

ORDINANCE NO. _____

**ORDINANCE AMENDING ORDINANCE NO. 121410, 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

WHEREAS, the Town Council of McCordsville, Indiana has, after a public hearing was held on _____, 2022, received a _____ recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance in order to adopt The Enclave at Deer Crossing Planned-Unit Development (PUD) Ordinance.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that Ordinance No. 121410 is hereby amended as follows:

Section 1. The real estate more particularly described in the attached “Exhibit A” (the “Real Estate”) is hereby zoned to the PUD designation. The Development and Architectural standards set forth in this Ordinance shall govern the development of the Real Estate, and these standards shall replace all other standards set forth in the Town of McCordsville Zoning and Subdivision Control Ordinances, as amended. Where this Ordinance is silent regarding standards other than Development and Architectural standards, the standards from the McCordsville Zoning and Subdivision Control Ordinances, dated January 2011, as amended, applicable to R3 Zoning, shall apply.

Section 2. Definitions. Capitalized terms not defined in this PUD Ordinance shall have the meaning ascribed to them in the Town of McCordsville Zoning Ordinance.

- A. **Minimum Home Size.** The total square feet of a home, excluding garages, rear porches, front porches, basements, and any decks or patios.
- B. **Stone.** Shall not be interpreted to include concrete masonry units (CMU)

Section 3. Permitted Uses. The permitted uses, as defined by the McCordsville Zoning and Subdivision Control Ordinances, for the Real Estate are described below, all uses not listed below, shall be considered prohibited.

Permitted Primary Uses:

Single-Family residential dwellings

Permitted Accessory Uses, Incidental Uses, and Structures:
Those permitted pursuant to the Town Ordinance

Permitted Temporary Uses:
Those permitted pursuant to the Town's Zoning Ordinance

Section 4. Development Standards. The Enclave at Deer Crossing will be planned as a single family residential community as depicted on the Preliminary Planned Unit Development Plan attached hereto as "Exhibit B" with the following standards:

A. The Development Standards for Area A shall be as follows:

- | | |
|---------------------------------------|---|
| 1. Maximum Number of Lots | 18 Lots |
| 2. Minimum Lot Area | 8,890 Square Feet |
| 3. Minimum Lot Width at Building Line | 72 feet |
| 4. Minimum Front Yard Setback | 25 feet |
| 5. Minimum Side Yard Setback | 6 feet |
| 6. Minimum Rear Yard Setback | 15 feet |
| 7. Minimum Livable Floor Area | 1,800 square feet (single story)
2,000 square feet (multi-story) |
| 8. Maximum Lot Coverage | 45% |
| 9. Maximum Height-Principal | 35 feet |

B. The Development Standards for Area B shall be as follows:

- | | |
|---------------------------------------|---|
| 1. Maximum Number of Lots | 4 Lots |
| 2. Minimum Lot Area | 23,000 Square Feet |
| 3. Minimum Lot Width at Building Line | 140 feet |
| 4. Minimum Front Yard Setback | 25 feet |
| 5. Minimum Side Yard Setback | 10 feet |
| 6. Minimum Rear Yard Setback | 15 feet |
| 7. Minimum Livable Floor Area | 2,000 square feet (single story)
2,400 square feet (multi-story) |
| 8. Maximum Lot Coverage | 40% |
| 9. Maximum Height-Principal | 35 feet |

The Enclave at Deer Crossing PUD will provide a minimum of 20% open space as defined on the PUD development plan and shall contain the required drainage facilities as part of the open space calculation. The gross density for The Enclave at Deer Crossing PUD will not exceed 2.2 units per acre.

The standards for Area B shall also include a 20' wide asphalt or concrete driveway to be extended from Carroll Road.

C. Architectural Standards:

The Architectural Standards for the Real Estate are attached as “Exhibit C”. The Architectural Review Committee may approve elevations that do not meet the architectural requirements outlined in “Exhibit C” if the standards conflict with a historical architectural style.

D. Perimeter Landscaping Standards:

1. A Landscape buffer shall be provided along the right of way of CR 700 West. Said buffer shall consist of the following per 100 feet of frontage:
 - a. Three (3) deciduous shade trees with a minimum 2” caliper.
 - b. Three (3) evergreen trees 6’ in height
 - c. One (1) ornamental tree with a minimum 2” caliper.
 - d. Six (6) shrubs.
2. Black ornamental fencing and PVC white privacy fencing shall be allowed. No chain link fence or wood privacy fences shall be allowed. (with the exception of the existing chain link fencing around the cell tower) The two western most lots in Area B, as displayed on exhibit C-2 shall only be allowed to install black ornamental fencing.

