

ORDINANCE NO. 081715C

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA

This is an ordinance to amend Ordinance No. 102014A, the Whelchel Springs PUD, previously enacted by the City 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 City of Fishers has conducted a public hearing on Docket No. 6-TA-15 as required by law in regard to the application by Boomerang Development, LLC to amend the Whelchel Springs PUD: and,

WHEREAS, the Plan Commission at its September 15, 2015 meeting sent a favorable recommendation to the City of Fishers, Common Council;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Fishers, Hamilton County, Indiana, meeting at its regular session, that the Whelchel Springs PUD is hereby amended as follows:

SECTION 1. Section 1.04, Paragraph B., Development Standards Matrix shall be amended as follows; the Minimum Lot Frontage in District 3 shall be 40’.

SECTION 2. All other provisions of the Whelchel Springs PUD shall remain in effect with the adoption of this ordinance. All provisions and representations of the Whelchel Springs PUD that conflict with the provisions of this ordinance are hereby rescinded as applied to the real estate and shall be superseded by the terms of this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its passage by the Common Council and after the occurrence of all other actions required by law. All provisions or parts thereof in conflict herewith are hereby repealed.

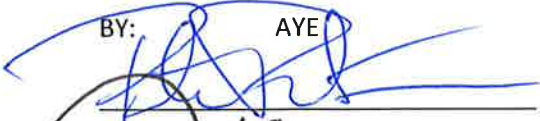
Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 19th day of October, 2015.

THE COMMON COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

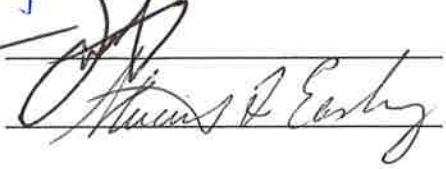
BY:

AYE

NAY



C. Pete Peterson _____
President



John E. Weingardt _____
Vice President

Stuart F. Easley _____
Member



Richard W. Block _____
Member

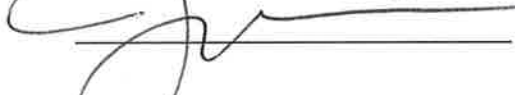


Cecilia C. Coble _____
Member



David C. George _____
Member

Eric C. Moeller _____
Member



Selina M. Stoller _____
Member

Todd P. Zimmerman _____
Member

I hereby certify that the foregoing Ordinance was delivered to the City of Fishers Mayor Scott Fadness on the 20th day of October, 2015 at 9:00 a.m.

