

ORDINANCE NO. 100824

ORDINANCE AMENDING ORDINANCES NO. 121410 and 091322C,
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. 091322C as the Sycamore Drive Planned Unit Development Ordinance (the “Sycamore Drive PUD”); and

WHEREAS, the Town Council of McCordsville, Indiana has, after a public hearing was held on September 17, 2024, received a favorable recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance and the Sycamore Drive PUD in order to adopt the Sycamore Drive Amendment Planned Unit Development Ordinance (the “Sycamore Amendment PUD”).

THEREFORE, BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that Ordinance Nos. 121410 and 091322C are hereby amended as follows:

Section 1. This Amendment Ordinance applies to the real estate more particularly described in the attached “Exhibit A” (the “Real Estate”).

Section 2.

A. Section 4(G)(6) of Ordinance No. 091322C shall be replaced in its entirety with the following: Fences shall be prohibited with the exception of fencing for the communal dog park *and in rear-yards of residential lots as further limited below:*

a. *Fencing for residential back yards may be located along side and rear yard lot lines and not extend toward the front of the lot past the rear elevation corners for each home. Corner lots may be permitted fencing along the secondary frontage; however, said fencing shall not be closer to the street than the home;*

b. The fencing shall be black wrought iron, aluminum, or an equivalent like material; ~~and~~

c. *Fencing shall be a maximum of four (4) feet in height (measured from grade);*

~~d. The style of fencing shall be consistent across the entire subdivision; and~~

e. All other fencing standards not specifically addressed herein shall be in accordance with Section 154.118 of the McCordsville Zoning Ordinance now or as amended.

~~d. Fencing shall be approved by the Town of McCordsville, in accordance with its rules and regulations, including, but not limited to the provision which prohibits fencing in easements, unless otherwise approved by the Town. This shall remain in effect, unless or until this provision is changed in the Code of Ordinances.~~

B. Section 4(G)(12) of Ordinance No. 091322C shall be replaced in its entirety with the following: The open space area denoted as Common Area C on the Preliminary Plan shall be planted with native grasses which are allowed to grow to natural heights

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exceeding the Town's maximum grass height of eight (8) inches. This native grass area shall be maintained according to best management practices for the native grass seed mix selected. This generally includes a minimum of one (1) to two (2) mowings per year, and herbicide treatments as necessary to keep weeds and invasive species out of the common area. The exact maintenance plan shall be agreed upon by the Town and the Developer following selection of the seed mix and shall be formalized into the Covenants and the Secondary Plat, *which shall be enforced solely through the HOA*. However, the area(s) of Common Area C within six (6) feet of either side of the trail and within six (6) feet of any lot line shall be planted with turf grass and maintained the same as other common areas within the development and in keeping with all Town Ordinances. *Notwithstanding the above, the portion of Common Area C between the mounding and the south property line shall be seeded with a specialized turf grass seed, which grows to a height of about eight (8) inches and shall be maintained at a height no taller than eight (8) inches. This grass shall also be maintained according to best management practices for the specific seed type selected. Best management practices include mowings, herbicide, and fertilizer treatments. These best management practices for this seed type may be different from the native grasses planted elsewhere in the common area.*

Section 3. 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 12th day of October, 2024 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

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TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL:

Voting Affirmative:

Gregory J. Brewer

Scott Jones

Dr. Bryan Burney

Chad D. Gooding

Dr. John Price

ATTEST:

Stephanie Crider, Clerk-Treasurer

Voting Opposed:

Gregory J. Brewer

Scott Jones

Dr. Bryan Burney

Chad D. Gooding

Dr. John Price

This instrument was prepared by Ryan Crum.

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

The East Half of the Southwest Quarter of Section 35, Township 17 North, Range 5 East of the Second Principal Meridian in Hancock County, Indiana and excepting twelve acres of uniform width off the entire south side thereof being a 68.33 acre tract of land shown on the plat of a boundary retracement survey of said tract certified by Steven W. Reeves PLS #20400005 on May 17, 2022 as HWC Engineering project number 2022-016-S (all references to monuments and courses herein are as shown on said plat of survey) being more particularly described as follows:

COMMENCING at a Harrison monument at the Northwest corner of the Southwest Quarter of said Section 35; thence North 89 degrees 11 minutes 26 seconds East (basis of bearing - Indiana State Plane Coordinate System - East Zone) along the North line of said Quarter a distance of 1,334.83 feet to the northwest corner of the East Half of said Southwest Quarter, being also the northeast corner of the Sagebrook Subdivision Section 4, as per plat thereof recorded as Instrument No. 202002605 in the Office of the Recorder of said County; thence continuing North 89 degrees 11 minutes 26 seconds East along the North line of said Half-Quarter a distance of 1,334.83 feet to the northeast corner of said Quarter; thence South 00 degrees 04 minutes 08 seconds West along the East line of said Quarter a distance of 2,225.12 feet to the northeast corner of Country View Estates, as per plat thereof recorded in Plat Cabinet B, Slide 236 as Instrument No. 9410049; thence South 88 degrees 58 minutes 00 seconds West along the north line thereof a distance of 1,337.60 feet to the West line of the East Half of said Southwest Quarter and a point on the east line of the Sagebrook Subdivision Section 1, as per plat thereof recorded as Instrument No. 201704283; thence North 00 degrees 08 minutes 16 seconds East along the West line of said East Half a distance of 2,230.39 feet to the Point of Beginning.

Containing 68.33 acres, more or less.