

**GOUWENS
ORDINANCE NO. 060392 - A**

BE IT ORDAINED by the Town Council of Fishers, Indiana, that the Zoning Ordinances - 1980, a part of the Comprehensive Plan and Ordinances of Fishers, Indiana 1980, (Ordinance Number 110380), as amended, is hereby amended as follows:

SECTION 1. DECLARATION

That the Zone Map, identified as OFFICIAL ZONING MAP, TOWN OF FISHERS, INDIANA, dated November 3, 1980, which accompanies and is a part of the Zoning Ordinances of the Town of Fishers, Indiana, as amended, is hereby changed to designate the real estate described in Exhibit "A" hereto (Real Estate) as a P.D. District as further defined in this Ordinance.

SECTION 2. LAND USE - PARCEL A DISTRICT

2.1 Parcel A District

The part of the Real Estate pictorially described on Exhibit "B" hereto as Parcel A District is established to provide for the development of Attached Multi-Family Homes in a higher density classification.

2.2 Uses Permitted

The following uses shall be permitted in the Parcel A District. All uses shall conform to the Development Standards as set forth in Section 2 of this Ordinance.

1. Attached Multi-Family Dwellings
Apartments
Townhouses
Condominiums
2. Single Family Dwelling
3. Two Family Dwellings
4. Accessory Buildings
Garages and Carports (Attached or Detached)
Utility Building
Permanent Foundations
Self-Contained
5. Man-Made Lakes and Ponds: For both aesthetic and utilitarian purposes.
6. Such appurtenant features as walks, driveways, curbs, drainage installations, mailboxes, lamp posts, bird baths, and structures of like nature.
7. The growing of vegetation, provided such operations are not for profit.
8. The keeping of domestic pets, provided it is not for profit and not construed as a

kennel. (Limit three (3) animals).

9. Fences, walls, and structural screens when they do not impede the view of street and/or railroad intersections.

10. Private recreational clubs or associations, including but not limited to, the following recreational activities:

Swimming
Tennis
Basketball
Parks
Playground
Bike and Walking Trails

2.3 Development Standards Parcel A District

Living Unit Area

Exclusive of basements, porches, garages, carports and accessory uses.

Studio Unit	550 Square Feet
1 Bedroom Unit	650 Square Feet
1 Bedroom Unit with den	850 Square Feet
2 Bedroom Unit	900 Square Feet
3 Bedroom Unit	1100 Square Feet

The number of residential dwellings in the Parcel A District (Project Area) shall not exceed the product of 8 times the gross acreage of the Project Area.

Minimum Project Area: There shall be no required minimum project area other than the land area necessary to provide for the development requirements of this Ordinance, the Comprehensive Plan Ordinance, and the Subdivision Control Ordinance.

Minimum Project Frontage: Each project shall have at least 150 feet of frontage on a public street and shall gain access from said street.

Minimum Yard Requirements:

Front Yard (Building Line)	On Dedicated Streets 25 feet on Local Street 35 feet on Minor Collector 50 feet on All Others
Front Yard (On Site)15 feet, Back of Walk on Parking Areas	15 feet on Private Drives

Side Yard: Minimum side yard of at least 30 feet shall be provided wherever the project abuts adjoining perimeter property (measured perpendicular to the property line). Parking is not allowed in this side yard.

In projects containing two or more buildings, a minimum side yard of fifteen

(15) feet shall be provided between all buildings.

Open balconies, uncovered porches, and patios may project into the minimum side yard.

Rear yards: A minimum rear yard of 30 feet shall be provided wherever the project abuts adjoining perimeter property (measured perpendicular to the property line).

The minimum rear yard within the project shall be fifteen (15) feet between all buildings.

Building Separation: The above yard requirements are minimum requirements for the purpose of this Ordinance. The actual building separation distances required may exceed these requirements depending on the type of construction and construction materials used. The State Fire Marshall's Office

shall approve all site plans for this type of project.

Maximum Structure Height:

Primary building, Attached Multi-Family Dwellings: 35 feet but not to exceed 3 floors containing a dwelling unit or units.

Primary building, Detached Single-Family Cluster Dwelling: 35 feet but not to exceed 2 floors above grade level.

Accessory Building: 25 feet

Off-Street Parking: Two (2.0) spaces per living unit. All parking shall be located in designated parking areas. On street parking is not allowed on public streets.

Trash Stations: Approved central trash stations are allowed.

2.4 Special Development Standards

Two family homes in this district are acceptable only on streets of 30 feet width.

Section 3. LAND USE - PARCEL B DISTRICT

3.1 Parcel B District

The part of the Real Estate pictorially described on Exhibit "B" hereto as Parcel B District is established to provide for the development of single family cluster homes in a higher density range.

3.2 Uses Permitted

The following uses shall be permitted in the Parcel B District. All uses shall conform to the Development Standards as set forth in Section 3 of this Ordinance.

1. Single family dwelling, attached or detached
2. Private recreational clubs or associations; including, but not limited to, the following recreational activities:

Swimming
Tennis
Basketball
Parks
Playground
Bike and Walking Trails

3. Man-made lakes and ponds, for both aesthetic and utilitarian purposes.
4. Such appurtenant features as walks, driveways, curbs, drainage installations, mailboxes, lamp posts, bird baths, and structures of like nature.
5. The growing of vegetation, provided such operations are not for profit.
6. The keeping of domestic pets, provided it is not for profit and not construed as a kennel, limit three animals.
7. Fences, walls, and structural screens when they do not impede the view of a street.

