



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

September 26, 2024

**Case Number:** 2024-CAP-831 / 2024-CPL-831

**Property Address:** 8550 and 8556 Broad Street (Approximate Addresses)

**Location:** Franklin Township, Council District #25

**Petitioner:** NVR, Inc., by Joseph D. Calderon

**Current Zoning:** D-P

**Request:** Modification of the Development Statement for 2021-ZON-013 to Modify the development standards for lots 54 and 55, specifically, to provide for a minimum lot width at the front setback line of 53.5 feet for Lot 54 (minimum lot width at the front setback line of 60 feet required), and to provide for a minimum 19.5-foot front yard setback for Lot 55 (minimum 20-foot front yard setback required),

Approval of a Subdivision Plat to be known as Replat of Lots 54 and 55, College Station Section 1, subdividing 0.34-acre into two lots.

**Current Land Use:** Single-family dwelling and undeveloped lot

**Staff Recommendations:** Approval

**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the modification

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated September 3, 2024 complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.



**Department of Metropolitan Development  
Division of Planning  
Current Planning**

5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

## **PETITION OVERVIEW**

### **LAND USE**

The 0.34-acre subject is comprised of two platted lots with one being an undeveloped lot and the other having a single-family dwelling. The site is bordered to the north with an I-2 district that is currently utilized as a single-family dwelling, to the east and west by single-family dwellings, zoned D-P, and undeveloped land to the south, zoned D-P.

### **MODIFICATION**

The grant of the request would modify the development standards within the Development Statement of 2021-ZON-013 for two lots. Specifically, it would provide for a minimum lot width at the front setback line of 53.5 feet for Lot 54 where a 60-foot lot width is required. It would also provide for a minimum 19.5-foot front yard setback for Lot 55 where a minimum 20-foot front yard setback is required.

### **PLAT**

The proposed subdivision plat would not create any new lots or new streets for access. The plat would shift the originally platted lots slightly to accommodate a dwelling that was constructed over the lot lines due to a surveying error. Sidewalks will be installed as originally proposed.

### **STAFF ANALYSIS**

The request is a result of a surveying error made on site that incorrectly placed the single-family dwelling on Lot 55 significantly further east than was originally planned. This error in placement caused for the neighboring lot, Lot 54, to not have the required lot width necessary to build on.



There was also an error with the front setback placement of the dwelling on Lot 55 that is a minor deviation from the requirement.

Because the two lots would still meet all other standards of the Development Statement such as all other setbacks, minimum lot area, and architectural standards, staff determine the requests would be supportable. In staff’s opinion, the changes proposed are slight deviations with a reduced lot width of 6.5 feet and an approximate 0.5-foot front setback reduction. However, Staff would not support such a request if it were to happen again.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-P	
<b>Existing Land Use</b>	Single-family dwelling and undeveloped lot	
<b>Comprehensive Plan</b>	Office Commercial and Suburban Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
	North:	I-2 Residential (Single-family dwelling)
	South:	D-P Undeveloped
	East:	D-P Residential (Single-family dwelling)
	West:	D-P Residential (Single-family dwelling)
<b>Thoroughfare Plan</b>		
Broad Street)	Local Street	50-foot existing right-of-way and 48-foot proposed right-of-way.
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	August 16, 2024	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	August 16, 2024	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- Marion County Land Use Plan Pattern Book (2019)

## Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends office commercial development for most of the site and suburban neighborhood development for a small section along the southern property boundaries of the sites.
- The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.
- **Conditions for All Land Use Types**
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate
  - municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
  - Hydrological patterns should be preserved wherever possible.
  - Curvilinear streets should be used with discretion and should maintain the same general direction.
  - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- **Conditions for All Housing**
  - A mix of housing types is encouraged.
  - Developments of more than 30 housing units must have
  - access to at least one arterial street of 3 or more continuous travel lanes between the intersections of two intersecting arterial streets.
  - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground,
  - library, public greenway, or similar publicly accessible
  - recreational or cultural amenity that is available at no cost
  - to the user.
- **Detached Housing**
  - The house should extend beyond the front of the garage.
  - Lots should be no more than 1.5 times the size (larger
  - or smaller) of adjacent/surrounding lots, except in cases where lots abut existing residential lots of one acre or
  - more in size. In those cases, lots should be no smaller than
  - 10,000 square feet and no larger than 1.5 times the size of
  - the abutting lot.



- The Office Commercial typology provides for single and multi-tenant office buildings. It is often a buffer between higher intensity land uses and lower intensity land uses. Office commercial development can range from a small freestanding office to a major employment center. This typology is intended to facilitate establishments such as medical and dental facilities, education services, insurance, real estate, financial institutions, design firms, legal services, and hair and body care salons.
- Residential uses are not contemplated in the Office Commercial typology. However, the site was already approved for residential development which would align with the context of the surrounding residential area except for one business southwest of the site.

#### **Red Line / Blue Line / Purple Line TOD Strategic Plan**

- Not Applicable to the Site.”

#### **Neighborhood / Area Specific Plan**

- Not Applicable to the Site.

#### **Infill Housing Guidelines**

- Not Applicable to the Site.

#### **Indy Moves**

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

## ZONING HISTORY

### Zoning History - Site

**2021-ZON-013; 5151 South Franklin Road** (subject site) Rezoning of 19.06 acres from the I-2 and D-P districts to the D-P classification for the development of 61 single-family dwellings at a density of 3.2 units per acre, **approved**.

