

ORDINANCE NO. 070825B

ORDINANCE AMENDING ORDINANCES NO. 121410 and 101023A,
THE ZONING ORDINANCE FOR THE TOWN OF MCCORDSVILLE, INDIANA

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted Ordinance No. 121410 as the Zoning Ordinance and Ordinance No. 101023A as the Helm's Mill Planned Unit Development Ordinance (the "Helm's Mill PUD"); and

WHEREAS, the Town Council of McCordsville, Indiana has, after a public hearing was held on June 17, 2025, received a favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance and the Helm's Mill PUD in order to adopt the Helm's Mill Amendment Planned Unit Development Ordinance (the "Helm's Mill Amendment PUD").

THEREFORE, BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that Ordinance Nos. 121410 and 101023A are hereby amended as follows:

Section 1. This Amendment Ordinance applies to the real estate more particularly described in the Legal Description, attached hereto as "**Exhibit A**" (the "Real Estate").

Section 2. Applicability of Ordinance. Except as modified by this Ordinance, all other provisions of Ordinances Nos. 121410 and 101023A shall remain in effect with the adoption of this Ordinance. All provisions and representations of Ordinances listed above that conflict with the provisions of this Ordinance are hereby rescinded and shall be superseded by the terms of this Ordinance.

Section 3. Development Standards. Number seven (No. 7) of Exhibit C of the Helm's Mill PUD Ordinance No. 101023A shall be deleted, and replaced with the following language:

7. Brick or stone on a front elevation shall wrap around the exterior corners by at least twenty-four (24) inches, or, as an alternative brick or stone may terminate at an outside corner, so long as it is consistent with the Corner Detail enclosed as Exhibit B, and the applicable side elevation(s) feature one (1) of the following:

- a. Four-sided brick or stone wainscot to the bottom of the first-floor windows;
- b. The applicable side elevation(s) features at least two (2) siding materials (if not already required by standards herein);
- c. The applicable side elevation(s) features similar façade detailing to the front elevation, E.G. additional siding texture like shake, or batten and board to be utilized in similar fashion;
- d. The applicable side elevation(s) features a min. 1" x 6" transition board located in the gable area (if not already required by standards herein);
- e. The applicable side elevation(s) features at least one (1) additional window, in excess to any window requirements herein. Such a window shall be a minimum of five (5) square feet in size (or multiple additional windows adding up to a total of 5 SF);
- f. Corbels, trusses, or other under-the-overhang architectural features are provided; or

g. The applicable side elevation(s) features an architectural feature, as determined by the ARC.

Section 4. This Ordinance shall remain in full force and effect from and after its passage and posting as required by the law within the Town of McCordsville, Indiana.

Duly ordained and passed this _____ day of _____, 2025 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL:

Voting Affirmative:

Voting Opposed:

Gregory J. Brewer

Gregory J. Brewer

Scott Jones

Scott Jones

Dr. Bryan Burney

Dr. Bryan Burney

Chad D. Gooding

Chad D. Gooding

Dr. John Price

Dr. John Price

ATTEST:

Stephanie Crider, Clerk-Treasurer

This instrument prepared by: Ryan Crum, Town of McCordsville, 6280 Vail Road, McCordsville, IN 46055

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. – Ryan Crum

“Exhibit A”

LEGAL DESCRIPTION

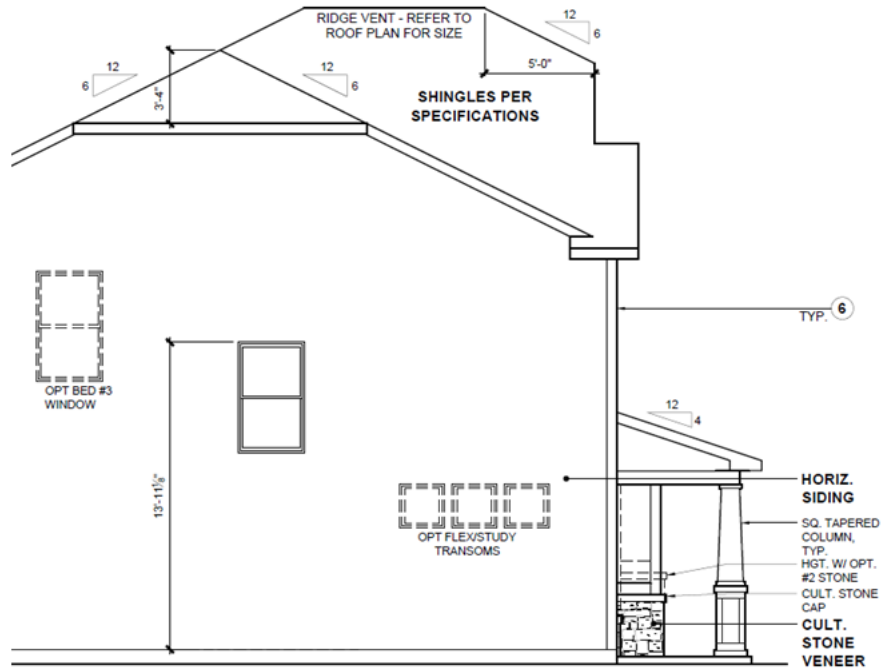
Part of the Northeast Quarter of Section 18, Township 17 North, Range 6 East of the Second Principal Meridian in Hancock County, Indiana, being that 118.064-acre tract of land shown on the plat of an ALTA/NSPS Land Title Survey of said tract certified by Jonathan D. Polson, PS #LS21500011 as Banning Engineering project number 23138 (all references to monuments and course herein are as shown on said plat of survey) described as follows:

BEGINNING at the northwest corner of said northeast quarter, identified by a Harrison Monument; thence North 89 degrees 33 minutes 33 seconds East along the north line of said northeast quarter 481.00 feet to the northwest corner of the land of Paul Spitzner recorded as Instrument Number 100012379 in the Office of the Recorder of Hancock County (the following five (5) courses are along the west, south and east lines of said land of Paul Spitzner); 1) thence South 01 degree 38 minutes 25 seconds East 455.54 feet; 2) thence North 89 degrees 33 minutes 33 seconds East 235.20 feet; 3) thence North 06 degrees 07 minutes 58 seconds East 260.65 feet; 4) North 89 degrees 33 minutes 33 seconds East 60.00 feet; 5) thence North 00 degrees 36 minutes 27 seconds West 196.50 feet to the north line of said northeast quarter; thence North 89 degrees 33 minutes 33 seconds East 511.46 feet to the northeast corner of the west half of the northeast quarter of Section 18; thence North 89 degrees 33 minutes 33 seconds East 1,326.46 feet to the northeast corner of said northeast quarter, identified by a Harrison Monument; thence South 00 degrees 17 minutes 58 seconds West along the east line of said northeast quarter 1,324.57 feet to the southeast corner of the northeast quarter of said northeast quarter of Section 18, identified by a Harrison Monument; thence South 89 degrees 28 minutes 45 seconds West along the south line of the northeast quarter of the northeast quarter of Section 18 a distance of 1,324.72 feet to the east line of the west half of the northeast quarter of Section 18, marked by a 5/8" rebar with Banning-Eng Firm #0060 cap; thence South 00 degrees 13 minutes 23 seconds West along said east line 1,326.40 feet to the southeast corner of said west half; thence South 89 degrees 26 minutes 42 seconds West along the south line of said west half 1,323.77 feet the southwest corner of said northeast quarter, marked by a 5/8 inch rebar with DLDS cap; thence North 00 degrees 09 minutes 51 seconds East along the west line of said northeast quarter 2,655.40 feet to the POINT OF BEGINNING, containing 118.064 acres, more or less.

“Exhibit B”

CORNER DETAIL

Vertical trim board to be 6” wide to be consistent with the other required trim on homes in McCordsville.



Type 6 trim = 1 inch x 6 inch trim corner board

COMMITMENT CONCERNING DEVELOPMENT OF REAL ESTATE

Document Cross Reference Instrument No. _____.

WHEREAS, Petitioner filed Ordinance 070825B, titled *An Ordinance Amending Ordinance No. 211410 and 101023A The Zoning Ordinance For the Town of McCordsville, Indiana (the "Ordinance")* with the Area Plan Commission ("APC") and the McCordsville Town Council ("Town"), proposing to amend the McCordsville Zone Map.

WHEREAS, Petitioner is willing and has requested the Council consider approval of the Ordinance subject to the following commitment (the "Commitment"):

Section 1. Commitment. The Real Estate shall be subject to the following Commitment:

1. Section 4(F)(2), of Ordinance 101023A, references a requirement for municipal gateway signage on the development's sign monumentation. The petitioner commits to constructing a new structure at the intersection of CR 1000N & CR 400W to fulfill this requirement.

Section 2. Modification of Commitment. This Commitment shall continue and be in effect until modified or terminated in writing. This Commitment shall only be modified or terminated by the Council.

Section 3. Subsequent Ordinances. This Commitment may be superseded if the Council adopts differing standards that affect the relevant zoning district.

Section 4. Effective Date. This Commitment shall be effective upon the Council's approval of the Petition.

Section 5. Recording. This Commitment shall be recorded with the Office of the Recorder of Hancock County, Indiana within thirty (30) days of the Council's approval of the Petition.

Section 6. Enforcement. This Commitment may be enforced by the Town.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, Petitioner has caused this Commitment to be executed as of the date identified below.

“Petitioner”

Signature: _____

Print: _____

Title: _____

Date: _____

STATE OF INDIANA)
) SS:
COUNTY OF HANCOCK)

Before me, a Notary Public in and for said County and State, personally appeared _____, who acknowledged the execution of the foregoing document on behalf of Petitioner.

Witness my hand and Notarial Seal this ____ day of _____, 2025.

My Commission Expires:

(Signature)

My County of Residence:

(printed name) Notary Public

This instrument was prepared by Beth A. Copeland, Copeland Law, LLC, 11650 Olio Road, Suite 1000-184, Fishers, IN 46037

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. *Beth A. Copeland*