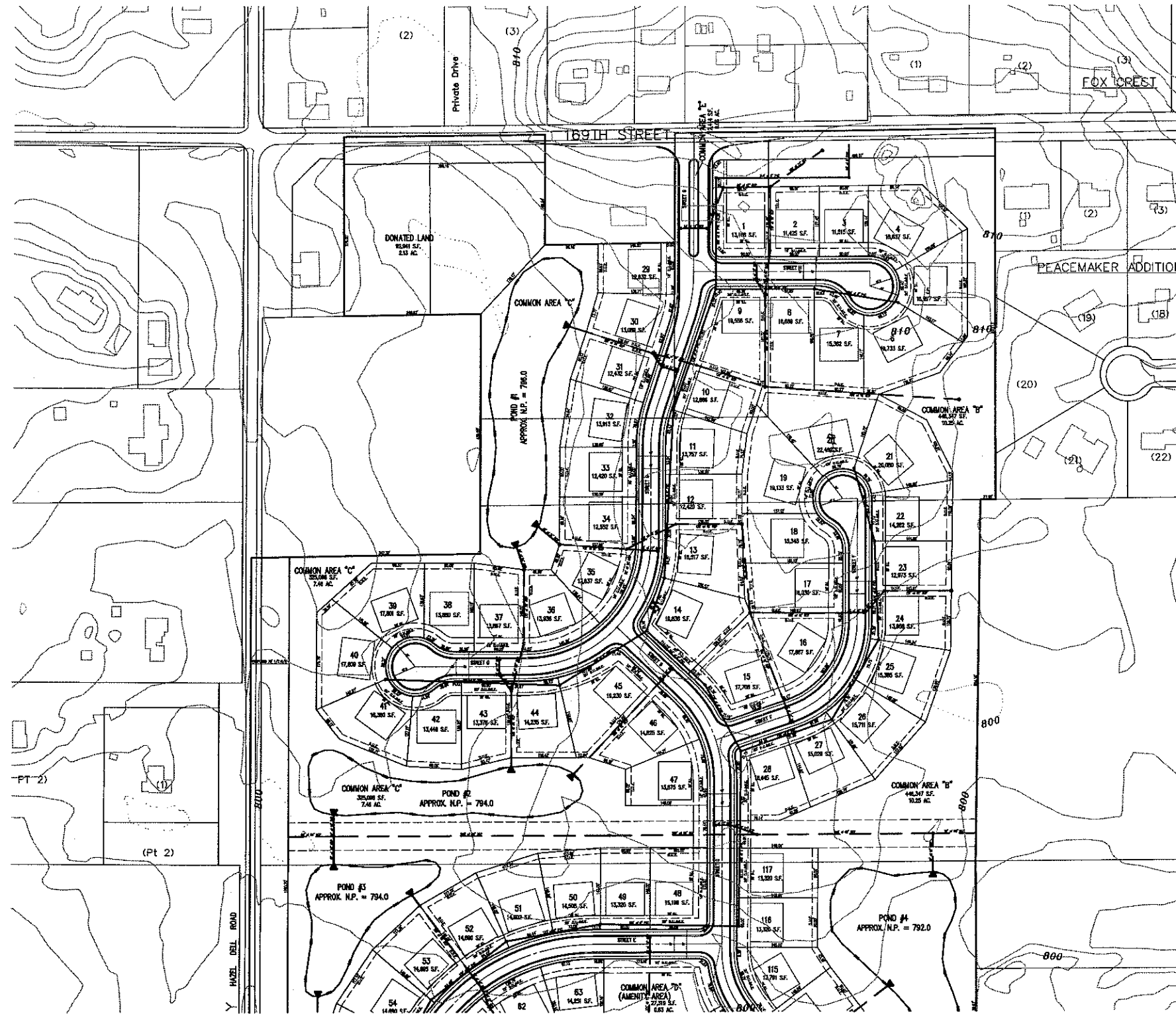
DEVELOPER:
 INDIANA LAND GROUP, LLC
 23 SOUTH 8th STREET
 NOBLESVILLE, IN 46060
 (317) 428-8393
 FAX: (317) 776-1867



ASSUMED NORTH
 SCALE: 1"=100'

PRELIMINARY DEVELOPMENT PLAN for ESSEX PROPERTY

NOBLESVILLE, INDIANA
 PROPOSED R1/PD ZONING



Schneider

THE SCHNEIDER CORPORATION
 Historic Fort Harrison
 8501 Otis Avenue
 Indianapolis, IN 46216-1037
 Telephone: 317.826.7100
 Fax: 317.826.7300
 www.schneidercorp.com

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 Landscape Architecture
 Transportation Engineering