**2019-CZN-811 / 2019-CPL-811; 5151 South Franklin Road** (subject site), Rezoning of 19 acres from the D-P and I-2 districts to the D-P district and Approval of a Subdivision Plat to be known as Village at New Bethel West, Section One dividing 9.31 acres into 32 lots, **withdrawn**.

**2003-ZON-802 / 2003-PLT-802; 5101 South Franklin Road** (subject site), Rezoning of 168.5 acres from the I-2-S district to the D-P district to provide for a church and single-family residential development at 3.23 units per acre and to divide 32.6 acres into 104 lots with a waiver of sidewalks along Thompson Road, **approved**.

**2002-ZON-180; 5101 South Franklin Road** (subject site), Rezoning of 168.1 acres from the I-2-S district to the D-P district, **withdrawn**.

### Zoning History – Vicinity

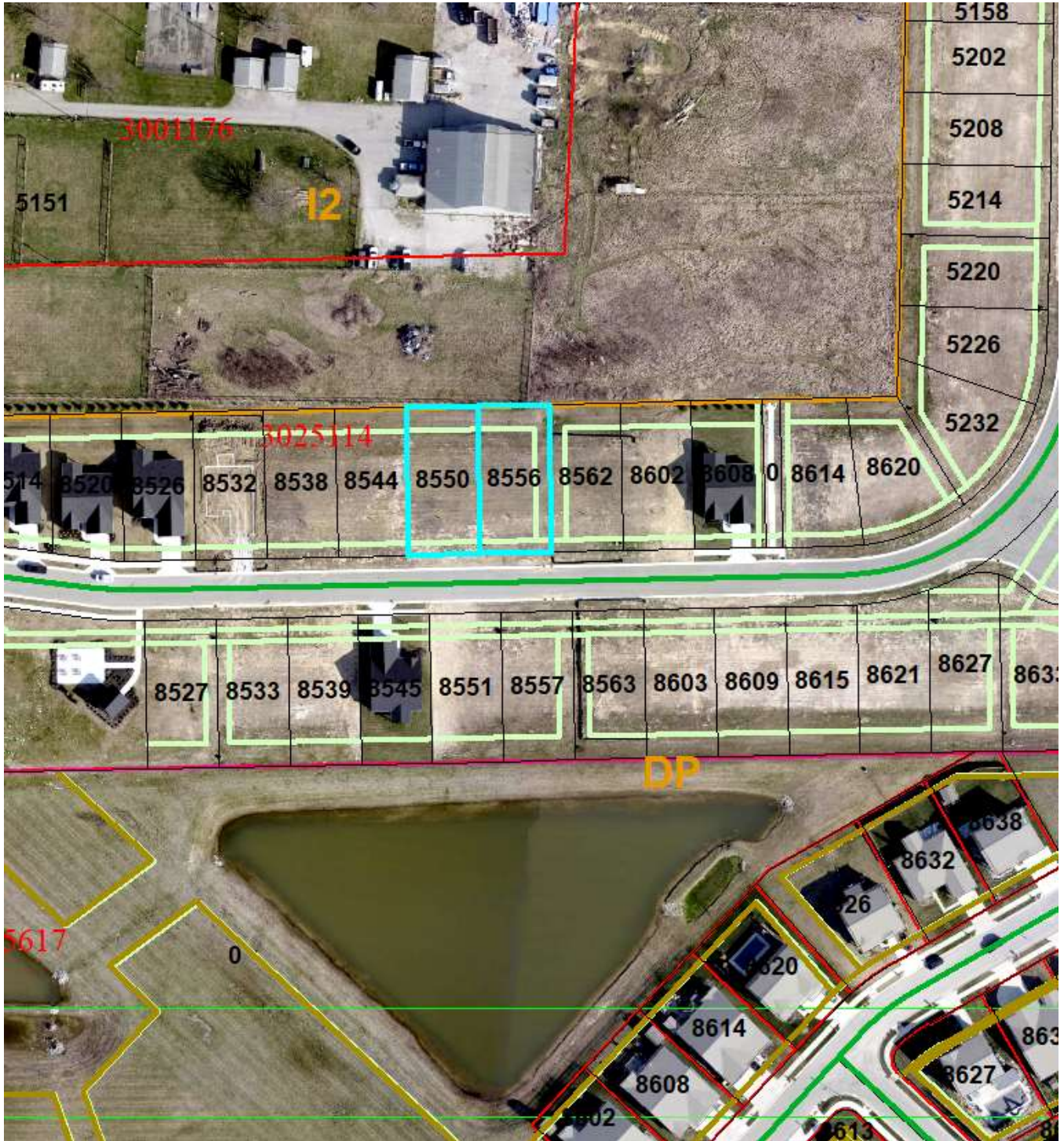
**2024-UV1-011; 5151 South Franklin Road** (north of site) Variance of use and development standards of the Consolidated Zoning and Subdivision Ordinance to provide for warehousing with outdoor storage within 85 feet of a protected district (not permitted within 500 feet of protected districts) with deficient transitional yard landscaping and 24 parking spaces (59 spaces required), and the construction of several buildings with a minimum of an 10-foot transitional side yard and 40-foot rear transitional yard (50 feet required) and a 48-foot front transitional yard (100 feet required), **pending**.

