

**MARBURGER  
ORDINANCE NO. 021595A**

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

BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF FISHERS, INDIANA, THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES - 1980, ORDINANCE NO. 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 part of the Zoning Ordinances of the Town of Fishers, Indiana, as amended, is hereby changed as follows:

That the zoning classification of the following described real estate is hereby designated as PD and commonly referred to as the Marburger PD.

(Insert legal description here.)

**SECTION 2. LAND USE**

All uses described in Section 151.074 of Ordinance No. 110380, C-2 Commercial District shall be permitted in this PD District, with the addition of the following supplementary list of permitted uses:

(A) Self-storage warehousing operation provided that the storage is completely enclosed within a building.

**SECTION 3. DEVELOPMENT STANDARDS**

(A) **MINIMUM BUILDING SETBACKS**

The following minimum building setback lines apply to any and all structures erected upon the premises:

(1) Front yard setback: 60.0 feet  
(2) Side yard setback: 10.0 feet  
(3) Rear yard setback: Rear yard of 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.

(B) **MAXIMUM STRUCTURE HEIGHT**

Maximum height of all buildings and structures shall not exceed 35.0 feet.

(C) **MAXIMUM LOT COVERAGE**

Maximum lot coverage for each lot may not exceed fifty percent (50%) of the gross area of the lot.

(D) REQUIRED LANDSCAPING AND SCREENING

1. Front yards shall be landscaped in an open pattern of grass and shrubbery, trees and/or hedges to provide a partial screening of the use.
2. A 5.0' landscape strip shall be provided along side and rear lot lines.
3. The rear yard shall be landscaped and screened along the entire length of the rear lot line when adjacent to a residential district with a combination of landscape screening and masonry wall/fence.

(E) PARKING AND LOADING REQUIREMENTS

1. Off-street parking facilities shall be provided in accordance with the Town of Fishers Zoning Ordinance Section 151.093.
2. Off-street loading shall be provided in accordance with the Town of Fishers Zoning Ordinance Section 151.091.

(F) MISCELLANEOUS STANDARDS

1. Self storage facility shall consist of one-story brick facade structures with pitched or hipped roofs (residential in character).
2. Existing drainage problem along east property line be corrected.
3. A brick wall be constructed along the east property line similar to the existing brick wall on the adjacent property to the south.
4. That the conditions in a letter from Mr. Steve Paul and attached as Exhibit "A" shall be completed with the project.

(G) OTHER DEVELOPMENT STANDARDS

1. Other development standards not specifically defined by this PD ordinance or by subsequent covenants and restrictions recorded for this PD District shall be determined by the Town of Fishers Zoning Ordinance No. 110380 adopted on 11/3/80 and any amendments thereafter.

SECTION 4. PURPOSE

This district is intended to allow more flexible land use standards within this area to allow the existing businesses to grow which through the application of customary zoning regulations would not be possible. The Planned Development would allow the expansion of the existing retail business while at the same time create an area to allow self-storage facilities which will be totally enclosed within buildings erected on the site.

SECTION 5. PROCEDURE

The authorization of a development plan shall be subject to the procedures expressed herein.

(A) Copies of a preliminary plan of the development, containing the following information, shall be submitted for review and approval.

(1) Proposed dimensioned layout (to scale not to exceed 1" = 200') of any streets, geographic areas and other elements basic to the proposed use in relationship to site conditions.

(2) Proposed locations, amounts and types of uses within the area proposed to be developed.

(3) Proposed plan for handling vehicular traffic, sewage disposal, drainage, water supply, site perimeter treatment and other pertinent features.

(4) The preliminary plan may be an approximate drawing but shall include any other geographic mediums which will explain the features contained.

(5) The plan shall show the boundary lines of the subject area and land uses proposed as well as the adjacent land uses.

(6) An enumeration of covenants, in general terms, proposed to be made a part of the planned development.

(7) A statement expressing the order and estimated time of development.

(B) Application for approval of the Preliminary Development Plan shall be submitted to the commission with sufficient copies of the preliminary plan and any other supporting documents to the Fisher Advisory Planning Commission as a petition to amend the Zoning Code.

(C) The approved Preliminary Development Plan shall then be certified to the Town Council for adoption as a "PD" Planned Development District pursuant to the laws governing amendment of zoning codes.

(D) Upon adoption of the Town Council, the approved Preliminary Development Plan shall be forwarded to the PD Committee consisting of: 1) a representative of the Town Council, 2) Planning Commission Chairman; and 3) Building Commissioner or Director of Development, which shall thereafter exercise continuing jurisdiction. The approved plan by the PD committee shall be stamped "Approved Final Detailed Development Plan" and be signed by any two members of the PD committee.

(E) In exercise of its continuing jurisdiction, the PD committee may modify the approved final detailed development plan in a manner consistent with the approved Preliminary Development Plan to allow for changed circumstances and conditions unforeseen at the time of original approval.