ATTEST: 
Jennifer L. Kehl, City Clerk

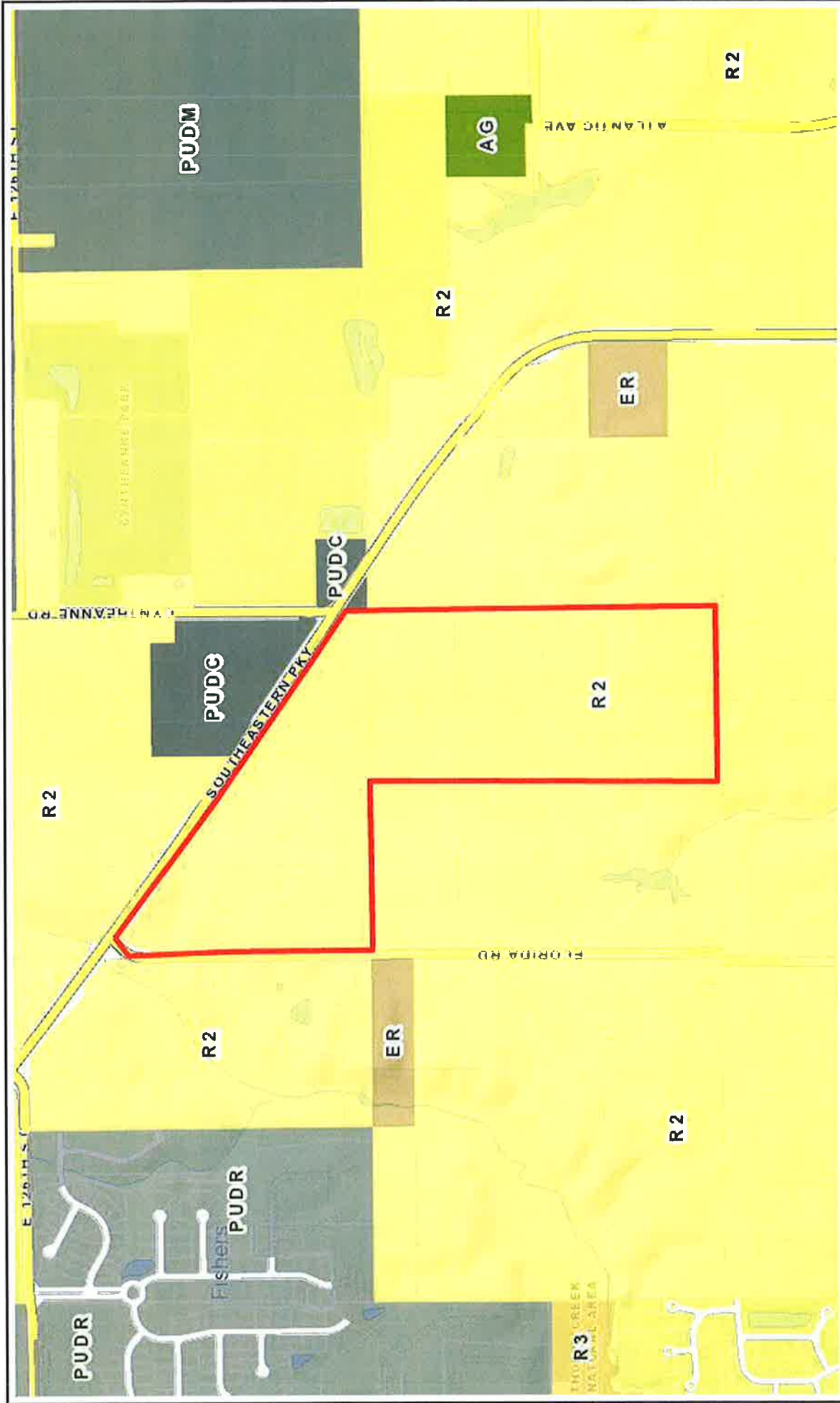
MAYOR'S APPROVAL


Scott A. Fadness, Mayor

10-20-15
DATE

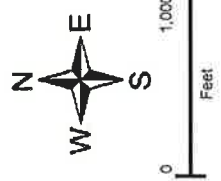
Approved by: Christopher Greisl, City Attorney
Prepared by: Corby D. Thompson, Boomerang Development, LLC
11911 Lakeside Drive
Fishers, Indiana 46038

In accordance with Indiana Code, I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law: Corby D. Thompson.



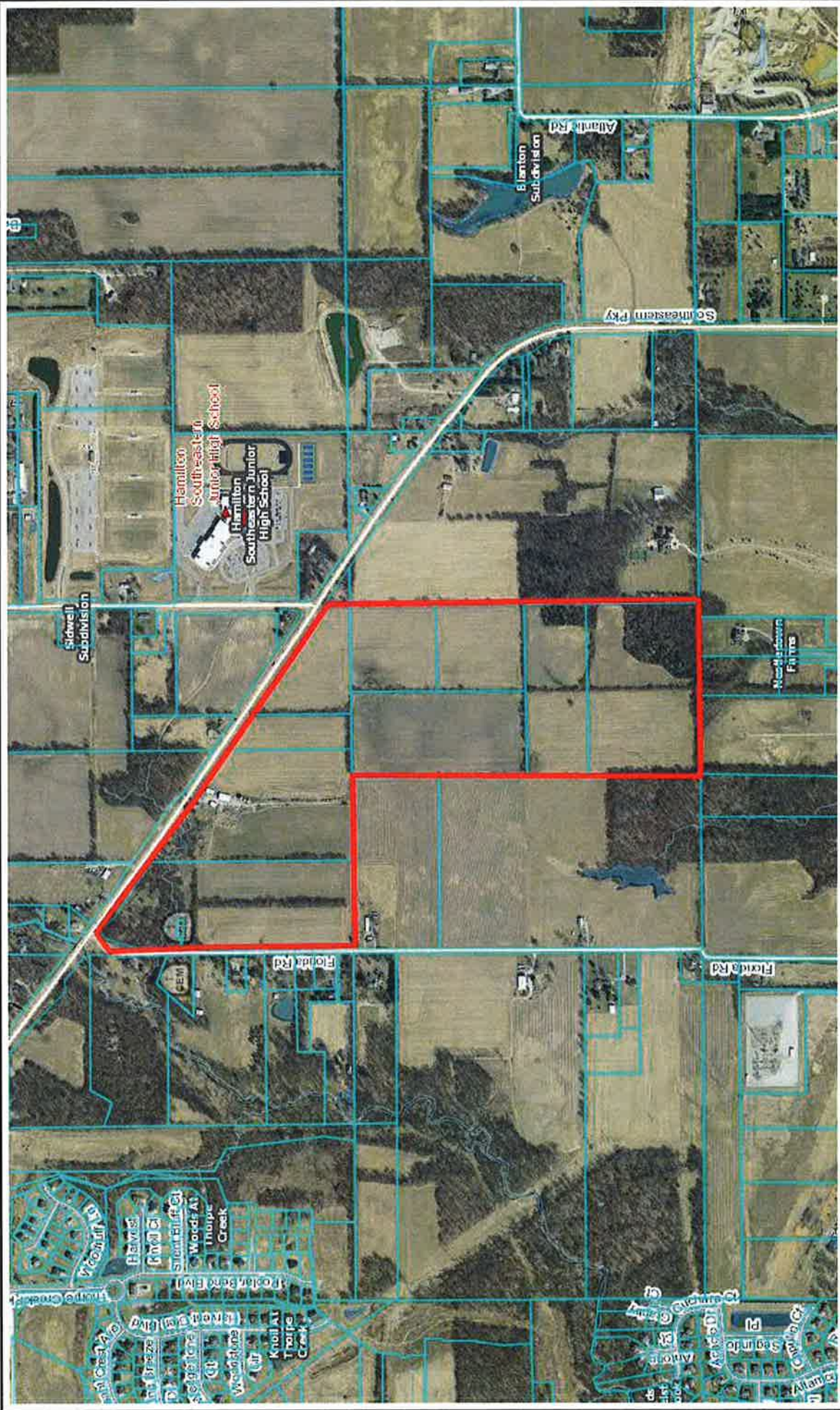
6-TA-15 Whelchel Springs Zoning Map (Note: R2 rezoned to PUD-R)

Printed: Oct 13, 2014



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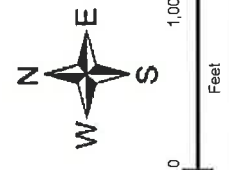


6-TA-15 Whelchel Springs

Aerial Map

Printed: Oct 13, 2014

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Whelchel Springs - Proposed

Plot Date: Jun 30, 2015 Plot Size: 17pm File Name: A:\Planning\Projects\1214-135-B\Planning\Whelchel Springs\1214-135-B\1214-135-B\Layout\Plot 1.dwg