3.2 Development Standards

- (1) *Minimum Project area:* 10 acres
- (2) *Minimum Front Yard:* 25 feet on local streets
30 feet on minor collectors
40 feet on all others
- (3) *Minimum rear yard:* 25 feet
- (4) *Minimum cluster separation:* 10 feet
- (5) *Maximum number of units in attached configuration:* 4
- (6) *Living unit area exclusive of basements, garages, and carports:*
1,300 square feet, single story
1,600 square feet, multi-level
- (7) *Maximum structure height:*
Primary 35 feet
Accessory 25 feet
- (8) *Off-street parking:*
26 foot street 3 spaces
30 foot street 2 spaces
- (9) *Garage requirement:* All cluster dwelling units shall have attached garages of at least two car capacity for each unit and the garage shall be attached to the unit for which it is intended.
- (10) *Maximum density:* 3.48 units per acre

SECTION 4

This Ordinance shall be in full force and effect from and after its passage.

ADOPTED BY THE Town Council of Fishers, Indiana on the 1st day of July, 1992.

THE TOWN COUNCIL OF THE TOWN OF FISHERS, HAMILTON COUNTY, INDIANA

By: Walter F. Kelly /s/
Walter F. Kelly

By: Roy G. Holland /s/
Roy G. Holland

By: James P. Roederer /s/
James P. Roederer

By: David Gingrich /s/
David Gingrich

By: Deborah Heckart /s/
Deborah Heckart

ATTEST:

Linda Gaye Cordell /s/
Linda Gaye Cordell, Clerk-Treasurer
of the Town of Fishers, Indiana

Prepared By:

James J. Nelson, NELSON & FRANKENBERGER, 3021 E. 98th St., Suite 220, Indianapolis, IN
46280 (317)844-0106

EXHIBIT A

PARCEL "A" MULTI FAMILY

A part of the Southeast Quarter of the Southwest Quarter of Section 32, Township 17 North, Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, being more particularly described as follows:

Beginning at the Southwest Corner of said Quarter Quarter Section; thence North 00 degrees 24 minutes 51 seconds East (assumed bearing) along the West line of said Quarter Quarter Section a distance of 1333.93 feet to the Northwest corner of said Quarter Quarter Section; thence South 89 degrees 58 minutes 34 seconds East along said North Line a distance of 1050.37 feet; thence South 00 degrees 00 minutes 00 seconds West a distance of 121.52 feet; thence South 07 degrees 27 minutes 01 seconds West a distance of 50.94 feet;

thence South 17 degrees 00 minutes 00 seconds West a distance of 129.23 feet;
thence South 07 degrees 14 minutes 31 seconds West a distance of 150.56 feet;
thence South 13 degrees 00 minutes 00 seconds East a distance of 198.71 feet;
thence South 07 degrees 44 minutes 35 seconds East a distance of 115.08 feet;
thence South 00 degrees 00 minutes 00 seconds West a distance of 117.60 feet;
thence South 44 degrees 30 minutes 00 seconds West a distance of 41.10 feet;
thence South 37 degrees 53 minutes 06 seconds East a distance of 27.37 feet;
thence South 00 degrees 00 minutes 00 seconds West a distance of 413.19 feet to the South line of said Quarter Quarter section;
thence North 89 degrees 57 minutes 09 seconds West along said South line a distance of 1044.86 feet to the Point of Beginning, containing 31.67 acres, more or less. Subject to all existing rights of way and easements of record.

PARCEL B

A part of the south Half of Section 32, Township 18 North, Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 32; thence 89°57'09" East along the South line of said Quarter Quarter Section 1057.21 feet, more or less, to the Southerly extension of the Eastern right-of-way of a proposed entrance road, said point also being the Point of Beginning; thence the following six (6) courses along the Easterly right-of-way line of said proposed entrance road, the actual geometry of which is to be determined at such time when platting occurs: 1) Northerly 156 feet; 2) Northwesterly 370 feet; 3) Northerly 150 feet; 4) Northeasterly 491 feet; 5) Northerly 155 feet; and 6) Northeasterly 152 feet, more or less, to a point on the North line of said Quarter Quarter Section; thence North 89°58'34" West along said North line 506.38 feet, more or less, to the center line of Sand Creek; thence the following four (4) courses along the meanderings of the center line of said Sand Creek, the actual boundary being the center line of said creek: 1) North 24°00'00" East 309.35 feet; 2) North 62°30'0" East 879.08 feet; 3) Northeasterly 1160 feet; and 4) Northerly 80 feet, more or less, to the Northwest corner of the Northeast Quarter of the Southeast Quarter of said section 32; thence South 89°59'32" East 462.00 feet to the Northeast corner of a parcel recorded in Deed Record 273, Page 608 in the Office of the Recorder of said County; thence South 00°22'41" West along the West line of said parcel 689.14 feet; thence North 88°26'30" East 20.29 feet; thence South 00°12'17" East 643.87 feet to a point on the South line of the Northeast Quarter of the Southeast Quarter of said Section 32; thence South 89°56'40" West along said South line 488.83 feet to the Southwest corner of the Northeast Quarter of the Southeast Quarter of said Section 32; thence South 89°56'40" West along the South line of the Northwest Quarter of the Southeast Quarter of said Section 32 a distance of 1322.27 feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 32; thence South 00°23'55" West along the East line of the Southwest Quarter of the Southeast Quarter of said Section 32 a distance of 1334.47 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 32; thence North 89°57'09" West along the South line of the Southwest Quarter of the Southeast Quarter 265 feet, more or less, to the Point of Beginning, containing 56.22 acres, more or less, subject to all existing highways, rights-of-way, and easements of record.

EXHIBIT B