#### SECTION 7. RECORDING

An approved Final Detailed Development Plan and Modifications shall be recorded in the appropriate plat books in the offices of the Hamilton County Recorder in accordance with the Subdivision Control Code of the Town of Fishers and the State of Indiana.

PASSED by the Town Board of the Town of Fishers, Indiana, on the 15th Day of March, 1995.

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

By: David Gingrich /s/

David Gingrich

By: Deborah Heckart /s/

Deborah Heckart

ATTEST:

Linda Gaye Cordell /s/

Linda Gaye Cordell, Clerk-Treasurer

#### Land Description

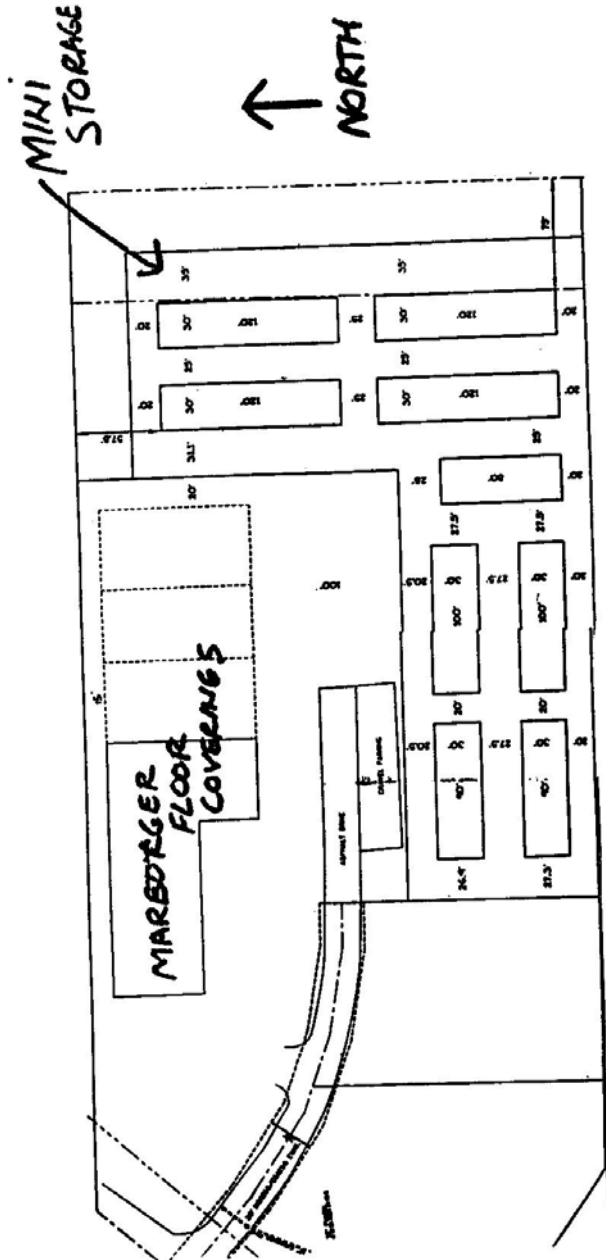
A part of the Northwest Quarter of the Southeast Quarter of Section 10, Township 17 North, Range 4 East, Hamilton County, Indiana, being more particularly described as follows:

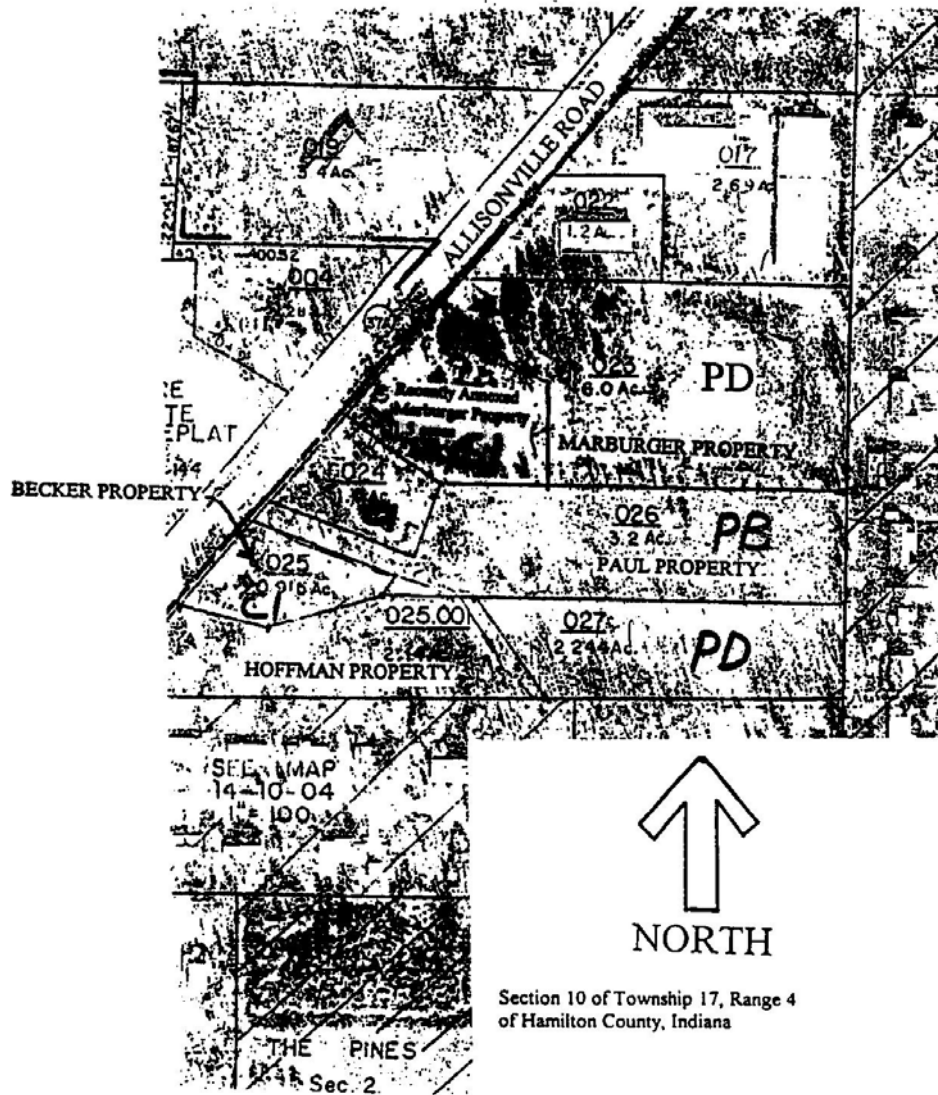
Commencing at the northeast corner of the Northwest Quarter of the Southeast Quarter of Section 10, Township 17 North, Range 4 East, Hamilton County, Indiana; thence South 00 degrees 21 minutes 59 seconds West on the east line of said Northwest Quarter of said Southeast Quarter a distance of 300.00 feet, said point being the northeast corner of the real estate described in Instrument No. 89-2409 in the Office of the Recorder of Hamilton County, Indiana to the POINT OF BEGINNING for the herein described tract; thence south 00 degrees 21 minutes 59 seconds West on the east line of said real estate a distance of 342.9 feet to the southeast corner of said real estate; thence North 90 degrees 00 minutes 00 seconds West on the south line of said real estate a distance of 480.00 feet, said point being marked by a 5/8 inch rebar with cap marked "Weihe Engr LS 0012"; thence North 00 degrees 21 minutes 09 seconds East 172.76 feet to a PK Nail; thence North 89 degrees 31 minutes 20 seconds West 29.87 feet to a PK Nail; thence North 79 degrees 54 minutes 24 seconds West 58.19 feet to a PK Nail; thence North 69 degrees 55 minutes 21 seconds West 55.69 feet to a PK Nail; thence North 56 degrees 44 minutes 17 seconds West 67.06 feet to a PK Nail; thence North 48 degrees 45 minutes 29 seconds West 72.91 feet to the centerline of State Road 37A; thence North 41 degrees 14 minutes 31 seconds East 76.23 feet along said centerline to the Northwest Corner of said real estate; thence North 90 degrees 00 minutes 00 seconds East 682.59 feet on said North line to the POINT OF BEGINNING, containing 4.52 acres, more or less.

Subject to the right-of-way for Allisonville Road (S.R. #37A)

Subject to all other easements, restrictions, and rights-of-way of record.

CONCEPT FOR MARBURGER PD





Allisonville Mini-Storage  
P.O. Box 594  
Carmel, Indiana 46032  
(317) 842-1994

9915 Allisonville Road  
Fishers, IN 46038

EXHIBIT A

February 3, 1995

Fishers Town Council/Advisory Planning Commission  
One Municipal Drive  
Fishers, IN 46038  
Attn: Wesley Bucher

Dear Wes:

Per our previous discussion, here are the answers to the points we had covered:

- 1) Our access hours are 7:00 a.m. to 10:00 p.m. daily.
- 2) Limit I-1 use to the mini-storage warehouse and the construction would be similar to the existing buildings.
- 3) We would pick up drainage pipe behind Paul Seward's property and run it through my project.
- 4) We would install a fence at the time of construction, a brick wall adjacent to the east property line similar to the brick wall along the east property line of the existing facility, and mounding along the north property line as well as chain link fence.
- 5) Estimated project start would be June 1, 1995, as soon as annexation is completed.

I have enclosed an information letter that we currently give to customers who have questions regarding the facility. If you have any questions, please feel free to call me at the number listed above. Thank you.

Respectfully,

C. Steve Paul

encl.