DATE: 06/30/2015
 TIME: 10:58:00 AM
 USER: J. J. JONES
 PROJECT: 1214-135-B
 SHEET: 2 OF 5

LEGEND

- 25 LOT NUMBER
- D.E. DRAINAGE EASEMENT
- D.U.E. DRAINAGE & UTILITY EASEMENT
- LANE LANDSCAPE MAINTENANCE EASEMENT
- B.S.L. BUILDING SETBACK LANE
- S.S.M.A.L.E. SWANNEY STREET, DRAINAGE & UTILITY EASEMENT
- C.A. COMMON AREA
- S.S.L. SWANNEY SEWER EASEMENT
- N/W NORTH-OF-BAY
- S/S SQUARED FEET
- STORM SEWER OVERFLOW PATH
- LIMIT OF FLOOD ZONE 76" (FLOODPLAIN)
- LIMIT OF FLOOD ZONE 76" (FLOODWAY)

SUBMISSIONS
 SUBMISSIONS WILL BE SET IN PLACE AFTER THE RECORDING OF THIS PLAN. ANY AFFIDAVIT CROSS-REFERENCED TO THIS PLAN MUST BE RECORDED AFTER THE SUBMISSIONS SUBMISSION HAS BEEN COMPLETED AND LATER THAN TWO (2) YEARS AFTER RECORDED OF THIS PLAN.

SUBMISSIONS
 ● DENOTES A 5/8" DIA. STEEL ROD 17" LONG WITH 1-1/2" DIA. INVERTED BRASS CAP HAVING A CUT "X" IN TOP SET FLUSH WITH THE FINISH STREET SURFACE.

○ DENOTES A 5/8" REBAR, WITH CAP MARKED "ABC" EXAGGERATED FROM 10114", 30" LONG TO BE SET AT LOT CORNERS, INCLUDING BEGINNING AND ENDING OF CURVES AND THE INTERSECTION OF LINES.

SITE DATA
 DRAINAGE STANDARDS ARE PER THE WHELCHER SPRINGS P.O.D. ORDINANCE NO. 1020144.

SEE SHEET 1 FOR CURVE TABLE
 SEE SHEET 5 FOR LAND DESCRIPTION

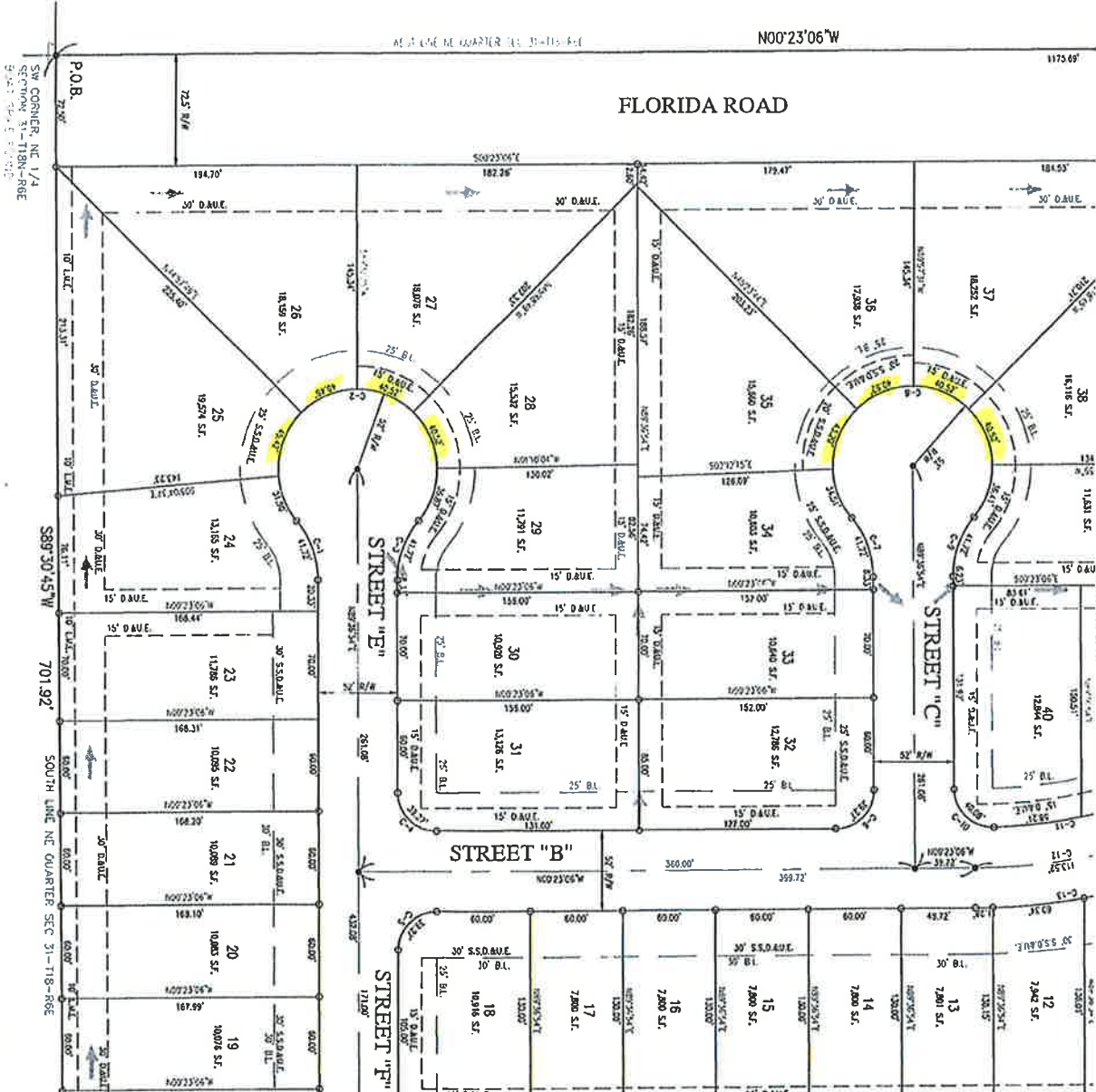
WHELCHER SPRINGS

SECTION 1 SECONDARY PLAT

HAMILTON COUNTY, FALL CREEK TOWNSHIP
 (SECTION 31, TOWNSHIP 18 NORTH, RANGE 6 EAST)