**2024-ZON-028; 5332 South Franklin Road** (west of the site), Rezoning of 75.3 acres from the D-A district to the D-4 district to provide for single-family residential development, **approved**.

**2014-PLT-010; 8701 East Thompson Road** (south of site), Approval of a Subdivision Plat to be known as The Village at New Bethel, Section Two, dividing 43.626 acres into 125 lots, including 40 half-lots for 20, two-family dwellings, **approved**.

**2014-ZON-020; 8701 and 9107 East Thompson Road** (south of site), Rezoning of 126 acres, from the D-P District to the D-P classification to provide for 61 two-family dwellings (122 dwelling units) and 288 single-family dwellings (previously approved by 2002-ZON-180 (2002-DP-021), as amended by 2007-APP-094 and 2010-MOD-008), creating a density of 3.25 units per acre, **approved**.

EXHIBITS



**COTTAGE STATION**  
**PLAT AMENDMENT OF LOTS 54 & 55**  
 PT. OF THE NE 1/4 SEC. 6-T14N-R5E  
 FRANKLIN TOWNSHIP, MARION COUNTY, INDIANA

**LEGEND**

- PLAT
- STREET
- EASEMENT
- RIGHT-OF-WAY
- PREVIOUS LOT LINES
- SQUARE FOOT
- ADJACENT
- E DEED WITH CAP STAMPS
- "NANCY" SEC. 17M ADJUT. SET
- ADJACENT TOWNSHIP

**SECOND OWNER**  
 NVR, Inc, a Florida Corporation  
 Post-Office Box 623, AUSTIN TEXAS 78704-0623

**OVERALL LAND DESCRIPTION**  
 Lots 54 and 55 in Cottage Station (1/4 Acre Parcel) in an addition to the City of Indianapolis, Marion County, as per plat thereof recorded February 23, 2012 as Instrument No. 20120800011001 and revised May 27, 2012 as Instrument No. 20120800011019 in the Office of the Recorder of Marion County, Indiana.

**REVISIONS CERTIFICATE**

I, the undersigned, do hereby certify that this Registered Land Survey/Plat was prepared in compliance with the laws of the State of Indiana and that the entire plat represents a subdivision of land subdivided and plotted under my direct supervision and control, and that it is true and correct to the best of my knowledge and belief and there has been no change from the original survey created by this survey referred survey plat, recorded as Instrument Number 20120800011001 to the City of the Recorder of Marion County, Indiana, as set forth that are contained within the new subdivision or map. The boundary corners of this plat is in accordance with Title 36, Article 1, Chapter 32 of the Indiana Administrative Code.

The Plat Amendment consists of Part (2) has not been 34-312. The size of the lots and width of streets are shown on face and section pages thereof.

Date: \_\_\_\_\_

Prepared by: Chandler A. Barnes  
 P.E. No. 142119002  
 State of Indiana

**NOTES:**

- 1) Cross-reference is hereby made to the Recorder's Office of record which is recorded under Instrument Number 430200010002 in the Office of the Recorder of Marion County, Indiana.
- 2) Cross-reference is hereby made to the owner's record source of title which is recorded under Instrument Numbers 430200010014 and 430200010015 in the Office of the Recorder of Marion County, Indiana.
- 3) Current zoning is SR.
- 4) This plat amendment was prepared to adjust the lot line between Lots 54 & 55 to allow an existing structure to conform to the lot line and side yard setbacks of the lot that it was constructed on.
- 5) Copyright © Survey Engineering, P.E. All rights reserved. No part of this drawing may be reproduced by photocopying, recording in by any other means, or stored, processed or transmitted in or by any computer or other systems without the prior written permission of the preparer.
- 6) No oral license, the word "hereby" shall mean an expression of the Consultant's professional opinion in the best of its information, knowledge and belief and does not constitute a warranty or guarantee by the Consultant.
- 7) This instrument was prepared by Chandler A. Barnes, Survey Engineering, 803 Columbia Road, Suite 100, Franklin, IN 46140.
- 8) I affirm, under the penalties of perjury that I have taken reasonable care to render such Survey/Plat accurate to the documents and/or surveys required by law. Chandler A. Barnes

THIS PLAT IS A LEGAL RESTATEMENT OF THIS INSTRUMENT AMENDMENT AND IS SUBJECT TO IT IN THE ENTIRETY. THE WORK IS INTENDED TO BE USED AS A RECORDING INSTRUMENT. THIS INSTRUMENT IS NOT VALID UNLESS IT IS RECORDED AND IS SUBJECT TO THE REVISIONS CERTIFICATE AND ANY OTHER INSTRUMENTS THAT ARE REFERENCED HEREIN. THE INSTRUMENT NUMBER OF THIS INSTRUMENT IS 20120800011019.

THIS INSTRUMENT IS NOT VALID UNLESS IT IS RECORDED AND IS SUBJECT TO THE REVISIONS CERTIFICATE AND ANY OTHER INSTRUMENTS THAT ARE REFERENCED HEREIN. THE INSTRUMENT NUMBER OF THIS INSTRUMENT IS 20120800011019.