E. Multi-Use Paths:

The Developer will install a 10’ wide asphalt path along the project frontage of CR 700 West and make a connection to the existing Deer Crossing sidewalk at W. Winding Bend.

F. Lighting, Parking, Pedestrian Accessibility and Signage:

Standards of the Town’s Zoning and Subdivision Control Ordinance regarding Lighting, Parking, Pedestrian Accessibility, and Signage applicable to R3 Zoning shall be applicable to the Real Estate with the following exceptions:

1. The Light Standards for The Enclave at Deer Crossing will be similar to the attached details shown on the Preliminary PUD
2. Truncated domes for The Enclave at Deer Crossing shall be black dome plates.

G. Anti-Monotony Standards:

A single front elevation shall not be repeated unless it is separated by at least three different front elevations along either side of the same street frontage. There shall not be more than 10 percent of the houses in the subdivision with the same front elevation.

H. Snow Removal:

The Homeowner’s Association for The Enclave at Deer Crossing shall be responsible for snow removal of all internal streets.

I. Cell Tower:

- a. Four (4) concrete off-street parking spaces along with a minimum sixty (60') foot drive for crane access will be provided as shown on the PUD for maintenance to the existing cell tower.
- b. A minimum twenty (20') foot Tree Conservation Easement will be provided along the South side of the cell tower as shown on the PUD. The East side of the Tower easement borders the common area in Deer Crossing and has an existing natural wooded buffer.
- c. A six (6') foot tall white vinyl privacy fence will be installed along the West border of the cell tower easement as shown on the Landscape Plan. A fabric screen will be added to the north side of the existing chain link fence.
- d. Four (4) Evergreen trees will be installed along the West side of the proposed privacy fence and six (6) shrubs will be installed along the south side of the off-street parking spaces per the landscape plan provided with the PUD.

Section 5. 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.

Section 6. Introduced and filed on the ____ day of _____, 2022. A motion to consider on the first reading on the day of introduction was offered and sustained by a vote of ____ in favor and ____ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this ____ day of _____, 2022 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:

Thomas Strayer, President

Larry Longman

Branden Williams

Gregory J. Brewer

Chad Gooding

Voting Opposed:

Thomas Strayer, President

Larry Longman

Branden Williams

Gregory J. Brewer

Chad Gooding

ATTEST:

Cathy Gardner, Clerk-Treasurer

This instrument was prepared by Richard A. Henderson, 11691 Fall Creek Rd., Suite 210, Indianapolis, IN 46256

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. – Richard A. Henderson

“Exhibit A”

LEGAL DESCRIPTION

The Enclave at Deer Crossing – Overall Description

A part of the West half of the Northwest quarter of Section 23, Township 17 North, Range 5 East, in Buck Creek Township, Hancock County, Indiana, more particularly described as follows, to-wit:

Commencing at a Brass Pin at the Northwest corner of said quarter section, thence on an assumed bearing of South 00 degrees 00 minutes 00 seconds West along the West line of said quarter section a distance of 1966.14 feet to a P.K. Nail at the point of beginning of this description; thence North 89 degrees 06 minutes 25 seconds East (parallel with the North line of said quarter section) a distance of 1333.75 feet to a 5/8 inch rebar in the East line of the West half of said quarter section thence South 00 degrees 00 minutes 15 seconds West along the East line of said half-quarter section a distance of 326.47 feet to a 5/8 inch rebar, thence South 89 degrees 06 minutes 25 seconds West (parallel with the North line of said quarter section) a distance of 1333.73 feet to a P.K. Nail in the West line of said half-quarter section, thence North 00 degrees 00 minutes 00 seconds East along the West line of said half-quarter section a distance of 326.47 feet to the point of beginning, containing 9.995 acres, more or less, subject to right of way for County Road 700 W and subject to any easements of record.