FOR CONTINUATION SEE SHEET 3 OF 5

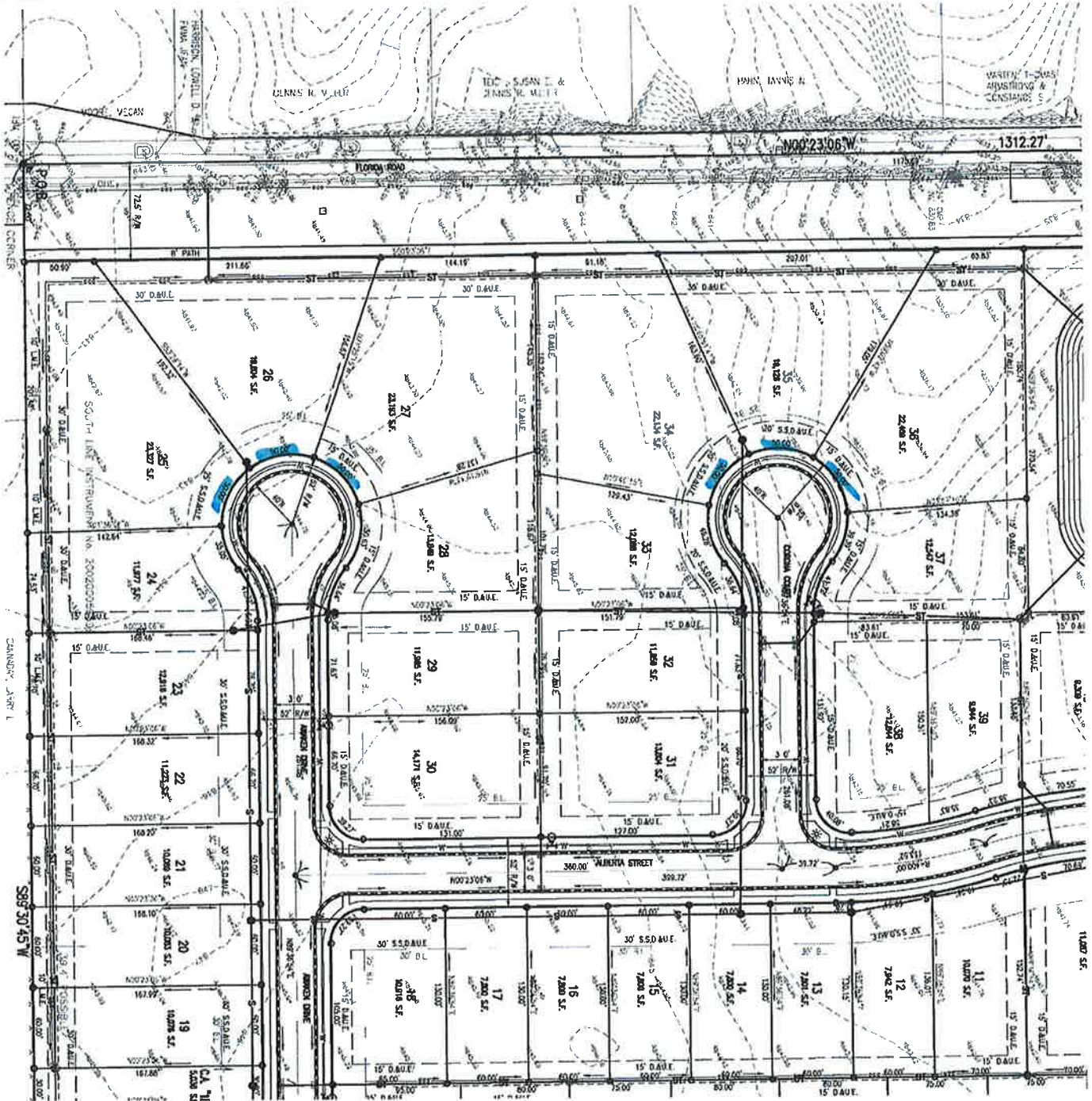
Assum
 Scale: 1" = 25'