COUNTY & CITY (OPTIONAL) RECORDING FEE (SEE LOCAL ORDINANCES) AND RECORDING FEE (SEE LOCAL ORDINANCES) AND RECORDING FEE (SEE LOCAL ORDINANCES)

**STAMPS AND SIGNATURES**

City of Indianapolis: \_\_\_\_\_  
 Recorder of Marion County: \_\_\_\_\_  
 My Commission expires: \_\_\_\_\_

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_  
 County of Recorder: \_\_\_\_\_  
 My Commission expires: \_\_\_\_\_

**THE ZONING ORDINANCE**  
 Indianapolis: Marion County - Effective April 1, 2016  
 Chapter 176, Subdivision regulations Section 176.01, Subdivision (amended Article 176, adopted amendments) (page 166) Article 176, Chapter 176, amendments  
 The following provisions shall be enforced on this recorded plat.

**ENCUMBRANCE CERTIFICATE**  
 "Whereas the Development Commission, The Metropolitan Board of Commissioners and Judges shall have no right, power or authority to enforce any provisions or restrictions or other limitations contained herein other than those contained, restrictions or limitations that apply to the use of the Metropolitan Development Commission provided that nothing herein shall be construed to prevent the Metropolitan Development Commission from enforcing any provisions of this article, or any conditions attached in approval of this plat by the City Commission."

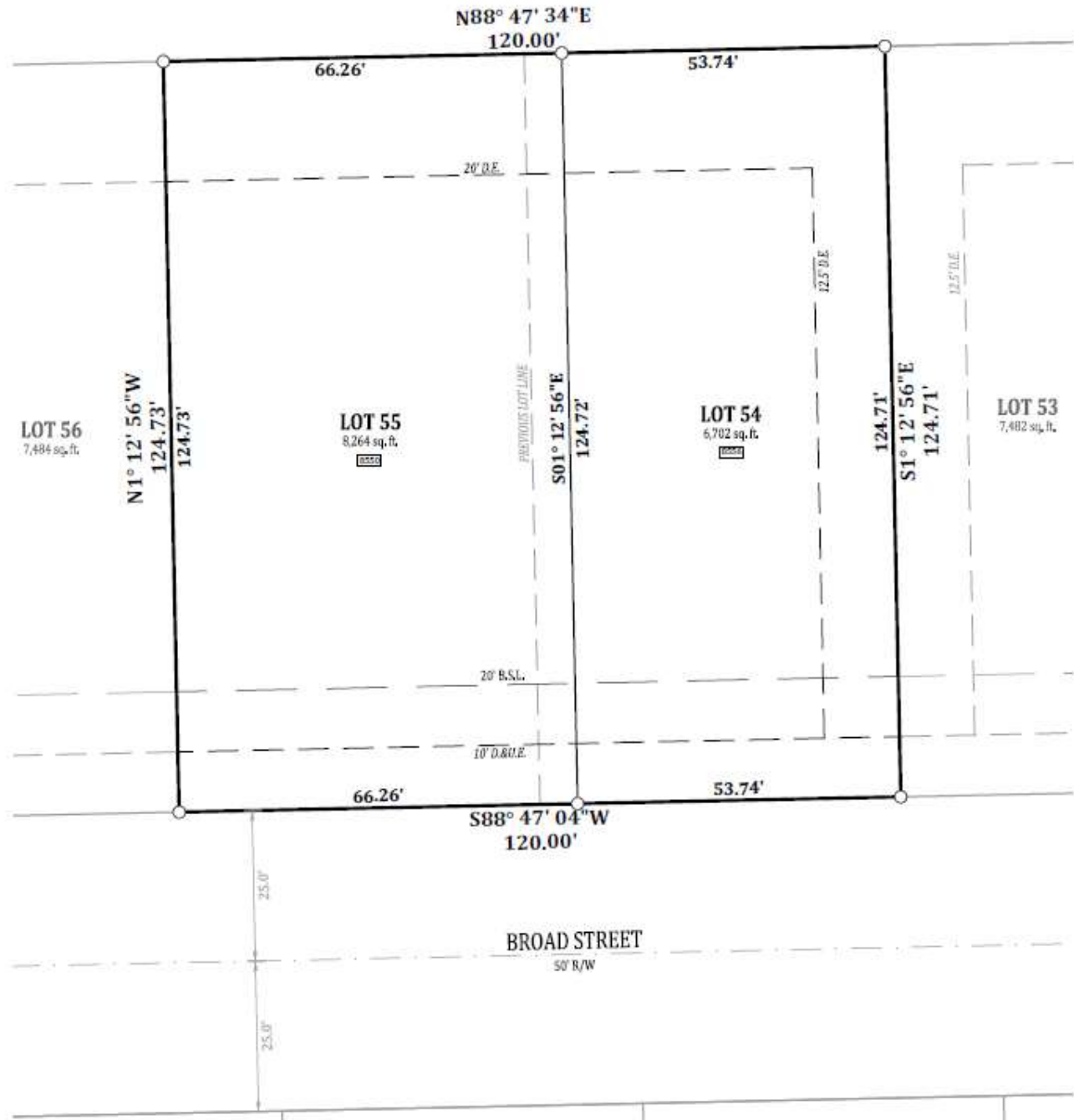
**RIGHT OF WAY CERTIFICATE**  
 "Right-of-way lines, lot lines, walls, fences or other existing structures right lines or structures between two and one half (1 1/2) feet and one (1) foot above the ground shall be placed or extended to remain in any corner lot within the triangular area formed by the street right-of-way lines and the connecting point 15 feet from the intersection of each of the street right-of-way lines, or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended. The same right-of-way limitations shall apply to all lots within 15 feet from the intersection of a street right-of-way line with the edge of the driveway pavement or any line. No lot shall be partitioned to create within such distance of such intersection unless the fringe is maintained at a sufficient height to prevent obstruction of the right-of-way."

