

ORDINANCE NO. 11997B

**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 Harbour PUD-B.

SEE "EXHIBIT A" ATTACHED HERETO

SECTION 2. PURPOSE OF CHAPTER

- A. The Planned Unit Development (PUD) district is established to provide for the development of mixed zoning classifications, densities, and uses under a common classification, when presented to the Commission in a well prepared, organized and documented plan. This classification is intended to provide for:
1. Greater flexibility in applying the ordinances to mixed zoning classifications;
 2. Innovative approaches to meet the demands of the housing, commercial, and business markets;
 3. The recognition of the interdependency of the above markets; and
 4. The planning and development of mixed zoning classes to be consistent with the best interest of the jurisdictional area of the Town of Fishers, and the applicable ordinances.

SECTION 3. 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.

- (1) In addition to the permitted land uses within Section 151.074 of the Zoning Code, the following land uses shall be permitted within the PUD District:
 - (a) Restaurant with the ability to serve liquor as an accessory use with conventional table service.
- (2) The following land uses shall be prohibited within the PUD District.

- (a) Auto Service Station/Gasoline Stations

SECTION 4. 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, building line: 20 feet
 - (b) Side yards: Minimum side yards of at least 10 feet shall be provided along each side lot line.
 1. A complex or project with more than one structure shall meet the separation distance required by State and local Fire Marshal's Office.
 - (c) Rear yards: A rear yard of not less than 15 feet shall be provided along the entire rear lot line.
- (2) Architecture, The Architectural style shall be consistent with the surrounding residential area
 - (a) ~~The~~ all buildings shall have pitched, hip, or gable Roofs
 - (b) The exterior of the structures shall be masonry, wood or stucco type material
- (3) 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.
- (4) Access, ingress-egress. All entrances and exits shall be designed in a manner conducive to safe traffic flow and standards. All access and entrances shall be approved by the Town Engineer.
 - (5) Maximum structure height. Primary buildings may be 35.0 feet, but not to exceed three floors containing occupied space. Accessory structures may not exceed 15.0 feet in height.
 - (6) Off-street parking. Off-street parking facilities shall be provided in accordance with Section 151.092 of this chapter.
 - (a) Professional office shall have 1 space per 250 square feet
 - (b) Retail shall have 1 space per 250 square feet of usable area
 - (7) Signs. Signs shall be allowed in accordance with Chapter 158. Except that internally illuminated signage shall consist of reverse illuminated channel letters

SECTION 5. 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 6. 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 Dec, 1997.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