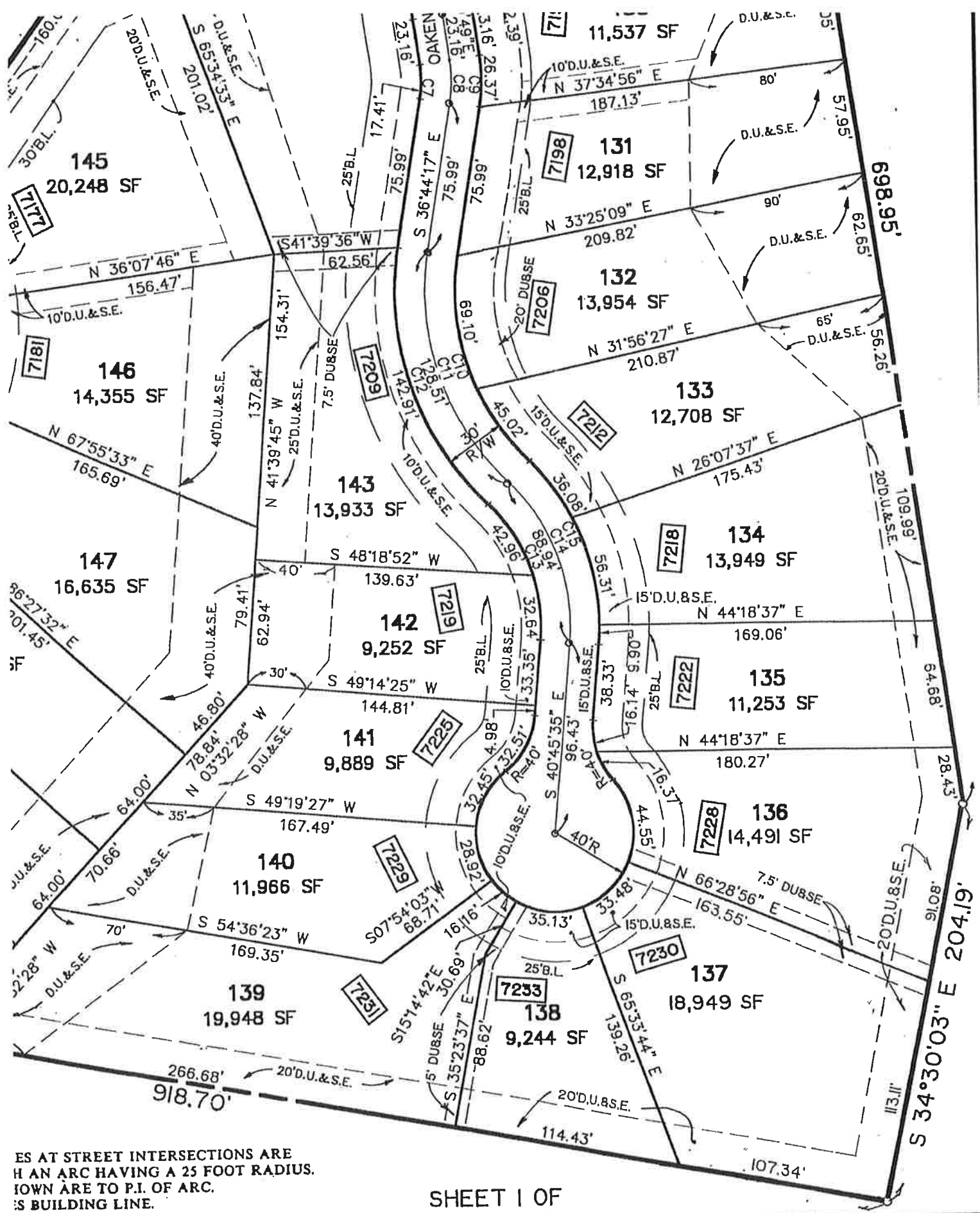


SHEET 2 C

Whelchel Springs - Current plat

Jul 29, 2015 Plt Time: 2:00pm File Name: W:\Boomerang Properties\2014 135 A Boomerang Whelchel Springs Primary Plat\Des gr\CAD\14135A-Primary Plat Plr.cad





ES AT STREET INTERSECTIONS ARE
 H AN ARC HAVING A 25 FOOT RADIUS.
 IOWN ARE TO P.I. OF ARC.
 S BUILDING LINE.