**ESSEX PROPERTY
 RES. PLANNED DEVELOPMENT**

HAMILTON COUNTY, NOBLESVILLE, INDIANA

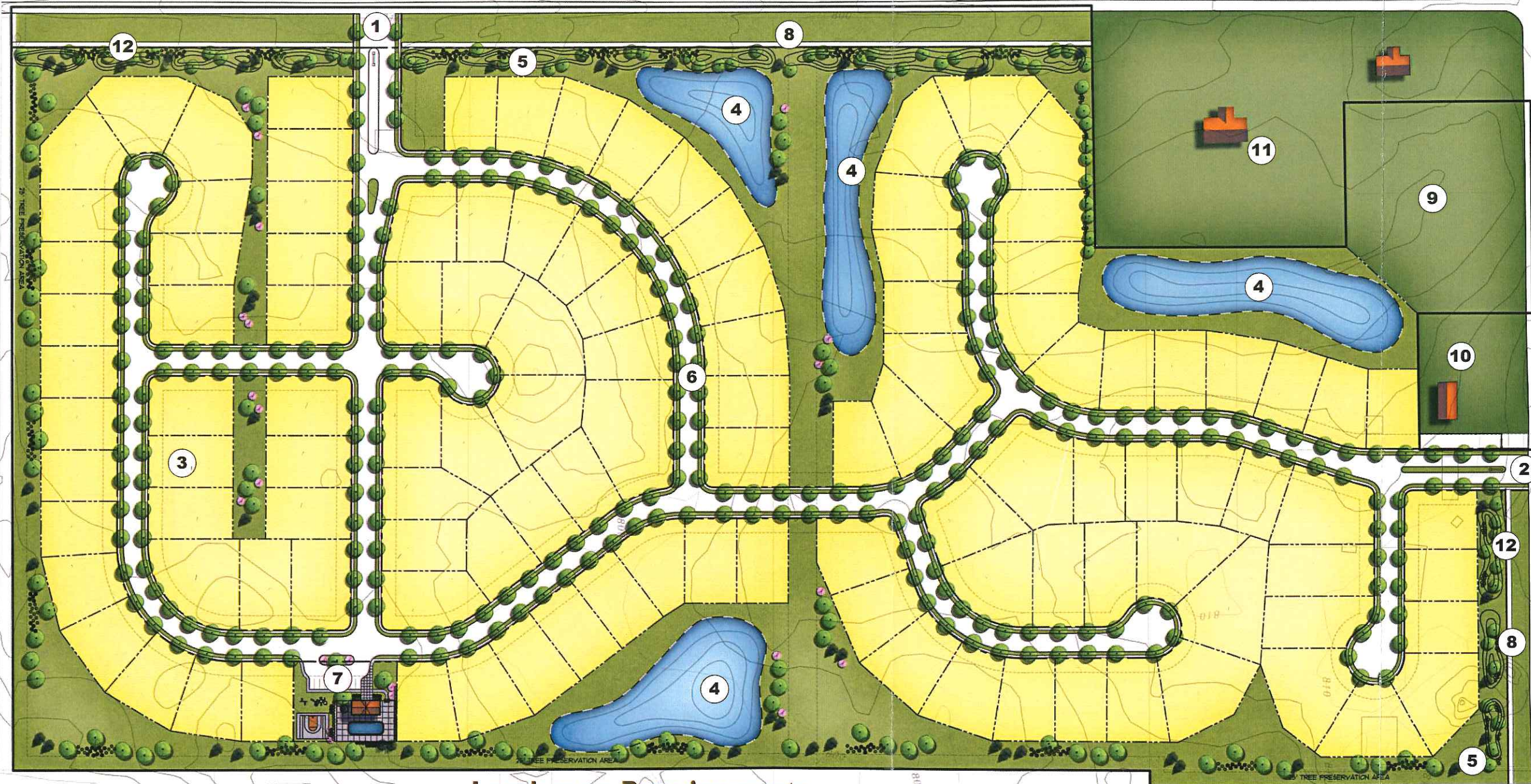
INDIANA LAND GROUP, LLC
 23 South 8th Street, Noblesville, IN 46060

DATE: 10/3/2005	PROJECT NO.: 5575.001
DRAWN BY: BGG	CHECKED BY: MJD
SHEET TITLE: PRELIMINARY DEVELOPMENT PLAN	
DRAWING FILES: 10-3-2005-5575-001-PreDevPlan.dwg 10-3-2005-5575-001-PreDevPlan.dwg 10-3-2005-5575-001-PreDevPlan.dwg 10-3-2005-5575-001-PreDevPlan.dwg 10-3-2005-5575-001-PreDevPlan.dwg	
SHEET NO.: PDP103	

Hazel Dell Road

ELEMENTS

- 1 Main Entrance - Hazel Dell Rd.
- 2 Secondary Entrance @ I69th Street
- 3 Typical Lot
- 4 Detention Pond
- 5 Landscape Buffer
- 6 Street Trees
- 7 Recreational Amenity Area
- 8 Asphalt Path
- 9 Proposed land dedication to City of Noblesville
- 10 Single family residence - not included
- 11 Noblesville Fire Station #6
- 12 Ornamental Fence with Masonry Columns



Landscape Requirements

Hazel Dell Property Line:

Required: 1 Tree and 3 Shrubs per 30'
1800 L.F. (Excluding 84' of Entry R/W) =
60 Trees & 180 Shrubs

Provided: 60 Trees and 180 Shrubs

I69th Stree Property Line:

Required: 1 Tree and 3 Shrubs per 30'
512 L.F. = 17 Trees & 51 Shrubs
Provided: 17 Trees and 51 Shrubs

East Property Line:

Required: 1 Tree and 3 Shrubs per 50'
2600 L.F. = 52 Trees & 156 Shrubs
Provided: 52 Trees and 156 Shrubs

South Property Line:

Required: 1 Tree and 3 Shrubs per 50'
1252 L.F. = 25 Trees & 75 Shrubs
Provided: 25 Trees and 75 Shrubs

SCALE: 1"=200'



Site Layout