NAY

BY: ^{AYE}
Walter F. Kelly

Walter F. Kelly,
President

James P. Roederer

James P. Roederer,
Vice President

Stuart F. Easley

Stuart F. Easley,
Member

Scott A. Faultless

Scott A. Faultless,
Member

Deborah H. Heckart

Deborah H.
Heckart, Member

Roy G. Holland

Roy G. Holland,
Member

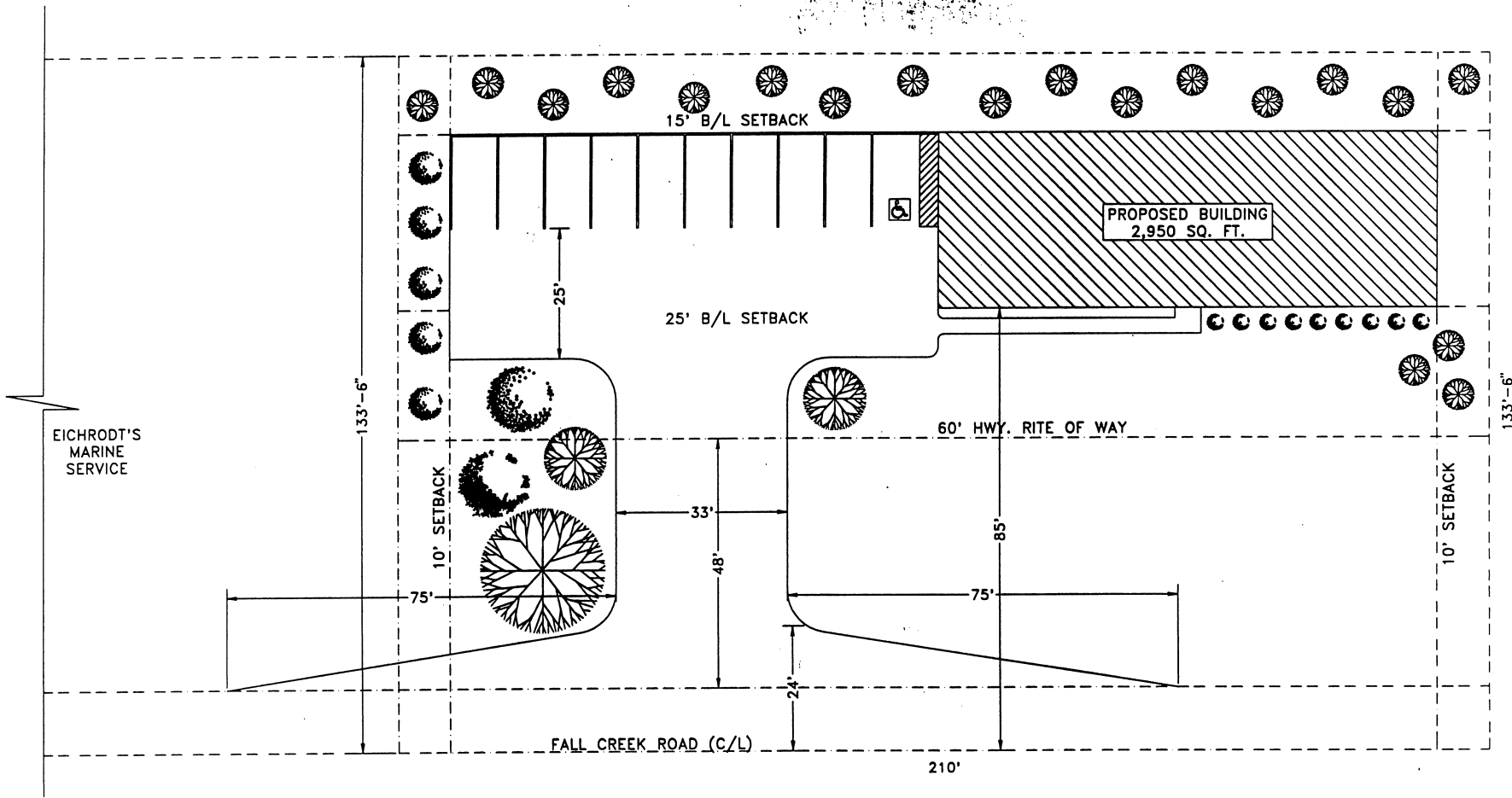
Timothy O. Lima

Timothy O. Lima,
Member

ATTEST:

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





REVISION:

DATE: 8/25/97

JOB #

NO SCALE

SALESMAN: EK

DRAWN BY: ETL

CHKD. BY:

KRAUTER STORAGE SYSTEMS
INCORPORATED

PROJECT: ERICK KRAUTER
 FALL CREEK RD.
 FISHERS, INDIANA 46038

SHEET TITLE: DEVELOPMENT PLAN
 LAYOUT AND DETAILS

SEAL

SHEET NO. 1
 OF

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EXHIBIT A

Part of the East half of the Northwest Quarter of Section 10, Township 17 North, Range 5 East in Hamilton County, Indiana, more particularly described as follows:

Lot #3, Lot #4, and lot #2 except 29.5 feet by parallel lines off the entire west side of lot 2 as per plat of said addition in Lake View Addition as per plat of said addition recorded in deed record 130, page 612 in the office of the Recorder of Hamilton County, Indiana.

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Part of the East half of the Northwest Quarter of Section 10, Township 17 North, Range 5 East in Hamilton County, Indiana, more particularly described as follows:

Lot #3, Lot #4, and lot #2 except 29.5 feet by parallel lines off the entire west side of lot 2 as per plat of said addition in Lake View Addition as per plat of said addition recorded in deed record 130, page 612 in the office of the Recorder of Hamilton County, Indiana.