SHEET I OF

RIVER GLEN

SURVEYOR
 LLC THE SCHNEIDER CORPORATION
 8901 OTIS AVENUE
 INDIANAPOLIS, IN. 46216
 (317) 826-7100

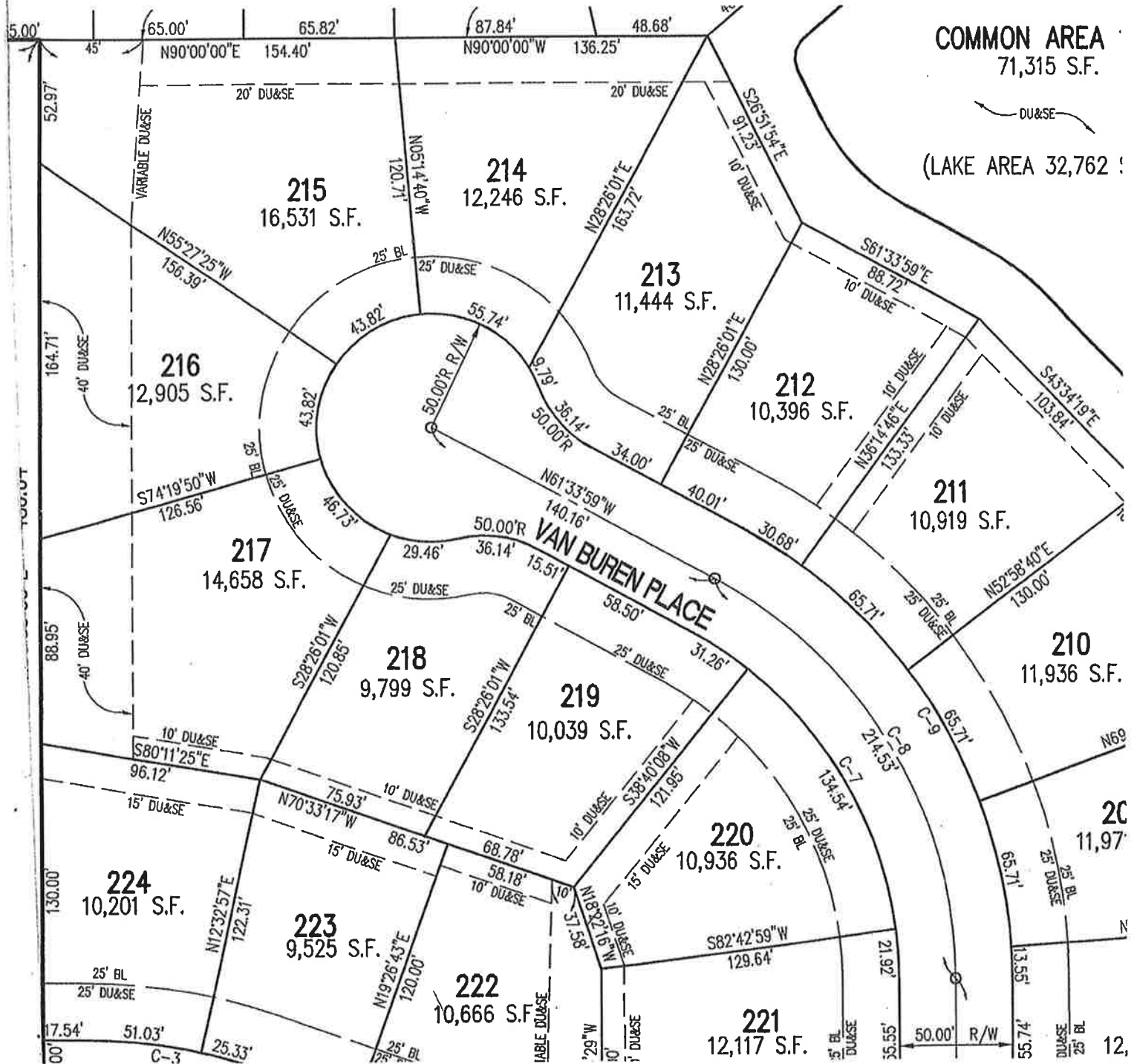
SEDONA

SECTION 3 SECONDARY PLAT

PART OF THE W. 1/2 OF THE S.E.1/4 SECTION
 HAMILTON COUNTY, INDIANA

DESCRIPTION SEE SHEET 5
 TABLE SEE SHEET 4

FOR CONTINUATION SEE SHEET 2



N89°49'51"W

824.84'

WEAVER CREEK

P.K. NAIL

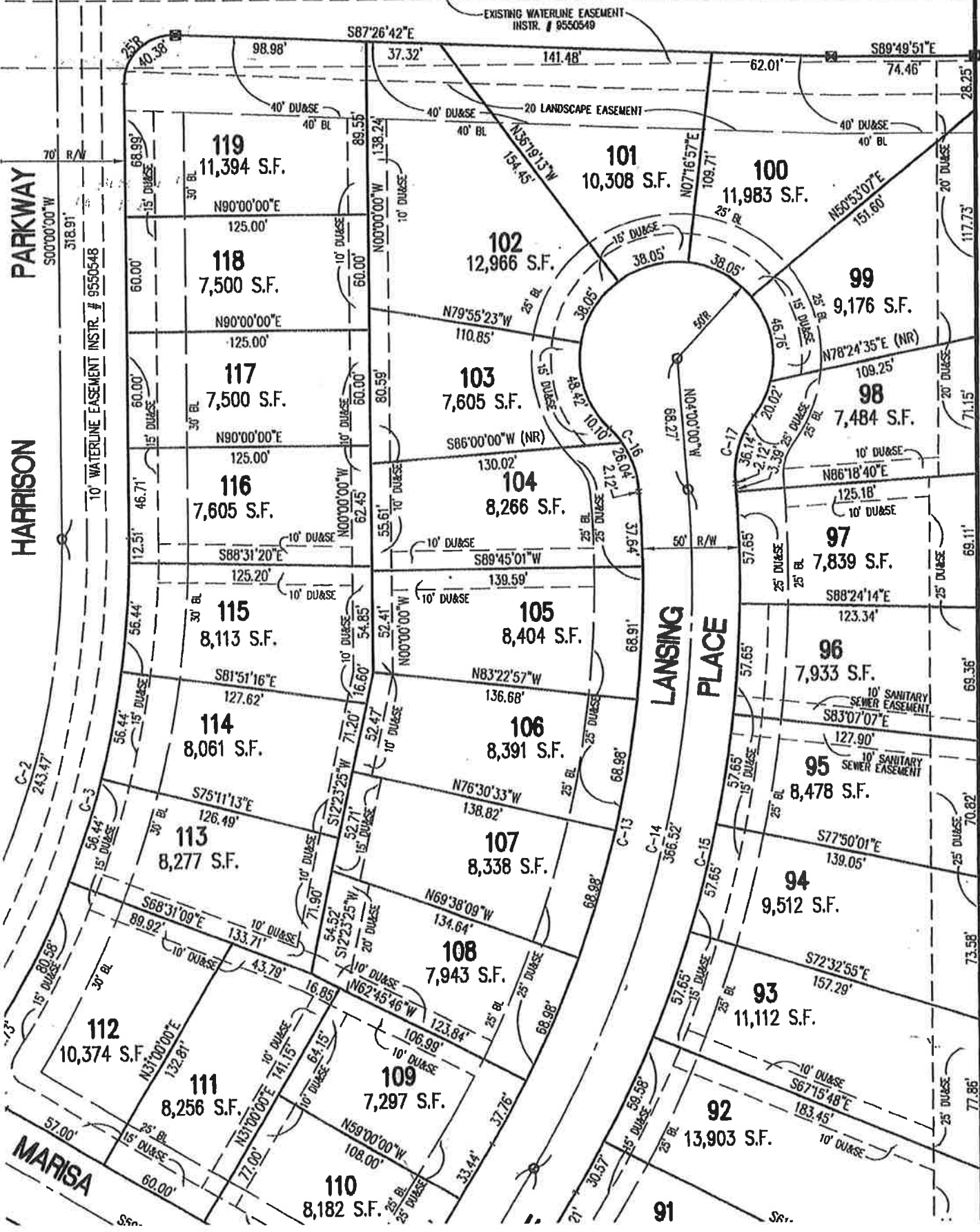
475.63'

