

ORDINANCE NO. 111912B

**AN ORDINANCE TO AMEND THE
UNIFIED DEVELOPMENT ORDINANCE OF THE
TOWN OF FISHERS, HAMILTON COUNTY, INDIANA – 2012**

This is an ordinance to amend Ordinance No. 100305E, the Southeast Fishers Planned Unit Development Ordinance (the "Southeast Fishers PUD"), previously enacted by the Town of Fishers pursuant to its authority under the laws of the State of Indiana, IC 36-7-4 *et seq.*, as amended.

WHEREAS, the Plan Commission of the Town of Fishers has conducted a public hearing on Docket No. _____ as required by law in regard to the application filed by Tippecanoe Development, LLC (the "Developer") to amend the Southeast Fishers PUD; and,

WHEREAS, the Plan Commission at its _____ meeting sent a favorable recommendation to the Town of Fishers Town Council by a vote of _____ in favor and _____ opposed;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fishers, Hamilton County, Indiana, meeting in regular session, that the Southeast Fishers PUD is hereby amended as follows:

SECTION 1. The subject real estate, more particularly described in Exhibit A attached hereto (the "Real Estate"), commonly known as Timberstone Villas, Sections 2 and 3 are located within Area C-2 (Active-Adult Detached) of the originally approved Southeast Fishers PUD.

SECTION 2. The "Development Standards Matrix", as set for in Exhibit H of the Southeast Fishers PUD and applicable to the Real Estate, is hereby amended as follows:
Rear-yard setback:

- Lots 44-54, 57-67, 83-85, 88, 91, 94, 101, 104 & 110-113 shall have a minimum twenty-five (25) foot setback for a lot with a home that includes any of the following: three-season room, screened-in porch, sunroom, or covered porch/patio/deck, and such enhancement is on the rear elevation and is no more than 50% of the width of the home. Homes on these lots that do not feature an above noted enhancement shall have a thirty (30) setback.
- All other lots within the Real Estate shall have a thirty (30) foot setback.

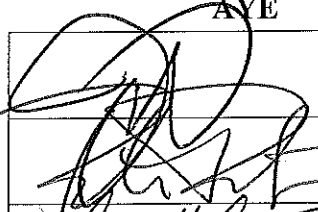
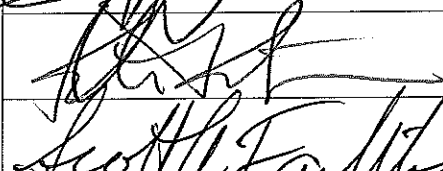
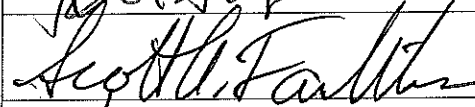

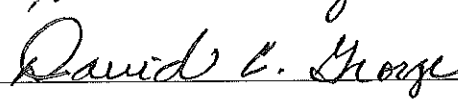
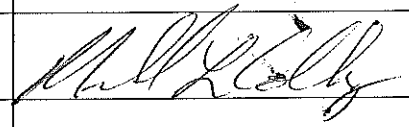
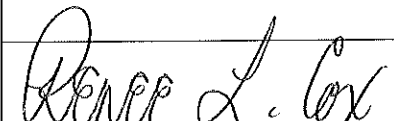
Under no circumstance shall any home, three-season room, screened-in porch, sunroom, covered porch/patio/deck, deck, or similar structure be allowed in a drainage easement.


SECTION 3. All other provisions of the Southeast Fishers PUD shall remain in effect with adoption of this ordinance. All provisions and representations of the Southeast Fishers PUD that conflict with the provisions of this ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this ordinance.

SECTIONS 4. This ordinance shall be in full force and effect from and after its passage by the Town Council and after the occurrence of all other actions required by law. All provisions or parts thereof in conflict herewith are hereby repealed.

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Town Council this 4th day of March, 2013.