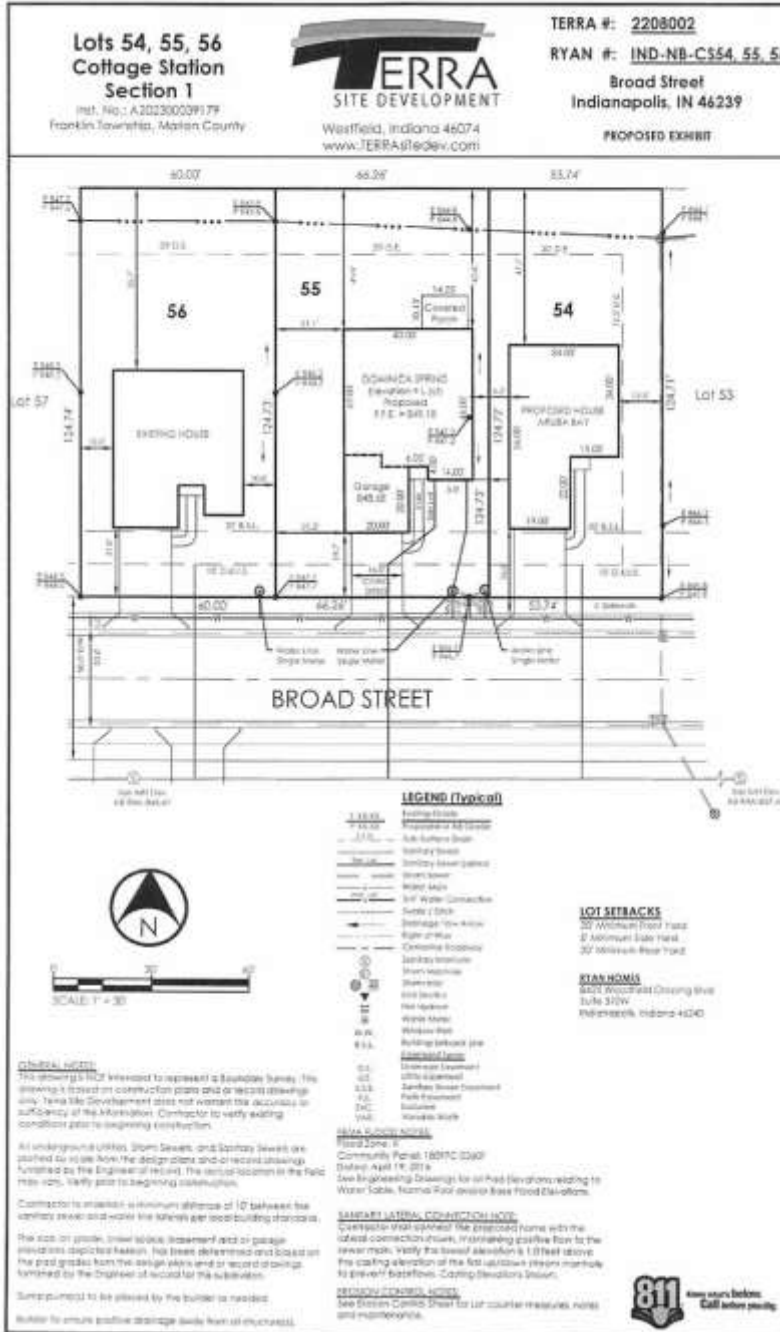
**STORM DRAINAGE CERTIFICATE**  
 "It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply with all laws with the permission of the sanitary sewer authority applicable to the locality and the requirements of all sanitary sewer construction permits issued for this plat. Owner hereby certifies that no building, structure, tree or other obstruction shall be erected, maintained, or allowed to continue in the portion of the sanitary sewer system to which the easement is granted without written permission, that it then duly recorded, and shall run with the real estate. The municipality and its agents shall have the right to begin excavations for sanitary purposes only, over the owner's real estate adjoining such easement and right-of-way, when necessary to construct, repair or maintain sanitary sewer facilities."