146TH STREET

HARRISON PARKWAY

LANSING PLACE

WEST R/W LINE NORFOLK & WESTERN RAILROAD



CORPORATION

6216

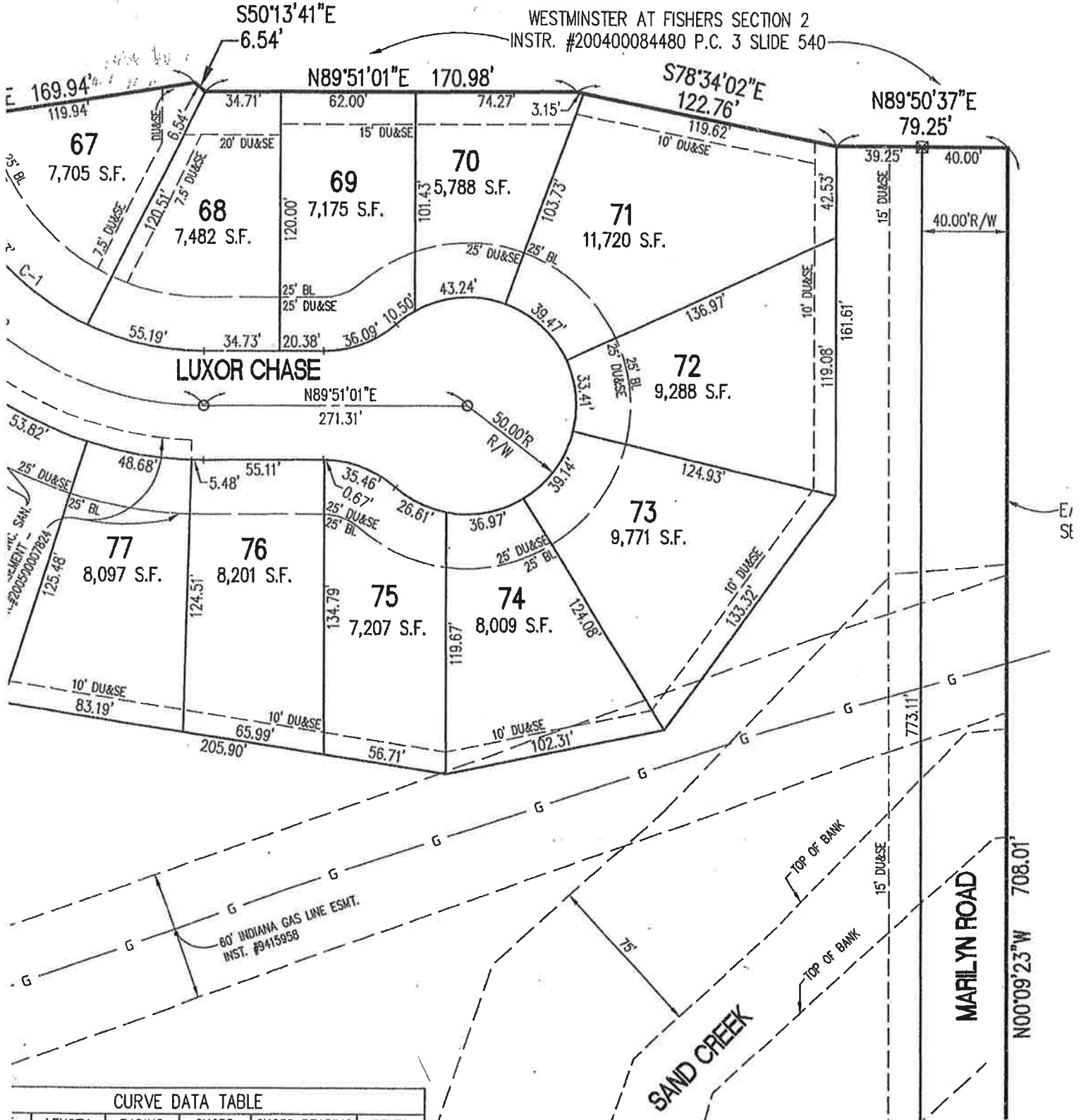
WESTMINSTER AT FISHERS

SECTION 2 SECONDARY PLAT

PART OF THE W. 1/2 OF THE S.W. 1/4 SECTION 22-T18N-R5E HAMILTON COUNTY, INDIANA

SETB
(R5-
FRON
REAR
SIDE

WESTMINSTER AT FISHERS SECTION 2
INSTR. #200400084480 P.C. 3 SLIDE 540



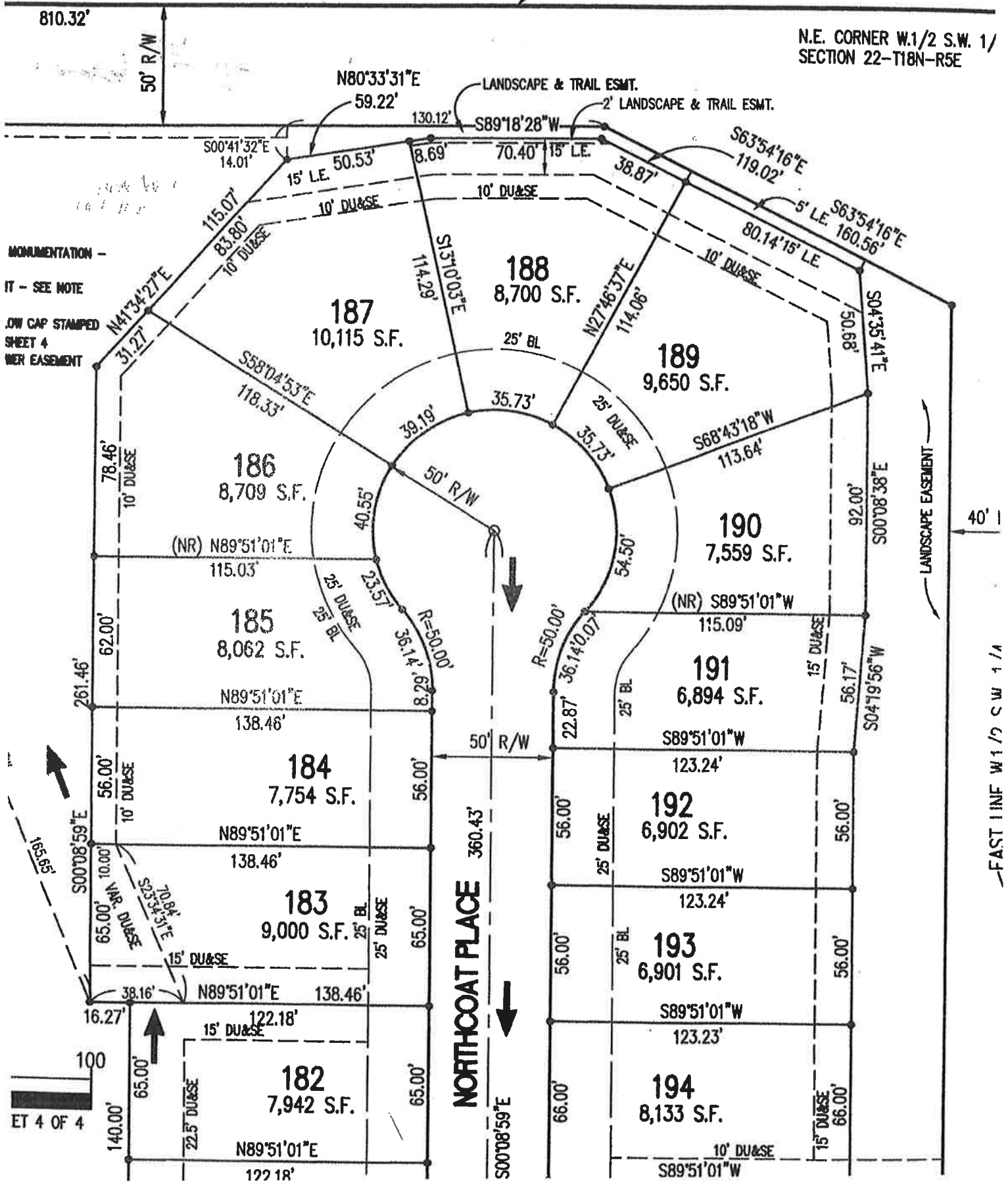
CURVE DATA TABLE

LENGTH	RADIUS	CHORD	CHORD BEARING	DELTA

WESTMINSTER 4

NORTH LINE W.1/2 S.W. 1/4 SECTION 22-T18N-R5E

N.E. CORNER W.1/2 S.W. 1/4 SECTION 22-T18N-R5E



MONUMENTATION -
IT - SEE NOTE
LOW CAP STAMPED
SHEET 4
NER EASEMENT

100
ET 4 OF 4

FAST LINE W 1/2 S W 1/4

1.02 Applicability

- A. The standards of the UDO applicable to the **R3 Residential District** shall apply to the development of District 1, as defined below, except as modified, revised, or expressly made inapplicable by this PUD District Ordinance (this "Ordinance"). The standards of the UDO applicable to the **R5 Residential District** shall apply to the development of District 2, and District 3, as defined below, except as modified, revised, or expressly made inapplicable by this Ordinance. "Article" cross-references of this Ordinance shall hereafter refer to the *Article* section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. Pursuant to *Article 4.2(F): Amendments to the Unified Development Ordinance*, an amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard and *Article 1.10: Basic Provisions: Transition Rules* also shall apply to amendments.

1.03 Concept Plan

- A. The Concept Plan at 1.08 is hereby incorporated. The Real Estate's development plan may vary from the Concept Plan; however, per *Article 9.17(A)(2)(a): Planned Unit Development District; General; Purpose & Intent*, the Concept Plan provides the Plan Commission and Town Council with a general vision for the development of the Real Estate.

1.04 Development Standards

- A. Cross References: The regulations of *Article 2: Zoning Districts & Regulations* and *Article 5: Development Standards* shall apply except as modified by this Ordinance.