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

AYE		NAY
	John W. Weingardt, President	
	C. Pete Peterson, Vice President	
	Scott A. Faultless, Member	
	Stuart F. Easley, Member	
	David C. George, Member	
	Michael L. Colby, Member	
	Renee L. Cox, Member	

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

DATE: 3-4-13

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

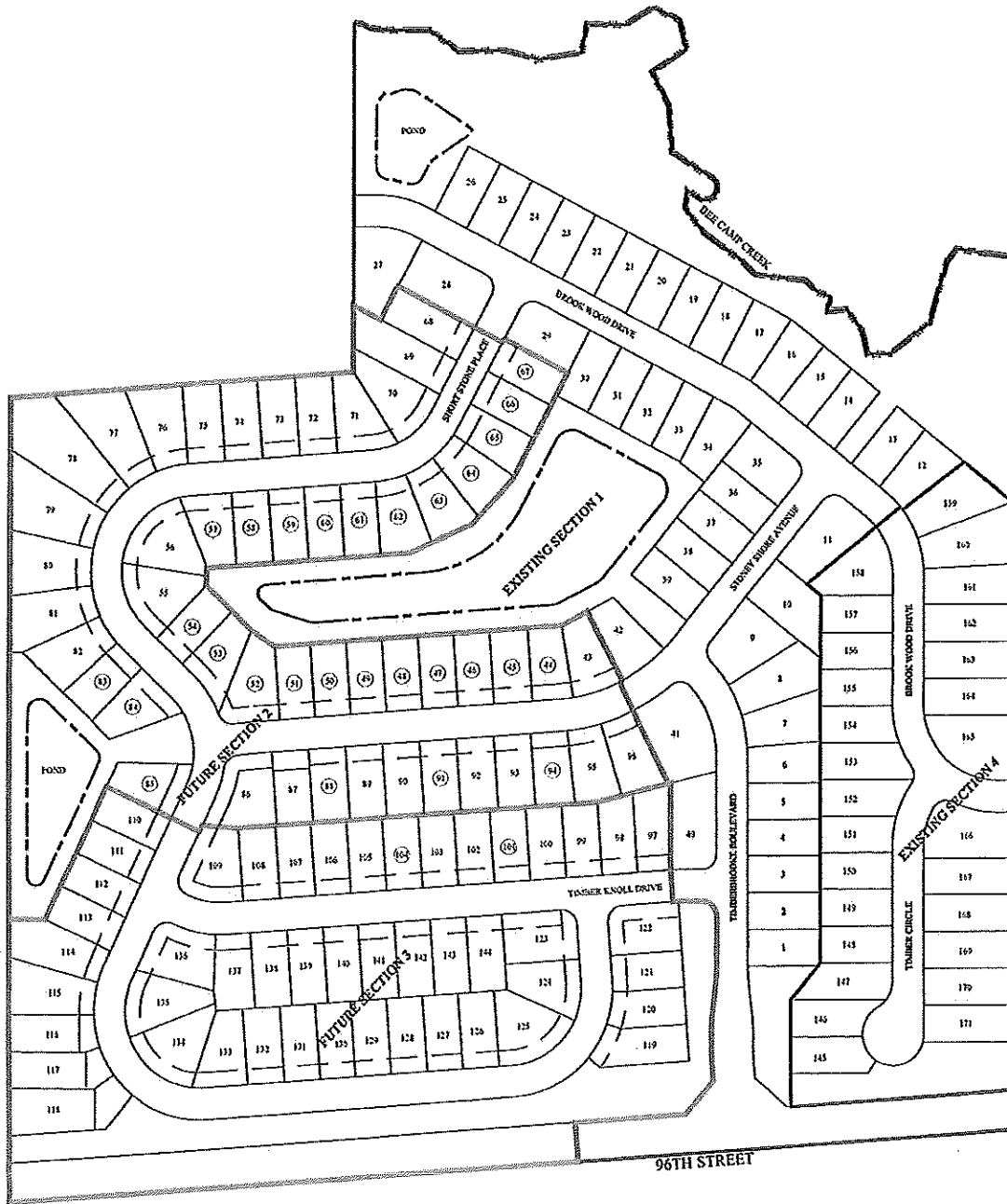
TIMBERSTONE VILLAS
SECTION 2 & 3

A part of the Southwest Quarter of Section 12, Township 17 North, Range 5 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of said Quarter Section said point also being a point on the South boundary of Timberstone Villas, Section One, recorded as Instrument Number 2007045149, Plat Cabinet 'C', Slide 353, in the Office of the Recorder of Hamilton County, Indiana; thence South 86 degrees 20 minutes 48 seconds West along the South line of said Quarter Section and along the South boundary of said Timberstone Villas, Section One, a distance of 393.43 feet to the POINT OF BEGINNING of this description; thence continuing South 86 degrees 20 minutes 48 seconds West along said South line, a distance of 951.38 feet to Southeast Corner of the Southeast Quarter of the aforesaid Quarter Section; thence North 00 degrees 22 minutes 37 seconds East along the West line of said Quarter Section 1,314.24 feet to the Northwest corner of said Quarter Section ; thence North 86 degrees 09 minutes 24 seconds East along the North line of said Quarter Section 572.56 feet; thence North 00 degrees 21 minutes 01 seconds East 109.60 feet to a point on the West boundary of aforesaid Timberstone Villas, Section One ; the following thirty four (34) courses are along said West boundary; (1) South 61 degrees 51 minutes 44 seconds East 71.26 feet; (2) North 28 degrees 08 minutes 18 seconds East 62.00 feet; (3) South 61 degrees 51 minutes 42 seconds East 177.06 feet; (4) North 28 degrees 08 minutes 18 seconds East 6.46 feet; (5) South 61 degrees 51 minutes 42 seconds East 120.00 feet; (6) South 28 degrees 08 minutes 18 seconds West 196.11 feet; (7) South 42 degrees 48 minutes 00 seconds West 99.48 feet; (8) South 66 degrees 14 minutes 13 seconds West 113.38 feet; (9) South 86 degrees 09 minutes 22 seconds West 338.37 feet; (10) South 02 degrees 40 minutes 03 seconds West 