

RESIDENTIAL PUD  
ORDINANCE NO. 080601C

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 (the "Zoning Ordinance"), 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: The Zoning Classification of the real estate described in Exhibit "A" hereto (the "Real Estate") is zoned PUD per the terms of this Ordinance, which shall hereinafter be referred to as the Residential PUD Ordinance.

SECTION 2. PURPOSE AND INTENT. The purpose and intent of this Residential PUD Ordinance is to permit flexibility and creativity in development of the Real Estate.

SECTION 3. PERMITTED LAND USE. Attached single family residential, residential common and amenities along with residential structures including, without limitation, a swimming pool and club house.

SECTION 4. DEVELOPMENTAL STANDARDS. The Development Standards are specified in what is attached hereto and incorporated herein as Exhibit "B".

SECTION 5. CONCEPTUAL SITE PLAN. The Conceptual Site Plan is attached hereto and incorporated herein by reference as Exhibit "C".

SECTION 6. PROCEDURES. The adoption of this Residential PUD 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 7. APPROVAL. This Residential PUD 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 All provisions or parts thereof in conflict herewith are hereby repealed.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 15<sup>th</sup> day of OCTOBER, 2001.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

BY:

AYE

NAY

Scott H. Faultless <sup>SHP</sup>  
Scott Faultless,  
President

Scott H. Faultless

Timothy O. Lima  
Timothy O. Lima,  
Vice President

\_\_\_\_\_

Charles P. White  
Charles White,  
Member

\_\_\_\_\_

\_\_\_\_\_  
Stuart F. Easley,  
Member

\_\_\_\_\_

Eileen N. Pritchard  
Eileen N. Pritchard,  
Member

\_\_\_\_\_

James W. Wallace  
James W. Wallace,  
Member

\_\_\_\_\_

\_\_\_\_\_  
Dan E. Henke,  
Member

Dan E. Henke

ATTEST:

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

Prepared by: Charles D. Frankenberger, NELSON & FRANKENBERGER, 3021 E. 98<sup>th</sup> Street, Suite 220, Indianapolis, IN 46280, (317) 844-0106.

## **EXHIBIT "A"**

### **Legal Description of Real Estate**

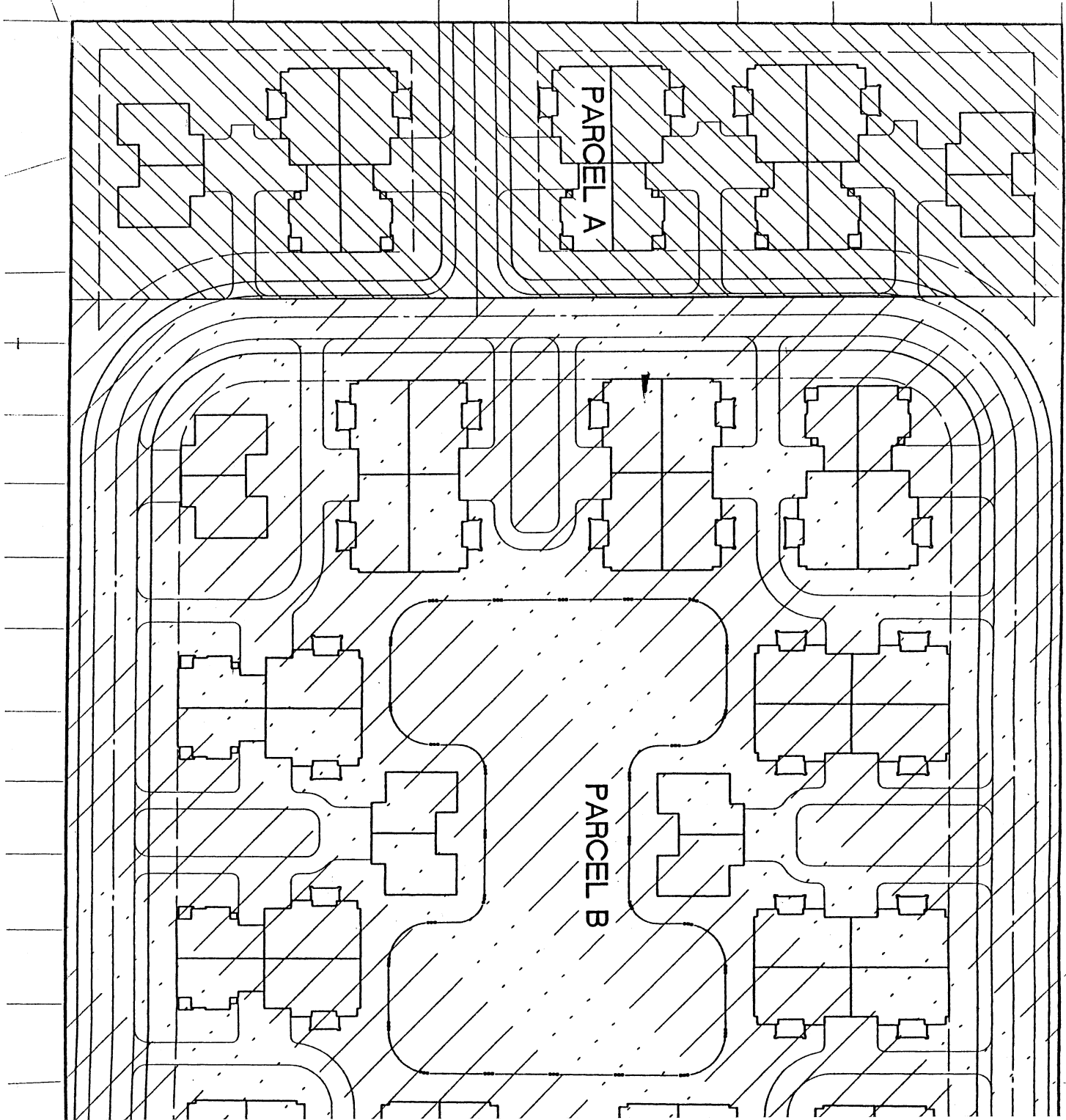
Part of the Southwest Quarter and part of the Northwest Quarter of Section 2, Township 17 North, Range 4 East in Delaware Township, Hamilton County, Indiana, described as follows:

Beginning at the Northwest corner of the Southwest Quarter of Section 2, Township 17 North, Range 4 East; thence South 00 degrees 55 minutes 12 seconds West (assumed bearing) on the West line of said Southwest Quarter 115.00 feet to the Northwest corner of GATEWOOD, SECTION TWO, a subdivision in Hamilton County, Indiana, the Secondary Plat of which is recorded in Plat Cabinet No. 1, on Slide #48 as Instrument 8919904 in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 22 minutes 54 seconds East on the North line of said subdivision and the prolongation thereof, measured parallel with the North line of said Southwest Quarter, a total distance of 2128.62 feet to a point on the centerline of Allisonville Avenue, as now located and improved per I.S.H.C. plans for State Road #37, as Project #297, Sec. B, dated 1938, said centerline being on a curve, the radius point of which lies 4775.48 feet North 67 degrees 48 minutes 10 seconds West from said point; thence Northeasterly, curving to the left on said centerline, an arc distance of 123.05 feet to the South line of the Northwest Quarter of said Section 2; thence North 89 degrees 22 minutes 54 seconds West on said South line 1014.60 feet, deed (1017.07 feet, measured) to the Southwest corner of real estate described in a Quitclaim Deed recorded on page 556 of Deed Record 344 in said Recorder's Office, said corner being 1321.80 feet, deed (1321.96 feet, measured) West of the Southeast corner of said Northwest Quarter; thence North 00 degrees 53 minutes 43 seconds East on the West line of said real estate and the prolongation thereof, measured parallel with the East line of said Northwest Quarter 587.60 feet; thence North 89 degrees 26 minutes 28 seconds West 1157.0 feet deed (1155.46 feet, measured) to a point on the West line of said Northwest Quarter which is 586.40 feet North of the Southwest corner of said Northwest Quarter; thence South 00 degrees 49 minutes 28 seconds West on said West line 586.40 feet to the place of beginning, containing 21.24 acres, more or less.

**EXHIBIT "B"**

	Parcel A	Parcel B	Parcel C
Minimum building set back from perimeter boundary of property	North - 21' West - 30' South - 30'	North - 77' South - 79'	North - 24' East - 20' South - 90'
Minimum building set back from back of curb of public street	30'	30'	30'
Minimum building set back from right-of-way of public street	20'	20'	20'
Minimum distance between perimeter boundary of property and back of curb of public street	Not Applicable	North - 17' South - Tapers, west to east, from 19' to 10'	Not Applicable