Parcel ID No.: 30-01-23-200-024.000-018

Concept Plan

10 ac±

TYPICAL LOT SIZE: 72' X 135'

COMMON AREA 2.0 ac±

DENSITY: 2.2 u/a

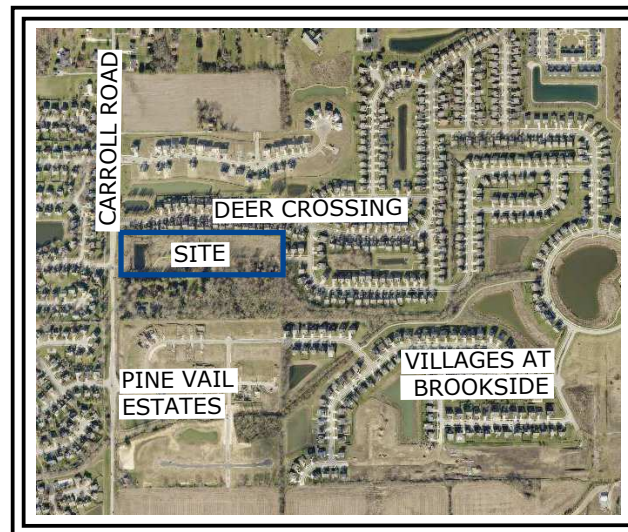
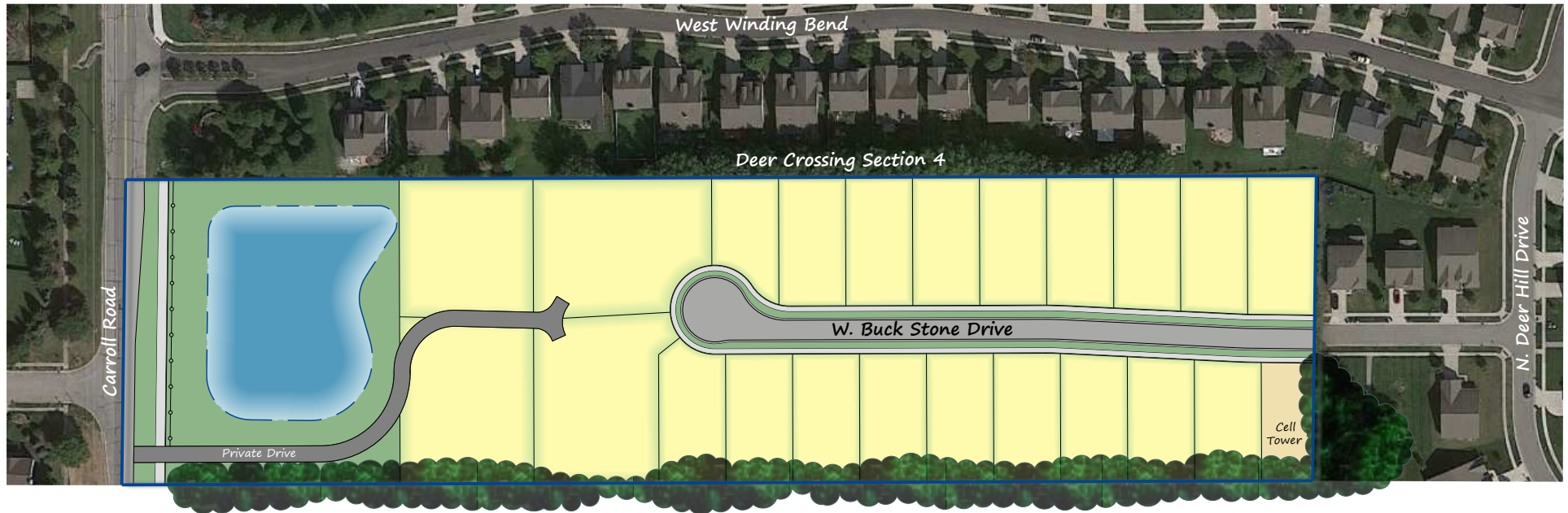
TOTAL LOTS: 22

(Including 4 Estate Lots)

"Exhibit B"

The Enclave at Deer Crossing

McCordsville, IN



STOEPPELWERTH
April 12, 2022

"Exhibit C"

The Enclave at Deer Crossing Architectural Standards

All homes constructed in The Enclave at Deer Crossing shall have the following minimum standards:

1. Character Exhibits: At the May 17, 2022 meeting of the Town's Architectural Review Committee ("ARC"), the ARC reviewed and approved a set of home plan elevations that are on file with the Town's Planning and Building Department (the "Approved Elevations"). The exhibit attached hereto as **Exhibit F, Approved Elevations**, is a sampling and general representation of the Approved Elevations. The Approved Elevations are hereby incorporated and approved. Homes in the "Approved Elevations" do not need further review by the ARC except for anti-monotony purposes.
 - a. All homes not included in the "Approved Elevations" shall comply with the Development Standards set forth in this Ordinance. The Director of Planning and Building ("Director"), including his or her designees, shall review home elevations at the time of filing for a building permit for compliance. All homes shall go through an anti-monotony review with the ARC.
 - b. If a proposed home does not comply with Exhibit C of this Ordinance, then the proposed home may be submitted for review by the ARC. The ARC may approve an elevation if it is determined the elevation is similar in quality and character to the homes in the "Approved Elevations" and is consistent with the spirit and intent of the Architectural Standards, as determined by the ARC.
2. Dimensional Shingles.
3. Main Roof pitch of 6:12 or greater, ancillary roofs may be less than 6:12. The Architectural Review Committee may approve a home with a lesser roof pitch if warranted by the home design/styling.
4. Exhaust vents shall not be visible from the front elevation of the home. Additionally, no wall-mounted vent or louver shall be located on the first floor exterior of a front elevation (excluding gable areas).
5. All siding shall be brick, stone, wood, cement fiber board or stucco. Vinyl materials will be allowed for soffits.
6. The homes shall have a minimum of 30" brick or stone wainscot wrap including front elevation returns and contain a minimum of two (2) siding colors or two (2) of the following materials on the front elevation: horizontal lap siding, vertical siding, board and batten, and shake. The Farm House style elevation will be allowed to have a minimum brick watermark wrap. The brick watermark option will be restricted to a maximum of 25% of the homes.
7. The side elevation of all residences that abut an internal street, identified on Exhibit C-2 shall also provide a minimum 30" masonry wainscot wrap.
8. The rear elevation of homes, on lots identified on Exhibit "C-2", shall contain at least one (1) gable and one (1) of the following: (i) four sides 1st floor brick wrap, (ii) four sides

brick wainscot (min.30”) wrap, (iii) covered porch, (iv) screened-in porch, (v) 1st floor rear façade extension a min. of 4’ (café, gathering room, morning room, three season room, etc.), or other rear façade extension approved by the Architectural Review Committee.

9. The front elevation of any one-story home shall contain a minimum of one (1) two-foot or greater step back and one (1) gable.
10. The front elevation of any two-story home shall contain a minimum of one (1) two-foot or greater step back and one (1) gable.
11. Minimum roof overhang of twelve (12) inches on all sides of a house as measured from the wall structure to the fascia board.
12. There shall be not more than 10 percent of the same front elevation in the subdivision.
13. Exterior chimneys for fireplaces shall be made entirely of brick or stone.
14. Unless approved by the ARC, the front porch columns shall be a minimum of six inches by six inches.
15. All one (1) story or one and a half story (1.5) homes (includes loft) shall contain a minimum of two (2) windows on the front façade, a minimum of one (1) window on the side facades and three (3) windows on the rear façade, with the exception of a façade facing a public street which shall contain a minimum of two (2) windows. A service door with a window, set of three (3) “bullet” windows a min. of 1’ x 1’ each, a transom window a min. of 1’ x 4’, and/or a decorative garage door with windows may count as one (1) window on a side façade facing a public street.
16. All two-story homes shall contain a minimum of three (3) windows on the front façade, a minimum of two (2) windows on the side facades and three (3) windows on the rear façade, with the exception of a façade facing a public street which shall contain a minimum of three (3) windows. A service door with a window, set of three (3) “bullet” windows a min. of 1’ x 1’ each, a transom window a min. of 1’ x 4’, and/or a decorative garage door with windows may count as one (1) window on a side façade facing a public street.
17. With the exception of large picture windows, casement windows and small accent windows, which do not open, all windows on a façade facing a public street shall have shutters, mullions or window grids.
18. Unless adjacent to brick/stone wrap, all windows, doors and corners shall have a minimum nominal one inch by six inch wood or vinyl surround or shutters, decorative trim or headers.
19. All homes shall contain a minimum of a two (2) car garage with a minimum width or depth of 20’ and shall contain additional garage storage space providing for a minimum square footage of 450 sf.
20. Front-loading garages shall contain a decorative garage door similar to those depicted on Exhibit C-1.
21. For any 3 car garage that faces a street, at least one of the bays must have a separate door and be recessed a minimum of two (2) feet from the other bays.
22. For front-loading garages the garage doors shall not comprise greater than 45 percent of the width of the front elevation for a two (2) car garage and 50 percent for a three (3) car garage.
23. All homes shall include mailboxes with uniform design.

