

From: [Graham, David](#)
To: [Andy Cook](#); [Robert Horkay](#); [John Dippel](#); [Jim Ake](#); [Steve Hoover](#); [Bob Smith](#); [Cindy Spoljaric](#); [Rob Stokes](#); [APC](#); [Matt Skelton](#); [Andrew Murray](#)
Cc: [Randy Zentz \(randyzentz@me.com\)](#); [johnandheatherdietz@mac.com](#); [bmh10999@hotmail.com](#); [David A. Graham \(dgraham1969@me.com\)](#)
Subject: Viking Meadows PUD Enforcement Deficiencies
Date: Monday, October 29, 2012 11:30:39 AM
Attachments: [Viking Meadows Combined Information.pdf.pdf](#)
[VM Ordinance New Highlighted.pdf.pdf](#)

Mayor Cook, City Council Members and APC Members:

I am writing on behalf of the Viking Meadows Homeowners Advisory Committee. Attached is a letter from our committee that was delivered to each of you at City Hall on Friday with regard to our ongoing concerns related to the City's enforcement of the PUD Ordinance governing the development of Viking Meadows. Also attached are detailed plat maps and pertinent sections of the PUD Ordinance that relate to our specific concerns. It is our hope that City officials will take action immediately to protect homeowners and enforce the developer's compliance with the standards outlined in the PUD Ordinance as envisioned by the residents of Viking Meadows. Until the known deficiencies are resolved, we are requesting the City place a moratorium on additional building permits and table the consideration of any new amendments to the PUD.

Respectfully,

David Graham
15743 Viking Lair Rd
Westfield, IN 46074



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Executive Assistant

Karen Childress
317.805.5092

October 25, 2012

The Honorable Andrew Cook, Mayor, City of Westfield
Westfield City Council Members
Westfield APC Members

We are writing on behalf of the Viking Meadows Homeowners Advisory Committee to request the City of Westfield and our elected officials take immediate action to enforce multiple violations we have identified with regard to the PUD Ordinance governing the Viking Meadows Development.

As you are aware, almost two years ago, a committed group of Viking Meadows residents came together to engage in a constructive dialogue with Pulte and our city officials with regard to Pulte's proposed amendment to the existing PUD ordinance. Throughout the negotiations, residents sacrificed many items of value contained in the original PUD standards in an effort to secure commitments from Pulte and city officials with regard to guaranteed façade varieties, enhanced landscape buffering, installation of additional common areas and improvements to the neighborhood amenity center, among other items. Our intention throughout the process was to preserve as much of the character originally envisioned for Viking Meadows as possible and to protect our property values to the greatest extent possible given the economic realities of the time. There was much give and take throughout the process, but ultimately the majority of neighborhood residents reluctantly agreed to support the PUD Amendment. We viewed the compromise as the most constructive path forward for all stakeholders: homeowners, the city of Westfield and Pulte.

Throughout the process we acted in good faith and were assured by our elected city officials that we earned their respect for our businesslike and transparent management. At every turn, we were promised by our elected leaders that we would have their full support in holding the developer fully accountable to compliance with the newly amended PUD standards. Over the course of the last 18 months, the developer has experienced significant success with the construction and sale of more than 100 new homes and the neighborhood is bustling with activity. Additionally, the developer has followed through on high profile commitments made to homeowners with regard to completion of neighborhood amenities such as the community pool.

Unfortunately, through our own due diligence, we have discovered that numerous deficiencies also exist with regard to the developer's adherence to the PUD Ordinance and the City's enforcement of same, all of which are significant to residents. The known deficiencies are outlined herein:

1. Violation of the façade variety code with two homes of the same color on Bright Beam Court.
2. Lack of follow-through on the establishment and construction of the 30 foot common area to the east of lots 24 through 33 and the subsequent discovery of an error in the city approved secondary plat that reduces the width of the common area behind lot 33. This is in direct conflict with the PUD language as well as its' intent. (Exhibit A)
3. Failure to establish and construct a 15 foot landscape easement to the south of lots 33 through 36. It appears the city approved the secondary plat without the inclusion of the landscape easement as required in the PUD. (Exhibit B)

4. Failure to install parkway trees as required in the PUD.
5. Approval of a building permit for construction of a home in the Valley View section that is in direct violation of the standards.
6. Failure to properly complete the PUD required 156th street landscape buffer in terms of the required height, undulations and landscaping.

In addition to these deficiencies, which have been documented by community residents and brought to the attention of city staff and the developer, we are aware that Pulte is proposing an amendment to the PUD enabling the construction of an additional home (or homes) in the Valley View section that violates the building standards and also calls for significant modification of the PUD required landscape buffer along the Monon Trail. Viking Meadows residents strenuously object to both proposals.

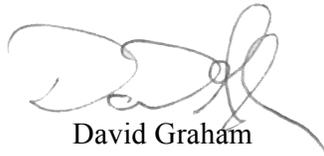
In light of the magnitude of the identified deficiencies and the rapid pace of poorly regulated development within the neighborhood, we respectfully request that the city place an immediate moratorium on the issuance of building permits within Viking Meadows and further table consideration of all proposed and future amendments to the PUD Ordinance until the aforementioned deficiencies can be adequately addressed by the developer and city staff. We believe this course of action is the only prudent alternative available in order to protect Viking Meadows residents from further diminishment of property values resulting from city government's inability, or unwillingness, to enforce the PUD Ordinance and protect the residents of Viking Meadows from even further financial harm.