28.60 feet; (11) South 45 degrees 39 minutes 26 seconds East 104.43 feet; (12) South 54 degrees 05 minutes 55 seconds East 45.55 feet; (13) North 86 degrees 20 minutes 48 seconds East 480.65 feet; (14) North 62 degrees 43 minutes 31 seconds East 48.24 feet; (15) South 27 degrees 15 minutes 13 seconds East 127.04 feet to a point on a curve concave northwesterly, the radius point of said curve being North 27 degrees 15 minutes 13 seconds West 274.00 feet from said point; (16) southwesterly along said curve 5.25 feet to a point on said curve, said point being South 26 degrees 09 minutes 19 seconds East 274.00 feet from the radius point of said curve; (17) South 26 degrees 09 minutes 19 seconds East 185.28 feet; (18) North 76 degrees 09 minutes 52 seconds East 1.45 feet; (19) South 00 degrees 14 minutes 20 seconds West 142.27 feet; (20) South 05 degrees 33 minutes 19 seconds East 52.03 feet; (21) North 86 degrees 20 minutes 48 seconds East 6.28 feet to a point on a curve concave southerly, the radius point of said curve being South 03 degrees 39 minutes 31 seconds East 124.00 feet from said point; (22) easterly along said curve 8.45 feet to a point on said curve, said point being North 00 degrees 14 minutes 39 seconds East 124.00 feet from the radius point of said curve; (23) South 89 degrees 45 minutes 40 seconds East 34.05 feet to the point of curvature of a curve concave southwesterly, the radius point of said curve being South 00 degrees 14 minutes 20 seconds West 25.00 feet from said point; (24) southeasterly along said curve 39.27 feet to the point of tangency of said curve, said point being South 89 degrees 45 minutes 40 seconds East 25.00 feet from the radius point of said curve; (25) South 00 degrees 14 minutes 20 seconds West 86.07 feet to the point of curvature of a curve concave westerly, the radius point of said curve being North 89 degrees 45 minutes 40 seconds West 150.00 feet from said point; (26) southerly along said curve 17.15 feet to the point of tangency of said curve, said point being South 83 degrees 12 minutes 31 seconds East 150.00 feet from the radius point of said curve; (27) South 06 degrees 47 minutes 29 seconds West 61.70 feet to the point of curvature of a curve concave easterly, the radius point of said curve being South 83 degrees 12 minutes 31 seconds East

