



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

April 23, 2026

Case Number: 2026-MOD-002
Property Address: 7305 Kentucky Avenue and 8728, 8732, 8736 and 8740 Tolson Drive
Location: Decatur Township, Council District #21
Petitioner: Oberlin Development, LLC and Taylor Morrison of Indiana, LLC, by Brian J. Tuohy
Current Zoning: C-S
Request: Modification of the C-S Statement and site plan related to 2022-ZON-112, to allow for single-family detached lots (previous C-S Statement and site plan provided for single-family lots and paired patio lots)
Current Land Use: Undeveloped
Staff Recommendations: Approval.
Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner acknowledged the automatic continuance filed by a registered neighborhood organization that continued this petition from the March 26, 2026 hearing, to the April 23, 2026 hearing.

STAFF RECOMMENDATION

Approval.

PETITION OVERVIEW

This 41.43-acre site, zoned C-S, is undergoing residential development. It is undeveloped and surrounded by commercial uses to the north, across Kentucky Avenue, zoned D-3 / C-7; single-family dwellings to the south, zoned C-S; multi-family and single-family dwellings to the east, zoned D-7 and D-4 respectively; and single-family dwellings, commercial uses to the west, across Kentucky Avenue zoned D-3 and C-7.

This site was included in petition 2022-ZON-112 that rezoned 58.5 acres from the C-4 district to the C-S district to provide for certain uses permitted in the C-3 and all uses permitted in the D-4 and D-5II districts.

Petition 2019-ZON-036 provided for commercial and industrial uses, which was denied. Petition 96-Z-76 A-D provided for multi-family dwellings (A), community-regional commercial (B), self-storage (C) and single-family dwellings (D).



MODIFICATION

This request would modify the C-S Statement and site plan related to 2022-ZON-112, to allow for single-family detached lots. See Exhibit A. The 2022 C-S Statement provided for single-family lots and paired patio lots. See Exhibit B.

C-S Statement – March 5, 2026

Except for the items related to paired patio lots that would be removed from the C-S Statement, the 2022 C-S Statement remains as previously approved. Therefore, detached single-family lots would be the only housing type permitted in this development and would be subject to the C-S Statement, file-dated March 5, 2026.

Planning Analysis

Staff supports this request because staff recognizes changes in the housing market occur due to items such as demand, inventory and mortgage rates. Staff would also note that staff’s approval of the previous request was not subject to the type of proposed housing but for alignment with the Comprehensive Plan recommendation of Suburban Neighborhood and the need for housing in this area.

GENERAL INFORMATION

Existing Zoning	C-S	
Existing Land Use	Undeveloped	
Comprehensive Plan	Community Commercial / Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-3 / C-7	Single-family dwellings / commercial uses
South:	C-S	Single-family dwellings
East:	D-5 / D-7 / C-4	Single / Multi-family dwellings / undeveloped land
West:	D-3 / C-7	Commercial uses
Thoroughfare Plan		
Kentucky Avenue	Primary Arterial	Existing and proposed 215-foot right-of-way.
Camby Village Boulevard	Local Street	Existing and proposed 70-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	

Wellfield Protection Area	No
Site Plan	March 5, 2026
Site Plan (Amended)	N/A
Elevations	N/A
Elevations (Amended)	N/A
Landscape Plan	N/A
Findings of Fact	N/A
Findings of Fact (Amended)	N/A
C-S/D-P Statement	February 17, 2026

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood typology. 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.

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Suburban Neighborhood Typology

- 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.
- Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
- Developments with densities higher than 5 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways or parks.

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.

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)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW).
- Identify roadways for planned expansions or new terrain roadways.
- Coordinate modal plans into a single linear network through its GIS database.

ZONING HISTORY

2022-ZON-112; 7305 Kentucky Avenue, requested rezoning of 58.5 acres from the C-4 district to the C-S district to provide for certain uses permitted in the C-3 and all uses permitted in the D-4 and D-5II districts, **approved**.