24. All homes shall be landscaped with a minimum of one (1) deciduous tree, two (2) ornamental or evergreen trees and twelve (12) shrubs planted along the front foundation of the primary structure.
25. All lots shall have sod installed in the front yard to the corner of the front elevation, and the rest of the lot shall have seed and straw.

Exhibit C-1



Concept Plan

10 ac±

TYPICAL LOT SIZE: 72' X 135'

COMMON AREA 2.0 ac±

DENSITY: 2.2 u/a

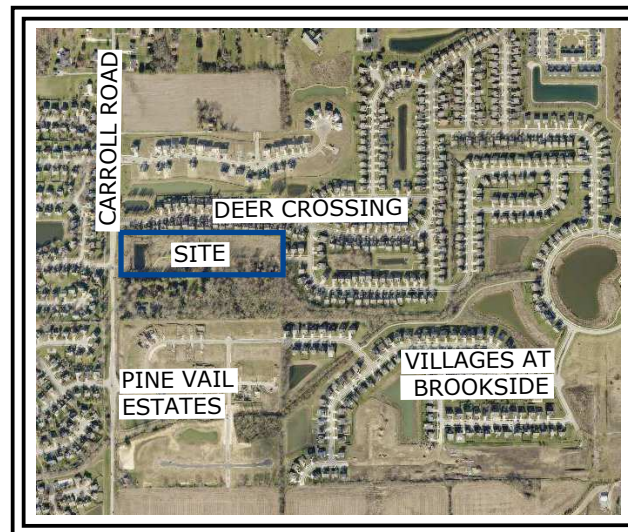
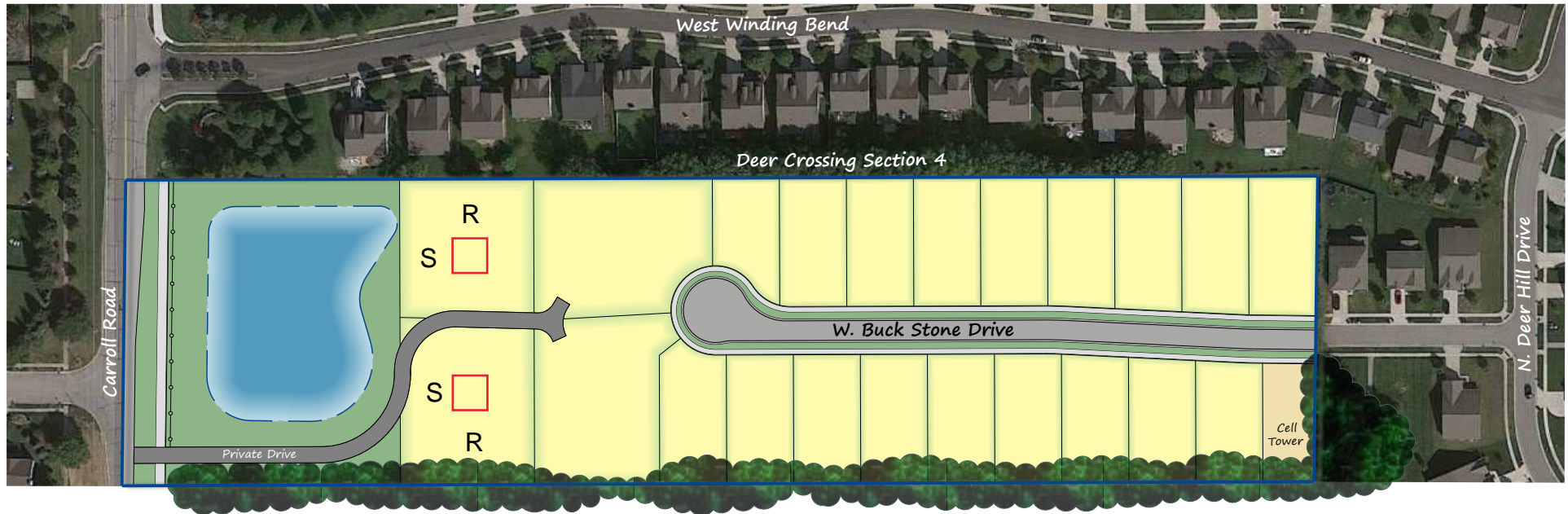
TOTAL LOTS: 22

(Including 4 Estate Lots)

"Exhibit C-2"

The Enclave at Deer Crossing

McCordsville, IN



STOEPPELWERTH

April 12, 2022