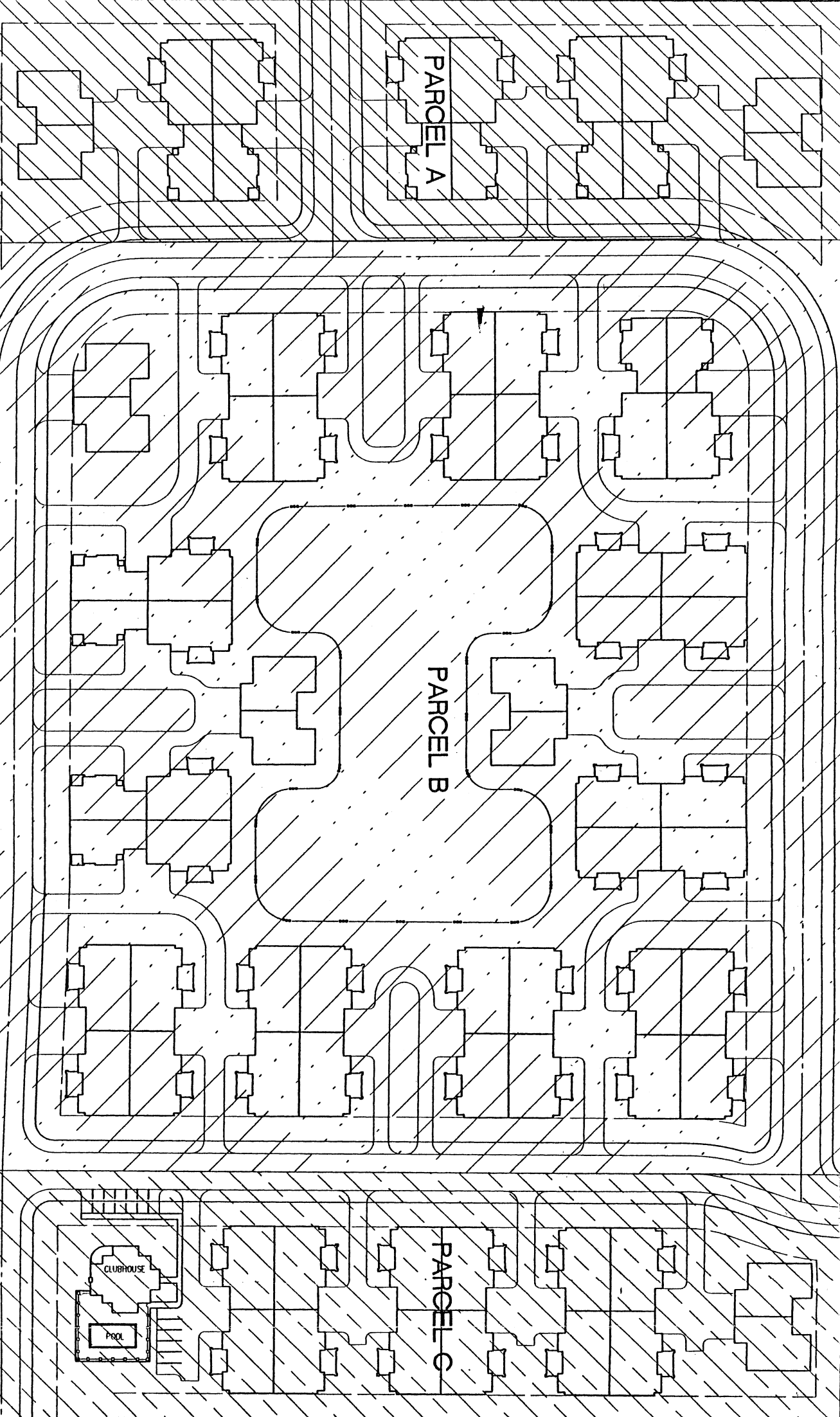
1. Maximum number of residential dwelling units - 80
2. Maximum number of buildings containing attached single family residential dwellings - 25
3. Maximum building height:
  - (a) Primary - 35'
  - (b) Accessory - 25'
4. Minimum building separation - 20'
5. Public right-of-way width - 50'
6. Public street width - from back of curb to back of curb - 30'
7. Real Estate shall be developed under the Indiana Horizontal Property Law, I.C. 32-1-61 *et seq.*
8. Streets shall be public
9. Minimum Floor Area of Single Family Dwelling - 1,200 square feet, excluding garages, porches and basements. From 2 to 4 attached single family dwellings are permitted per building
10. Forty percent (40%) of exterior surfaces of residential buildings, excluding roofs, windows, and doors, shall be brick, and all siding shall be a complementary color
11. All roofs on residential buildings shall have a pitch of 12 horizontal to 9 vertical



PARCEL A

PARCEL B

Exhibit "C"



PARCEL A

PARCEL B

PARCEL C

CLUBHOUSE

POOL

ASSUMED NORTH  
SCALE: 1"=100'