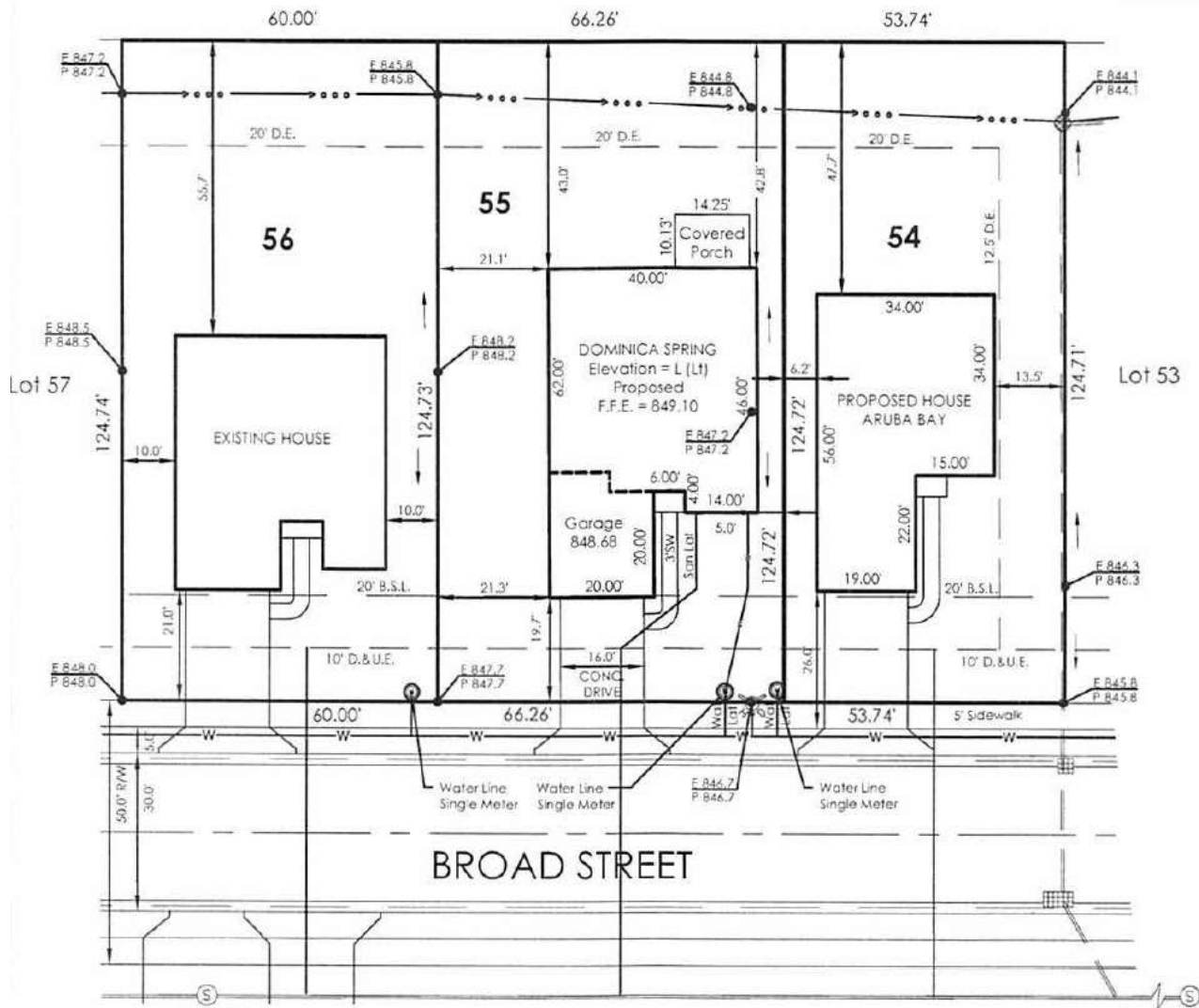
**STORMWATER MANAGEMENT PRACTICES CERTIFICATE**  
 "This subdivision has been designed to include stormwater quality best management practices (BMPs) that must be implemented by the owner. An Operations and Maintenance Manual is available for the BMPs. The subdivision of the homeowner's attention to that the his responsibility to perpetuate the homeowner's attention and the individual owner of any lot or parcel of land within the area of this plat (and) and separately to comply with the Operations and Maintenance Manual, fees and maintenance requirements."

**COTTAGE STATION**  
**PLAT AMENDMENT OF LOTS 54 & 55**  
 PREPARED FOR: NVR, INC.  
 FRANKLIN TOWNSHIP, INDIANAPOLIS,  
 MARION CO., INDIANA  
  
**BARNES**  
 SURVEY ENGINEERING  
 803 COLUMBIA ROAD, SUITE 100  
 FRANKLIN, INDIANA 46140  
 PHONE: 317.432.4600  
 FAX: 317.432.4601  
 WWW: WWW.BARNESENGINEERING.COM  
 1 OF 1









**STATEMENT OF MODIFICATION OR TERMINATION  
OF COVENANTS OR COMMITMENTS**

**COVENANTS OR COMMITMENTS MODIFYING OR TERMINATING EXISTING COVENANTS OR  
COMMITMENTS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN  
CONNECTION WITH AN APPROVAL PETITION, REZONING OF PROPERTY, A VARIANCE PETITION  
OR SPECIAL EXCEPTION PETITION**

In accordance with I.C. 36-7-4-918.8 and I.C. 36-7-4-1015, the owner of the real estate located in Marion County, Indiana, which is described below, makes the following modification(s) or termination(s) of covenants or commitments concerning the use and development of that parcel of real estate:

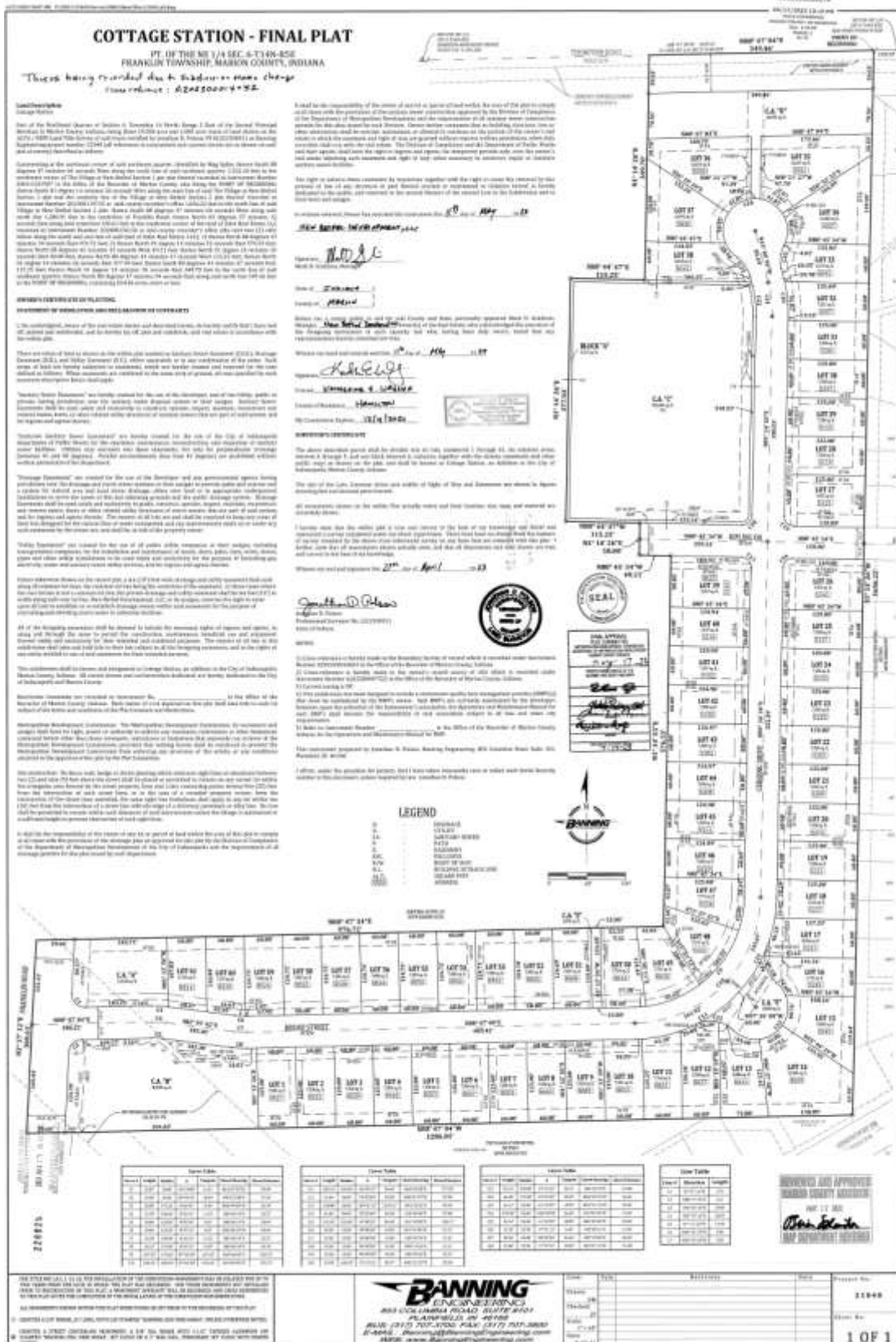
**Legal Description:** Lots 54 and 55 in Cottage Station – Final Plat, as per plat thereof, recorded as Instrument No. A202300039179 (the “Subject Property”).

**Statement of MODIFICATION OR TERMINATION of Covenants or Commitments:**

1. The Preliminary DP Plan approved on May 19, 2021, is amended in the following specific manner under the Section entitled “Development Standards”.
  1. Front Yard/Setback: Minimum twenty feet (20’) from the right-of-way line, except for Lot 55, which shall have a minimum front setback of nineteen feet six inches (19’6”).
  2. Minimum Lot width at Front Setback line: Sixty feet (60’), except that the minimum Lot width at the front setback line for Lot 54 shall be fifty three feet six inches (53’6”).

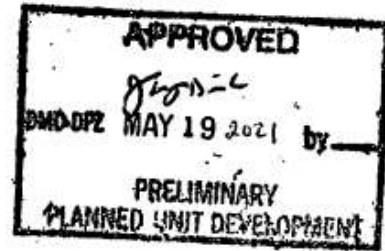
These COVENANTS or COMMITMENTS shall be binding on the owner, subsequent owners of the real estate and other persons acquiring an interest therein. These COVENANTS or COMMITMENTS may be modified or terminated by a decision of the Metropolitan Development Commission made at a public hearing after proper notice has been given.

COVENANTS or COMMITMENTS contained in this instrument shall be effective upon the adoption of modification or termination approved by the Metropolitan Development Commission in petition 2024-CAP/CPL-\_\_\_\_\_.



KLH

Preliminary DP Plan  
New Bethel West



**Introduction**

Gradison Land Development, Inc. ("Petitioner") is under contract to purchase property containing approximately 19 acres and commonly addressed as 5151 South Franklin Road (the "Subject Property"). The Subject Property is zoned I-2.

**Permitted Use**

**Permitted Use:** The use of the Subject Property shall be limited to single family detached dwelling units, as set forth in Table 743-1 of the Consolidated Zoning/Subdivision Ordinance of the City of Indianapolis, Marion County, effective April 1, 2016 and updated May 21, 2018 (the "Zoning Ordinance").

**Development Sections**

The Concept Plan filed concurrently with this DP Plan shows 61 lots in a subdivision preliminary planned to be named "New Bethel West". New Bethel West will feature traditional single-family detached homes, featuring sixty (60) foot wide lots. Development of the Subject Property shall be in substantial compliance with the Concept Plan attached hereto as Exhibit "A."

