

**ALLISONVILLE ROAD PARTNERS (A.R.P.)
ORDINANCE NO. 111997A**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF FISHERS, INDIANA - 1980

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF FISHERS, INDIANA - 1980. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FISHERS, INDIANA, THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES - 1980, ORDINANCE - 1980, ORDINANCE NO. 110380, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

SECTION 1. DECLARATION

That the text of the Zoning Code of the Town of Fishers, Indiana, Ordinance No. 110380, and the Official Zoning Map, Town of Fishers, Indiana, dated November 3, 1980, which accompanies and is part of the Zoning Code of the Town of Fishers, Indiana, as amended, are hereby amended as follows:

That the Zoning Classification of the following described real estate is hereby zoned as PUD-B also to be further defined as A.R.P. PUD-B.

SEE "EXHIBIT A" ATTACHED HERETO

SECTION 2. LAND USE

all uses described in Section 151.074 (C2, Commercial District) of the Fishers Zoning Code, as amended, shall be permitted in this PUD District, subject to the development standards of the C2 district, except otherwise described herein.

SECTION 3. DEVELOPMENT STANDARDS

The development standards of Section 151.074 (C2) shall apply to the Parcels included within this PUD District with the exception/addition of the following requirements.

(1) Setbacks

- (a) Front yard: 60 feet
- (b) Side yards: 10.0 feet
- (c) Rear Yard: 10.0 feet shall be provided along the entire length of the rear

lot line. Where the rear lot line abuts an adjacent residential zoning district, the rear yard shall be a minimum of 75.0 feet.

(2) Landscaping required. Use of required yards. All yards shall be landscaped and planted in grass, shrubs, trees, hedges and the like, to provide adequate ground cover and aesthetic amenities, except:

(a) Required front yards may be used for driveways, sidewalks, fountains, flagpoles, and the like.

(b) Front and rear yards, except for easements, may be used for off-street parking, provided that a 15-foot wide planting strip be maintained between the lot line and the

parking area.

(c) The rear yard when adjacent to residential shall be landscaped with a combination of fencing and landscaping to create an adequate buffer between the residential and commercial area. In addition, a minimum of one evergreen tree shall be placed every 15 feet on center.

(d) There shall be provided and maintained a five foot landscape strip extending the full length of the side yard.

(e) All utility easements shall be clear and free of any plantings or obstacles and shall be planted in grass. All planting strips shall be behind the easement for all front, side, and rear yards.

SECTION 4. PROCEDURES

The adoption of this ordinance and the subsequent consideration of any detailed and final development Plan shall be consistent and pursuant to the provisions of the Planned Unit Development process as set forth in Section 151.072 Planned Unit Development District.

SECTION 5. APPROVAL

This ordinance shall be in full force and effect from and after its passage by the Town Council. All provisions or parts thereof in conflict herewith are hereby repealed.

ADOPTED BY THE Town Council of the Town of Fishers, Indiana on this 10th day of December, 1997.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

AYE

NAY

Walter F. Kelly /s/

Walter F. Kelly,
President

James P. Roederer /s/

James P. Roederer
Vice President

Stuart F. Easley /s/

Stuart F. Easley
Member

Scott A. Faultless /s/

Scott A. Faultless
Member

Deborah H. Heckart
Member

Roy G. Holland /s/

Roy G. Holland
Member

Timothy O. Lima /s/

Timothy O. Lima
Member

ATTEST: Linda Gaye Cordell /s/

Linda Gaye Cordell, Clerk-Treasurer, Town of Fishers, Indiana

EXHIBIT A

Part of the Northwest Quarter of the Southeast Quarter of Section 10, Township 17 North, Range 4 East in Delaware Township, Hamilton County, Indiana described as follows:

Beginning at the Northeast corner of the Northwest Quarter of the Southeast Quarter of Section 10, Township 17 North, Range 4 East: thence South 00°30'50" West (assumed bearing) on and along the East line thereof 300.00 feet; thence South 90°00'00" West parallel with the north Line of said Southeast Quarter 268.30 feet; thence North 00°30'50" East parallel with the East line of the Northwest Quarter of said Southeast Quarter 163.00 feet to a point that is 137 feet South 00°30'50" West of the North line of said Southeast Quarter; thence South 90°00'00" West 277.90 feet to the Centerline of Allisonville Road; thence North 40°14'00" East 179.45 feet on and along said centerline to the North line of said Southeast Quarter; thence North 90°00'00" East on and along said North line 431.50 feet to the Point of Beginning, containing 2.543 acres more or less.