- B. General Regulations: *Article 2: Residential District Development Standards* shall not apply. Instead the following Development Standards Matrix shall apply:

District	Lots Permitted	Min. Lot Area (sq. ft.)	Min. Lot Width	Min. Lot Frontage	Min. Front Setback	Min. Side Setback	Min. Aggregate Side Setback	Min. Rear Setback	Max. Impervious Surface Coverage	Min. Living Unit Area Ranch/2-Story (sq. ft.)	Max. Structure Height
1	123	12,600	90'	50'	25'	5'	20'	25'	40%	1,800 / 2,450	35'
2	105	9,450	75'	50'	25'	8'	16'	25'	45%	1,800/ 2,000	35'
3	49	7,800	60'	50'	25'	5'	10'	20'	50%	1500 (Ranch Only)	35'
TOTAL	277										

- C. Accessory Structure Standards (AS): shall apply.
- D. Architectural Design Standards (AD): shall apply, except as modified below:
- (1) Architectural design shall be substantially similar in quality and character to the Illustrative Elevations depicted in Sections 1.09 through 1.11 of this Ordinance.
 - (2) *Article 5.13 AD-01(A)(1)(b)(ii): Architectural Design; Single-Family Residential; Facade; Masonry; Side and Rear Elevation* shall apply, and references to "front" in §(A)(3): Architectural Features shall also apply to side and rear facades.
 - (3) *Article 5.13 AD-01(A)(2): Architectural Design; Single-Family Residential; Facade; Exterior Material* shall apply; however, aluminum, heavy-gauge vinyl, and vinyl shall not be permitted as a siding material.
 - (4) *Article 5.13 AD-01(A)(3): Architectural Design; Single-Family Residential; Facade; Architectural Features* shall apply and the following shall be added to list the following architectural features, which shall be worth one (1) point unless indicated otherwise:
 - (i) More than one (1) siding profile on the front elevation (e.g., second siding profile such as shake, vertical or other horizontal siding used as an accent);
 - (ii) Large feature window on the second floor above the front door;
 - (5) Dwellings marked by an asterisk on the Concept Plan, shall have at least one (1) of the following features: (i) a screened porch on the rear of the house; (ii) a sun porch on the rear facade; or (iii) a 36" wainscot brick or stone wrap on all elevations.