**Development Standards:**

All lots shall meet the following development standards:

1. Front Yard/Setback: Minimum twenty feet (20') from the right of way line.
2. Side Yard/Setback: Minimum five feet (5') per side, minimum ten feet (10') in the aggregate.
3. Rear Yard/Setback: Minimum twenty feet (20').
4. Minimum Lot Width at the front setback line: Sixty feet (60').
5. Minimum Lot Size: Six Thousand Six Hundred (6,600) square feet.

**Utilities/Drainage:** All public utilities are available to the site. There will be all reasonable attempts made so that no utility poles will be located on the Subject Property, unless already existing and financially impractical to bury or relocate. Storm drainage will be professionally engineered to meet all City of Indianapolis requirements with respect to runoff rate and quantity, as well as water quality.

**Architectural Standards:** All homes constructed on the Subject Property shall meet the following minimum standards:

**Section 1. Single Family Design:**

**A. Permitted Building Materials:**

1. Exterior building materials may include masonry, stone, wood and cementitious board. Vinyl siding shall be prohibited.
2. All first-floor front elevations must have at least 25 percent (25%) brick or stone masonry, exclusive of doors and windows, and be of the cottage style.
3. On lots which front on a perimeter public street (Franklin or Thompson Road), each home must feature a full brick or stone first floor wrap, or the rear façade must contain a rear architectural feature, such as an enclosed, covered or screened porch, sun room, nook or bay window. The minimum width for each such feature shall be to feet (10'), and any nook or bay window shall have a minimum depth of four feet (4').

**B. Required Window Openings:**

1. A minimum of one (1) window per front and three (3) windows per rear façade (elevation) and a minimum of one (1) windows per side façade (elevation) shall be provided, excluding the garage door.
2. Windows shall be wood, vinyl-clad, vinyl, aluminum-clad wood, or painted metal.

**C. Garage Type:**

1. All garages shall be attached to the dwelling.
2. All garages shall be designed as an integral part of the architecture of the dwelling, with regards to materials, trim and details.
3. All dwellings shall have a minimum of 2 car garage.

**D. Porches and Entryways:**

1. Porches and/or entryways shall be clearly defined, a minimum of three feet six inches (3'6") in depth.

**E. Roofline:**

1. Primary roof shall have a minimum roof slope of 6:12, with a minimum six-inch (6") overhang. Secondary roofs (e.g. porch, bays, garages, dormers) may have a lower pitch. Each dwelling shall feature a hipped or gable roof, or combination of both.
2. All dwellings shall include twenty-five (25) year dimensional shingles, with the exception that metal roofs shall be permitted on porches and exterior eave details.
3. If dormers are used, at least one (1) window or decorated louver per dormer is required. Dormers and gables must have details such as attic bands, windows and/or decorative attic vent.

F: Landscaping:

1. Front Yard: Two trees, a) with at least a minimum of one (1) 2.5in deciduous tree, and b) the other may be an evergreen or ornamental tree; and four (4) shrubs of a minimum of 24 inches in width or height, or landscaping that meets the requirements of the Zoning Ordinance, whichever is greater. Corner lots shall meet the foregoing tree and shrub requirements for each yard facing a public street and shall have at least four (4) additional shrubs on the yards fronting a public street.
2. Lawns: Sod is required in the front yard up to the front corner of the home. Seed is permitted in the side and rear yards of the home. On corner lots, sod will be installed within the building setback line adjacent to the road No irrigation is required.

G. Architectural Character Imagery: The applicable character illustrations, indicating conceptually the intended architecture and appearance of single-family detached dwellings are contained within Exhibit "B".

H. Minimum Square Footage: One-story single-family homes (ranches) shall contain a minimum of one thousand three hundred (1,300) square feet of "Living Space" (areas under roof of primary structure but not including porches, terraces, unfinished attics and garages. Two-story single-family homes shall contain a minimum of one thousand five hundred (1,500) square feet of Living Space.

**Section 2. Monotony Mitigation:**

A. Front Facades: The same floor plan with same elevation and same color as defined by more than 50% overlap shall not be constructed within 2 lots on either side and 3 lots across the street of the Subject Property.

Section 3. Lot Lighting: All dwellings shall have one (1) dusk to dawn light located on the front facade.

**Miscellaneous**

Amenities: Petitioner shall provide certain amenities for the development, substantially as shown on the Concept Plan.

Signage: Permanent signage for the subdivision as the subdivision entrance(s), reasonably necessary/helpful internal directional signage, street signs, signage related to a private trail system, signage related to other recreational improvements, and signage related to any amenities area, are all proposed for the project. In addition, a separate sign for the amenities may be constructed on the amenities area site, which may be externally lighted, shall not exceed thirty two (32) square feet in total sign face on one side if a one sided sign, or thirty two (32) square feet for each side of a two sided sign. This separate amenities area sign shall not exceed four feet (4') in height, and may be a ground design, without regard for the distance between said sign and any of the surrounding residential properties.





Subject site at 8550 Broad Street.



Subject site at 8556 Broad Street.



Photo of the minimally reduced front setback at 8550 Broad Street.



Photo of the undeveloped lots south of the subject sites.



Single-family dwelling west of 8550 Broad Street.



Single-family dwelling east of 8556 Broad Street.