2019-ZON-036; 8900 Mooresville Road (includes site), requested rezoning of 121.1 acres from the C-4 and C-S Districts to the C-S classification to provide for all Manufacturing, Research and Development, Utilities, Wholesale Distribution uses permitted by the I-1 District; all Group Living, Community, cultural and Educational Facilities, and Office Uses permitted in the C-1 district; Vocational, Technical or Industrial Training School or Training Facility; Hospital; Animal Care, Boarding and Veterinary Services; Farmer's Market; Artisan Food and Beverage; Business, Home and Personal Services or Repair; Bar or Tavern; Eating Establishment or Food Preparation; Indoor Recreation and Entertainment; Indoor Spectator Venue; Hotel or Motel; Department Store; Grocery Store; Liquor Store; Light and Heavy General Retail; Automobile and Light Vehicle Wash; Automobile Fueling Station; Automobile, Motorcycle, and Light Vehicle Service or Repair; Commercial Parking Lot; Transit Center; and Recycling Station and the following accessory uses: wireless communications facility; game courts; outdoor storage; temporary outdoor display and sales; outdoor seating and patio; recycling collection point; renewable energy facility, solar, geothermal or wind; satellite dish antenna; signs; temporary construction yard, office or equipment storage; temporary outdoor event; and outside vending machines/self-serve kiosk, **denied**.

96-Z-76 A; 7401 Kentucky Avenue (includes site), requested rezoning of 10.99 acres, being in the D-3 and C-4 Districts, to the D-7 classification to provide for multi-family development, **approved**.

96-Z-76 B; 7401 Kentucky Avenue (includes site), requested rezoning of 82.04 acres, being the D-3 and D-7 Districts, to the C-4 classification to provide a community-regional commercial development, **approved**.

96-Z-76 C; 8201 Camby Road (includes site), requested rezoning of 52.62 acres, being in the D-3 and D-7 Districts, to the C-S classification to provide for the construction of a self-storage facility, with ancillary uses, including an office and resident manager; office, commercial, multi-family, industrial research and park uses, **approved**.

96-Z-76 D; 8302 Trotter Road (includes site), requested rezoning of 120 acres, being in the D-A District, to the D-3 classification to provide for the construction of single-family residential development at 2.6 units per acre, **approved**.

EXHIBITS

AERIAL



7305 Kentucky Avenue and 8728, 8732, 8736, and 8740 Tolson Drive

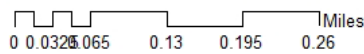


EXHIBIT A - 2026 C-S STATEMENT

2026 C-S Statement

7305 Kentucky Avenue; 8728, 8732, 8736 & 8740 Tolson Dr (“Site”)

The approximately 41.46 acre Site (which is part of the Oberlin at Camby Village subdivision (“Subdivision”)) shall be developed as set forth below and as approximately depicted on the Conceptual Site Plan attached hereto as Exhibit A:

- A. **Uses:** All permitted, accessory, temporary and special exception uses permitted in the D-4 zoning district set forth in the Zoning Ordinance shall be permitted within the Site.
- B. **Development Standards:** The following development standards shall apply to the Site:

Maximum Dwelling Units	131 lots within Site (180 lots within the Subdivision)
Minimum Lot Area	6,000 sf
Minimum Lot Width	50’
Minimum Lot Frontage	25’
Minimum Open Space	50%
Maximum Height	35’ for a primary structure 24’ for accessory structure
Minimum Main Floor Area (sq. ft.)	1,200 sq. ft. for one-story 600 sq. ft for two-story
Minimum Front Yard Building Setback	20’
Minimum Side Yard Setback	5’
Minimum Rear Yard Setback	20’
Minimum Distance Between Homes	10’

- C. **Architectural Standards:** The following development standards shall apply to the Site:

- i. Permitted exterior materials shall include but are not limited to brick, stone, wood, cement fiber board, stucco, shake, board and batten, and E.I.F.S. Vinyl siding and aluminum siding are prohibited.
- ii. All homes shall contain a minimum of brick or stone wainscot on the front and side façade up to the bottom of the first-floor windows excluding doors and garage doors. For homes on Lots 52-76 with rear elevations facing Kentucky Avenue, the rear elevation shall contain a minimum brick or stone wainscot exclusive of doors.
- iii. Unless adjacent to brick or stone, all front façade windows shall have a minimum nominal one-inch by four-inch wood or fiber surround trim, shutters or decorative trim or headers.
- iv. All homes shall have a minimum Roof Pitch of five to twelve (5:12) for the primary Roof Pitch. Ancillary roofs (including but not limited to porches, garage extensions, overhangs, sunrooms, and third car garages with separate

roof structures) shall not be considered primary roof for the purposes of the five to twelve (5:12) Roof Pitch requirement.