150.00 feet from said point; (28) southerly along said curve 17.15 feet to the point of tangency of said curve, said point being North 89 degrees 45 minutes 40 seconds West 150.00 feet from the radius point of said curve; (29) South 00 degrees 14 minutes 20 seconds West 41.41 feet to the point of curvature of a curve concave easterly, the radius point of said curve being South 89 degrees 45 minutes 40 seconds East 185.00 feet from said point; (30) southerly along said curve 12.57 feet to the point of tangency of said curve, said point being South 86 degrees 20 minutes 48 seconds West 185.00 feet from the radius point of said curve; (31) South 03 degrees 39 minutes 12 seconds East 33.32 feet; (32) South 41 degrees 20 minutes 48 seconds West 70.71 feet; (33) South 86 degrees 20 minutes 48 seconds West 184.61 feet; (34) South 03 degrees 39 minutes 12 seconds East 65.00 feet to the place of beginning, containing 29.6590 acres, more or less, subject to all legal highways, rights-of-ways, easements, and restrictions of record.

Timberstone Villas



- DENOTES BOUNDARY OF SECTION 2 & 3 OF WHICH THIS TEXT AMENDMENT APPLIES TO
- LOTS WHICH MAY FEATURE A 25' REAR YARD SETBACK AS OUTLINED BY ORD. 111912B



Text Amendment Exhibit

SITE LOCATION MAP

Southeast Fishers



Area	Owner/Developer	Land Use	Acres	Density	Units
A	Burk	Single-Family	67.5	2.00	115
B-1	Asset Midwest	Single-Family	137.0	1.70	233
B-2	Asset Midwest	Active Adult	28.0	2.68	75
B-3	Asset Midwest	Single-Family	66.0	1.91	126
B-4	Asset Midwest	Equestrian Facility	14.0	n/a	n/a
C-1	Precedent	Single-Family	64.2	1.70	109
C-2	Precedent	Active Adult	60.12	2.84	171
D-1	Ollo Road Properties, Inc.	Active Adult	18.1	4.32	78
D-2	Ollo Road Properties, Inc.	Commercial	17.9	n/a	n/a
E	Shamrock Builders, Inc.	Single-Family	30.2	1.99	60
F	Tri-North Development	Single-Family	33.7	2.60	84
G	GBC Development	Active Adult	47	4.21	198
Total Residential			641.7	2.31	1249
Total			673.7	2.18	1249

Villas at Timberstone of Fishers

Front yard set back at 25'

Requesting to change the Rear Set back to 25' at Timberstone

Plan name	Sq. Ft.	Length of Home	Concrete patio, Screened In Porch or Sunroom	lot depth	
Evanston	1409	48	12 x 12	120'	Ok by 10'
Jackson II	1441	52	12 x 12	120'	Ok by 6'
Lafayette	1535	54	12 x 12	120'	Ok by 4'
Ascott	1623	52	12 x 12	120'	Ok by 6'
Edgewater	1712	50	12 x 12	120'	Ok by 8'
Heyden	1822	58	12 x 12	120'	Ok by 0'
Madison	1882	56	12 x 12	120'	Ok by 2'
Falrmont	1901	52	12 x 12	120'	Ok by 6'
Hawthorne	2002	58	12 x 12	120'	Ok by 0'
Andover	2119	60	12 x 12	120'	Does not fit by 2'

Note: Our Hawthorne floor plan is the most popular in Villas at Timberstone

Lot 23 - [illegible]
[illegible]

