

**BOWEN ENGINEERING
ORDINANCE NO. 020498**

(Revised by Plan Commission 2/11/98)

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 BOWEN PUD-C.

SEE "EXHIBIT A" ATTACHED HERETO

SECTION 2. LAND USE

A. 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.

1. Outdoor storage of construction equipment and material is permitted provided that the criteria for outdoor storage is met as required in Section 3.
2. Gasoline Service Stations are Prohibited from the Bowen PUD-C.

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. Where the side lot line abuts an adjacent residential zoning district, the side yard shall be a minimum of 30.0 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) There shall be provided and maintained a five foot landscape strip extending the full length of the side yard.
- (d) The rear and side yard when adjacent to residential shall be landscaped with a combination of fencing, landscaping and mounding to create an adequate buffer between the residential and commercial area. In addition, a minimum of six (6) evergreen trees shall be placed within each 100 lineal feet. There shall be provided and maintained a 30 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.

(3) If outdoor storage exists or is requested, the following conditions shall apply:

- (a) Required parking area shall not be used for permanent outdoor storage.
- (b) No outdoor storage activity shall be conducted within 30.0 feet of any property line.
- (c) The storage area shall be adequately screened from public view through a combination of mounding, landscaping and fencing.
- (d) The burying of debris is strictly prohibited.
- (e) Premises shall be free from accumulation of trash and scrap material. Trash and waste containers shall be enclosed and screened in accordance with Chapter 151.093 (3)i of Fishers Zoning Ordinance.
- (f) At which time the existing/intended use of outdoor storage is abandoned, all evidence of the outdoor storage shall cease within 90 days.

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 18th day of February, 1998.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

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NAY

Walter F. Kelly /s/

Walter F. Kelly,
 President

James P. Roederer /s/

James P. Roederer

Stuart F. Easley /s/

Vice President
Stuart F. Easley
Member

Scott A. Faultless /s/

Scott A. Faultless
Member

Deborah H. Heckart /s/

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

A part of the Northeast Quarter of Section 10, Township 17 North, Range 4 East, described as follows:

Begin at a point 1195.18 feet North of the Southeast corner of the Northeast Quarter of Section 10, Township 17 North, Range 4 East, run thence West 761.8 feet to the intersection with the center line of State Road No. 37 (now known as Allisonville Road), thence Southwesterly along this center line of State Road No. 37, 846.7 feet, thence East 1313.4 feet to East line of this Quarter, 552.75 feet North of the Southeast corner of said Northeast Quarter, thence North 642.43 feet to the place of beginning, containing 15.22 acres, more or less.