- v. All homes shall have a minimum of a twelve (12") inch overhang on homes where the sides consist of siding at the eaves, and a minimum of an eight (8") inch gable overhang on homes where the sides consist of brick at the eaves. This measurement does not include the gutter system.
- vi. All homes shall have dimensional or architectural grade roof shingles.
- vii. All homes shall have a minimum two car garage with a minimum size of 380 sq. ft. Third car garages shall have a separate door and shall be recessed a minimum of two (2') feet from the other bays.
- viii. All homes shall have a minimum of two dusk to dawn carriage lights on the front of each garage.
- ix. All homes shall have fully sodded front yards installed by the home builder including the area between the street and sidewalk. The rear and side yards shall be seeded by the home builder.
- x. All homes shall include at least one (1) front yard tree, with corner lots to include an additional two (2) trees in the street side yard, with all being a minimum two-inch (2") caliper at time of planting. In addition, all homes will include a minimum of twelve (12) shrubs or bushes in the front foundation planting bed and all shrubs or bushes will be at least eighteen inches (18") in height at the time of planting.
- xi. Homes shall have individual mailboxes to be installed by the developer for each house and shall be uniform in design. Mailboxes will be installed in accordance with the direction of the local United States Postal Service.
- xii. All homes shall have a street number permanently affixed to the front of the home.
- xiii. All homes shall have hard surfaced driveways with concrete.
- xiv. The same home elevation will not be constructed on an adjacent lot or directly across the street.

D. General Development Standards: The following general development standards shall apply to the Site:

- a. Streets. The streets within the Site shall be built in accordance to Indianapolis Department of Public Works ("DPW") current standard of 28' wide back to back of curb and 24' wide pavement. On street parking shall be permitted on both sides of the streets within the Development.
- b. Sidewalks/Multi-Purpose Asphalt Path. Sidewalks shall be installed by Developer of the Site on the Site side along the frontage of Camby Village Boulevard. Sidewalks shall be installed on both sides of the new streets in the Site. In lieu of a sidewalk along Kentucky Avenue, Developer of the Site shall install a 10' wide multi-purpose asphalt path along Kentucky Avenue as approximately depicted on the Conceptual Site Plan. Such multi-purpose asphalt path may be installed in sections and such

installation for each section shall occur within six (6) months of the recording of the Final Plat for each portion of the Site which contains the real estate upon which that particular section of the path shall be located.

- c. Street Lights. The Site shall have uniformed street lights at each intersection and no more than 500' apart between intersections. Street lights shall conform with the standards of the Zoning Ordinance and shall be maintained by the Homeowners' Association ("HOA") to be formed by the Developer of the Site.
 - d. Signage. Signage within the Site, including neighborhood entrance identification signage, directional or informational signage, and any amenity area signage shall be subject to the approval of the Administrator of the Department of Metropolitan Development.
 - e. Stormwater. The Developer of the Site, subject to DPW's approval, shall install stormwater detention ponds as approximately depicted on the attached Conceptual Site Plan. All detention ponds shall be maintained by the HOA.
 - f. Phasing of Development. The Site shall be constructed in multiple phases.
- E. Amenities. Amenities within the Site shall include but are not limited to the following:
- Playground area
 - Multipurpose trails
 - Landscaping in common areas
 - Tree preservation (along property lines)

The above amenities shall be installed by the Developer of the Site prior to the completion of the Site and turnover to the HOA.

In addition to the Multi-Purpose Asphalt Path along Kentucky Avenue described in Section D.b. above, Developer of the Site shall install five-foot (5') wide multi-purpose asphalt paths within the Site, as approximately shown on the Conceptual Site Plan, which will be maintained by the HOA. The 5' wide multi-purpose asphalt paths may be installed in sections and such installation for each section shall occur within six (6) months of the recording of the Final Plat for each portion of the Site which contains the real estate upon which that particular section of the path shall be located.

- F. Homeowners' Association / Covenants. The following shall apply to the Site and shall be incorporated into the Declaration of Covenants, Conditions and Restrictions ("Covenants") for the Site that shall be recorded prior to or simultaneously with the final plat for the Site. The Homeowners' Association ("HOA") shall be established by the Developer of the Site pursuant to the terms of the Covenants and the HOA shall govern the Site by the Covenants.
- a. The Covenants shall apply to all the real estate within the Site.
 - b. The maintenance and upkeep of the Open Space within the Site including the detention ponds, common areas and amenities shall be the responsibility of the HOA.

