

**BROOKS CHASE II
ORDINANCE NO. 100702A**

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 Ordinance of the Town of Fishers, Indiana, Ordinance No. 110380, and the Official Zoning Map of the 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 also to be further defined as Brooks Chase II PUD.

SEE "EXHIBIT A" ATTACHED HERETO

SECTION 2. PURPOSE AND INTENT

The purpose and intent of the Brooks Chase II PUD is to provide an innovative development which promotes creativity and flexibility in the development of the real estate and to be combined with the original Brooks Chase PUD which is adjacent to immediate west of the Brooks Chase PUD and is located within the Exit 10 Overlay District.

SECTION 3. LAND USE

The Land Uses in Parcel A shall consist of no more than 23 single family homes.

The Land Uses in Parcel B shall be the permitted uses described in the Fishers R3, Single Family District as amended.

SEE "EXHIBIT B" - "CONCEPTUAL DEVELOPMENT PLAN" ATTACHED HERETO.

SECTION 4. DEVELOPMENT STANDARDS

Parcel A:

Lot Width	50 feet
Minimum Setbacks	Front: 20.0 feet
	Side: 5.0 feet
	Rear: 20.0 feet
Maximum Building Height:	35.0 feet or 2 ½ stories
Minimum House Size:	1500 square feet for single story
	2000 square feet for two story

Brooks Chase Design and Landscaping standards as described in the Brook Chase PUD and all standards of the Exit 10 Overlay District as amended; except, however, the Exit 10 Overlay District Standard Section 2, III, 6 shall not apply.

Parcel B

Development standards of Fishers R3, Single Family District as amended shall apply to this parcel.

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 and the procedures as set forth in the Exit 10 Overlay District Standards, except to the extent the Exit 10 Overlay District standards are not applicable pursuant to the exception set forth above.

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 20th day of November, 2002.

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

AYE

NAY

BY:

Scott A. Faultless /s/ Scott A. Faultless,
President

Timothy O. Lima /s/ Timothy O. Lima,
Vice President

Stuart F. Easley /s/ Stuart F. Easley,
Member

Eileen Pritchard /s/ Eileen Pritchard,
Member

James W. Wallace /s/ James W. Wallace,
Member

Dan E. Henke /s/ Dan E. Henke,
Member

_____ Charles P. White,
Member

ATTEST:

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

DATE: _____

Approved by: Douglas D. Church: Church, Church, Hittle, and Antrim - Town Attorney

EXHIBIT A

Legal Description:
Parcel A

A part of Parcel I and Parcel II as described in a Quitclaim Deed to Sharyel Graul, recorded as Instrument Number 199809832940 in the Office of the Recorder of Hamilton County Indiana, being more particularly described as follows;

Beginning at the southwest corner of said Parcel II; thence North 00 degrees 43 minutes 00 seconds West along the westerly line thereof 190.00 feet; thence South 89 degrees 32 minutes 00 seconds West parallel with the southerly line of said Parcel I a distance of 188.58 feet to the westerly line thereof (the following three courses being along said westerly line and along the northwesterly line thereof); (1) thence North 06 degrees 24 minutes 30 seconds East 81.25 feet; (2) thence North 01 degrees 39 minutes 56 seconds East 397.84 feet; (3) thence North 57 degrees 48 minutes 00 seconds East 189.92 feet to the northeasterly corner of said Parcel I and the northwesterly corner of said Parcel II; (the following three courses being along the northwesterly, easterly, and southerly lines of said Parcel II) (1) thence continuing North 57 degrees 48 minutes 00 seconds East 301.39 feet to the northeasterly corner of said Parcel II; (2) thence South 00 degrees 43 minutes 00 seconds East 926.65 feet to the southeasterly corner of said Parcel II; (3) thence South 89 degrees 31 minutes 58 seconds West 257.03 feet to the Point of Beginning. Containing 7.079 acres, more or less.

EXHIBIT A

Legal Description:
Parcel B

A part of Parcel I as described in a Quitclaim Deed to Sharyel Graul, recorded as Instrument Number 199809832940 in the Office of the Recorder of Hamilton County Indiana, being more particularly described as follows;

Beginning at the southwest corner of said Parcel I; (the following two courses being along the westerly lines thereof (1) thence North 02 degrees 08 minutes 44 seconds East 70.63 feet; (2) thence North 06 degrees 24 minutes 30 seconds East 120.31 feet; thence North 89 degrees 32 minutes 00 seconds East parallel with the southerly line of said Parcel I a distance of 188.58 feet to the easterly line thereof; (the following two courses being along said easterly line and along the southerly line thereof) (1) thence South 00 degrees 43 minutes 00 seconds East 190.00 feet to the southeasterly corner of said Parcel I; thence South 89 degrees 32 minutes 00 seconds West 207.03 feet to the Point of Beginning. Containing 0.870 acres, more or less.

EXHIBIT B