- c. Upon the sale of 80% of the homes within the Subdivision the Developer of the Site shall work with the homeowners within the Development to establish a Homeowner Board of Directors to be responsible for management of the HOA.
- d. Mini-barns or outside storage sheds shall be prohibited within the Site.
- e. Above ground swimming pools shall be prohibited within the Site, excluding small inflatable pools that are no larger than 25 square feet which shall be stored out of sight when not in use.
- f. Basketball goals shall be prohibited within the Site.
- g. No campers, motor homes, buses, truck trailers, boats or other recreational vehicle shall be stored on any common area, public street, or Lot in public view, nor shall unlicensed or disabled vehicles be stored outdoors within the Site.

EXHIBIT B - 2022 C-S STATEMENT

Third Amended C-S Statement

Petitioner respectfully requests that the approximately 58.5 acre +/- site (the "Site") located at the northeast corner of Kentucky Avenue and Camby Village Boulevard (the "Intersection") be rezoned to the C-S district to provide for residential and commercial uses on the Site.

The development proposed by Petitioner includes a Commercial Area and a Residential Area. Attached as Exhibit A is a proposed preliminary Conceptual Site Plan, which approximately depicts the proposed development ("Conceptual Site Plan").

A. Commercial Area.

1. **Uses:** All permitted, accessory, temporary and special exception uses permitted in the C-3 zoning district set forth in the Zoning Ordinance shall be permitted on approximately 2 acres at the northeast corner of the Intersection (the "Commercial Area"); provided that the following uses shall not be permitted within the Commercial Area:
 - a. Plasma center
 - b. Substance abuse treatment facility
 - c. Check cashing service
 - d. Tattoo parlor
 - e. Adult entertainment (live and retail)
 - f. Bar; provided that a restaurant that serves alcohol or has a bar area shall be permitted
 - g. Night club
 - h. Extended stay hotel
 - i. Firearm sales
 - j. Fireworks sales (including temporary)
 - k. Liquor store
 - l. Pawn shop
 - m. Gas station
 - n. Vape shop
 - o. Tobacco shop (stand-alone kind)
2. **Site Development:** Development within the Commercial Area shall comply with the development standards for C-3 Zoning District as set forth in the Zoning Ordinance. The Commercial Area shall include a 10' wide multi-purpose asphalt path along Kentucky Avenue as approximately depicted on the Conceptual Site Plan. The multi-purpose asphalt path shall be installed by the Developer of the Commercial Area within six (6) months of the recording of the Final Plat for the Commercial Area.

B. Residential Area: A residential neighborhood shall be developed on approximately 56.5 acres near the northeast corner of the Intersection (the "Residential Area"), which shall include approximately 20 acres of open space and two types of residential sections as follows:

1. **Single-Family Detached Section:** The easternmost portion of the Residential Area shall include single-family detached residences, as approximately depicted as Lots 1-133 on the attached Conceptual Site Plan (the “Single-Family Detached Section”).

- a. **Uses:** All permitted, accessory, temporary and special exception uses permitted in the D-4 zoning district set forth in the Zoning Ordinance shall be permitted within the Single-Family Detached Section.
- b. **Development Standards:** The following development standards shall apply to the Single-Family Detached Section:

Maximum Dwelling Units	133
Minimum Lot Area	6,000 sf
Minimum Lot Width	50'
Minimum Lot Frontage	25'
Minimum Open Space	50%
Maximum Height	35' for a primary structure 24' for accessory structure
Minimum Main Floor Area (sq. ft.)	1,200 sq. ft. for one-story 600 sq. ft for two-story
Minimum Front Yard Building Setback	20'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	20'
Minimum Distance Between Homes	10'

- c. **Architectural Standards:** The following development standards shall apply to the Single-Family Detached Section:
 - i. Permitted exterior materials shall include but are not limited to brick, stone, wood, cement fiber board, stucco, shake, board and batten, and E.I.F.S. Vinyl siding and aluminum siding are prohibited.
 - ii. All homes shall contain a minimum of brick or stone wainscot on the front and side façade up to the bottom of the first-floor windows excluding doors and garage doors.
 - iii. Unless adjacent to brick or stone, all front façade windows shall have a minimum nominal one-inch by four-inch wood or fiber surround trim, shutters or decorative trim or headers.
 - iv. All homes shall have a minimum Roof Pitch of five to twelve (5:12) for the primary Roof Pitch. Ancillary roofs (including but not limited to porches, garage extensions, overhangs, sunrooms, and third car garages with separate roof structures) shall not be considered primary roof for the purposes of the five to twelve (5:12) Roof Pitch requirement.

- v. All homes shall have a minimum of a twelve (12") inch overhang on homes where the sides consist of siding at the eaves, and a minimum of an eight (8") inch gable overhang on homes where the sides consist of brick at the eaves. This measurement does not include the gutter system.
- vi. All homes shall have dimensional or architectural grade roof shingles.
- vii. All homes shall have a minimum two car garage with a minimum size of 380 sq. ft. Third car garages shall have a separate door and shall be recessed a minimum of two (2') feet from the other bays.
- viii. All homes shall have a minimum of two dusk to dawn carriage lights on the front of each garage.
- ix. All homes shall have fully sodded front yards installed by the home builder including the area between the street and sidewalk. The rear and side yards shall be seeded by the home builder.
- x. All homes shall include at least one (1) front yard tree, with corner lots to include an additional two (2) trees in the street side yard, with all being a minimum two-inch (2") caliper at time of planting. In addition, all homes will include a minimum of twelve (12) shrubs or bushes in the front foundation planting bed and all shrubs or bushes will be at least eighteen inches (18") in height at the time of planting.
- xi. Homes shall have individual mailboxes to be installed by the developer for each house and shall be uniform in design. Mailboxes will be installed in accordance with the direction of the local United States Postal Service.
- xii. All homes shall have a street number permanently affixed to the front of the home.
- xiii. All homes shall have hard surfaced driveways with concrete.
- xiv. The same home elevation will not be constructed on an adjacent lot or directly across the street.

2. **Paired-Patio Section:** The western portion of the Residential Area shall include paired patio homes, as approximately depicted as Lots 134-159 (each numbered Lot shall contain one building with two attached units) on the attached Conceptual Site Plan (the "Paired Patio Section").

- a. **Uses:** All permitted, accessory, temporary and special exception uses permitted in the D-5II zoning district set forth in the Zoning Ordinance shall be permitted within the Paired Patio Section.
- b. **Development Standards:** The following development standards shall apply to the Paired Patio Section:

Maximum Dwelling Units	52
Minimum Lot Area, Two Family	11,000 sf
Minimum Lot Width, Two Family	90'
Minimum Lot Frontage, Two Family	60'
Minimum Open Space	40%

Maximum Height	35' for a primary structure 24' for accessory structure
Minimum Main Floor Area (sq. ft.)	1,200 sf for one-story 800 sf for two-story
Minimum Front Yard Building Setback	20'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	20'
Minimum Distance Between Buildings	10'

- c. **Architectural Standards:** The following development standards shall apply to the Paired Patio Section:
- i. Permitted exterior materials shall be brick, stone, wood, fiber cement, stucco, shake, board and batten, and EFIS. Vinyl siding and aluminum siding are prohibited.
 - ii. All homes shall contain a minimum of brick or stone wainscot on the front and side façade up to the bottom of the first-floor windows excluding doors and garage doors.
 - iii. Unless adjacent to brick or stone, all front façade windows shall have a minimum nominal one-inch by four-inch wood or fiber surround trim, shutters and decorative trim or headers.
 - iv. The roof pitch over the primary body of the homes shall be a minimum of 5/12 and each home shall have a minimum of 12-inch overhang on all sides. Ancillary roofs (including but not limited to porches, garage extensions, overhangs, sunrooms, each with separate roof structures) shall not be considered as primary body and may have less than 5/12 pitch.
 - v. All homes shall have dimensional or architectural grade roof shingles.
 - vi. Each home (dwelling) shall have an attached 2-car garage with a minimum size of 380 square feet.
 - vii. The total width of front facing garage doors of the buildings (2 dwellings) shall not exceed 50% of the front façade width.
 - viii. All homes shall have a minimum of two dusk to dawn lights on the front of each garage.
 - ix. All homes shall have fully sodded front yards installed by the home builder including the area between the street and sidewalk. The rear and side yards shall be seeded by the home builder.
 - x. Each home (dwelling unit) shall have a minimum of one (1) shade or ornamental tree and eight (8) shrubs.
 - xi. All homes shall have uniform mailboxes.
 - xii. All homes shall have a street number permanently affixed to the front of the home.
 - xiii. All homes shall have hard surfaced driveways of concrete.
 - xiv. No home with the same front yard facing elevation shall be built next door to a home with the same front yard facing elevation.

3. **General Development Standards:** The following general development standards shall apply to the Residential Area:
- a. **Streets.** The streets within the Residential Area shall be built in accordance to Indianapolis Department of Public Works (“DPW”) current standard of 28’ wide back to back of curb and 24’ wide pavement. On street parking shall be permitted on both sides of the streets within the Development.
 - b. **Sidewalks/Multi-Purpose Asphalt Path.** Sidewalks shall be installed by Developer of the Residential Area on the Residential Area side along the frontage of Camby Village Boulevard. Sidewalks shall be installed on both sides of the new streets in the Residential Area. In lieu of a sidewalk along Kentucky Avenue, Developer of the Residential Area shall install a 10’ wide multi-purpose asphalt path along Kentucky Avenue as approximately depicted on the Conceptual Site Plan. Such multi-purpose asphalt path may be installed in sections and such installation for each section shall occur within six (6) months of the recording of the Final Plat for each portion of the Residential Area which contains the real estate upon which that particular section of the path shall be located.
 - c. **Street Lights.** The Residential Area shall have uniformed street lights at each intersection and no more than 500’ apart between intersections. Street lights shall conform with the standards of the Zoning Ordinance and shall be maintained by the Homeowners’ Association (“HOA”) to be formed by the Developer of the Residential Area.
 - d. **Signage.** Signage within the Residential Area, including neighborhood entrance identification signage, directional or informational signage, and any amenity area signage shall be subject to the approval of the Administrator of the Department of Metropolitan Development.
 - e. **Stormwater.** The Developer of the Residential Area, subject to DPW’s approval, shall install stormwater detention ponds as approximately depicted on the attached Conceptual Site Plan. All detention ponds shall be maintained by the HOA.
 - f. **Phasing of Development.** The Residential Area shall be constructed in multiple phases.
4. **Open Space and Amenities.** The Residential Area shall have a minimum amount of permanent open space of 20 acres or approximately 35% of the total land area. Amenities within the Residential Area shall include but are not limited to the following:
- Playground area
 - Multipurpose trails
 - Landscaped entry area
 - Landscaping in common areas
 - Tree preservation (along property lines)

The above amenities shall be installed by the Developer of the Residential Area prior to the completion of the Residential Area and turnover to the HOA.

In addition to the Multi-Purpose Asphalt Path along Kentucky Avenue described in Section B.3.b above, Developer of the Residential Area shall install five-foot (5') wide multi-purpose asphalt paths within the Residential Area, as approximately shown on the Conceptual Site Plan, which will be maintained by the HOA. The 5' wide multi-purpose asphalt paths may be installed in sections and such installation for each section shall occur within six (6) months of the recording of the Final Plat for each portion of the Residential Area which contains the real estate upon which that particular section of the path shall be located.

5. **Homeowners' Association / Covenants.** The following shall apply to the Residential Area and shall be incorporated into the Declaration of Covenants, Conditions and Restrictions ("Covenants") for the Residential Area that shall be recorded prior to or simultaneously with the final plat for the Residential Area. The Homeowners' Association ("HOA") shall be established by the Developer of the Residential Area pursuant to the terms of the Covenants and the HOA shall govern the Residential Area by the Covenants.
 - a. The Covenants shall apply to all the real estate within the Residential Area.
 - b. The maintenance and upkeep of the Open Space within the Residential Area including the detention ponds, common areas and amenities shall be the responsibility of the HOA.
 - c. Within the Paired Patio Section, the HOA shall be responsible for lawn mowing and treatment, snow removal and routine cleaning and maintenance of the following exterior elements of the homes in the Paired Patio Section: siding, shutters, trim and roof, provided that the HOA shall not be responsible for replacement of such exterior elements.
 - d. Upon the sale of 80% of the homes within the Residential Area the Developer of the Residential Area shall work with the homeowners within the Development to establish a Homeowner Board of Directors to be responsible for management of the HOA.
 - e. Mini-barns or outside storage sheds shall be prohibited within the Residential Area.
 - f. Above ground swimming pools shall be prohibited within the Residential Area, excluding small inflatable pools that are no larger than 25 square feet which shall be stored out of sight when not in use.
 - g. Basketball goals shall be prohibited within the Residential Area.
 - h. No campers, motor homes, buses, truck trailers, boats or other recreational vehicle shall be stored on any common area, public street, or Lot in public view, nor shall unlicensed or disabled vehicles be stored outdoors within the Residential Area.



View of site looking north across Camby Village Boulevard entrance



View of site looking north across Camby Village Boulevard



View of site looking north across Camby Village Boulevard



View of site looking northwest across intersection of Camby Village Boulevard and Hollander Drive



View from site looking south



View from site looking south



View from site looking northwest



View from site looking east



View from site looking southeast



View of site looking north across Hollander Drive