As residents and taxpayers within the city, *we view the PUD requirements as the minimum acceptable standards for our community* and expect the city to immediately hold the developer accountable to both the letter and spirit of the PUD - no more, no less. As volunteer representatives of our neighborhood we are requesting the opportunity to discuss our concerns with city officials prior to the November 5 Advisory Plan Commission hearing. We've asked Randy Zentz to serve as your central point of contact for the establishment of a meeting.

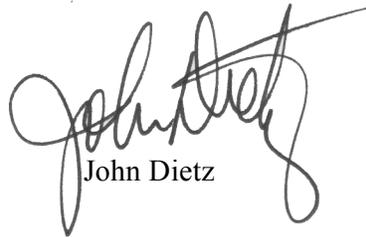
Sincerely,



Randy Zentz



David Graham



John Dietz



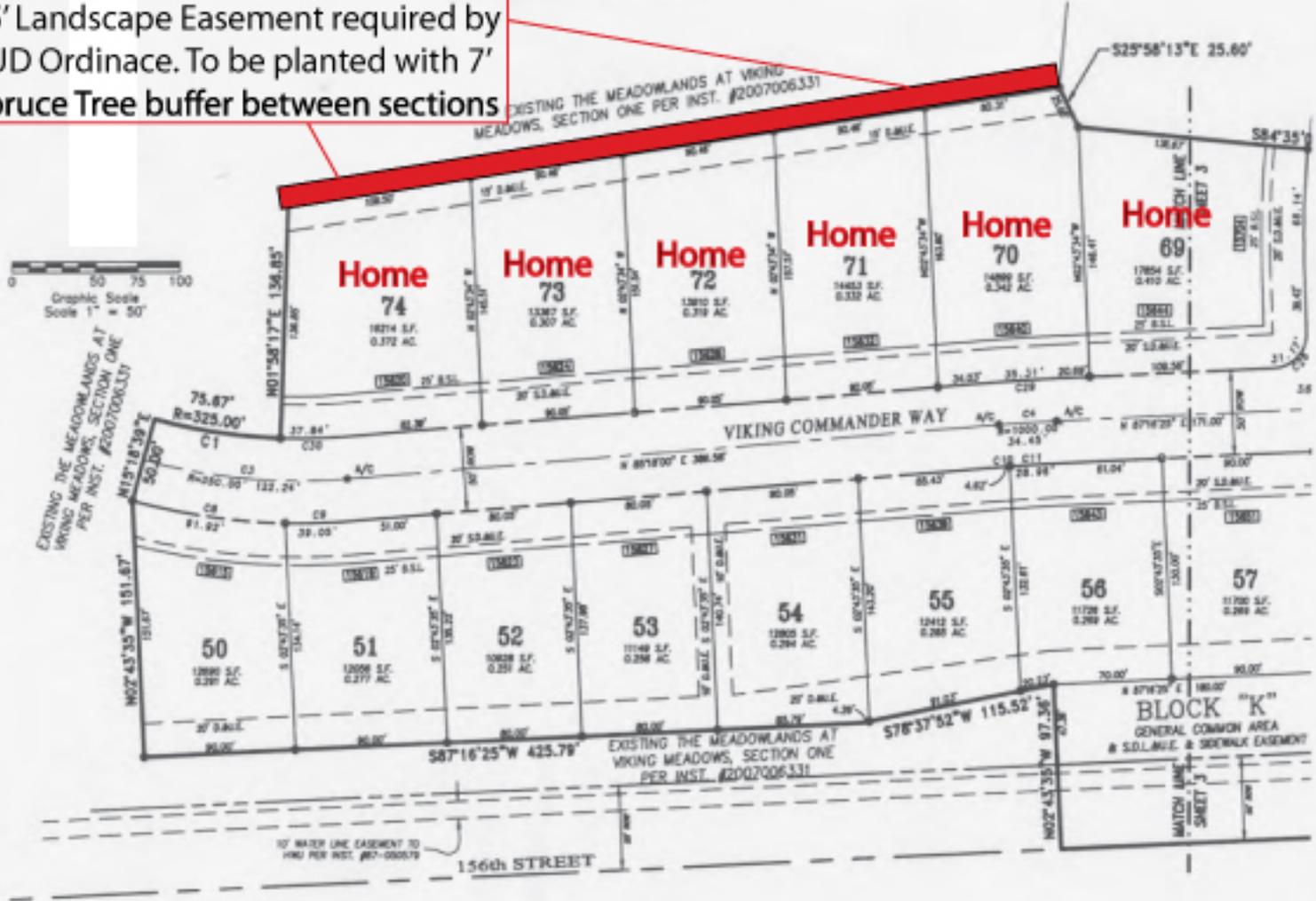
Brian Harris

Cc: Westfield Community Development, Residents of Viking Meadows

Pc4 slide 735

THE MEADOWLANDS AT VIKING MEADOWS SECTION TWO Secondary Plat

15' Landscape Easement required by PUD Ordinance. To be planted with 7' Spruce Tree buffer between sections



281106091 PLAT
11/20/2011 11:28:17A 3 PDS
11/20/2011 11:28:17A County Recorder IN
Recorded as Permitted

LEGEND:

- A/C represents a 3/8 inch diameter rebar with aluminum cap to be set to mark street cantarina control of intersections, points of curvature and points of tangency.
- C/M represents a concrete monument, 4 inches square by 36 inches in length to be set to mark major corners of the perimeter of the subdivision.
- All other lot corners to be marked with a 3/8 inch diameter rebar with a plastic cap stamped Weihe Eng. 0012.
- D.&U.E. - Drainage and Utility Easement
- S.D.&U.E. - Sanitary sewer, Drainage and Utility Easement.
- S.D.L.A.U.E. - Sanitary sewer, Drainage, Landscaping and Utility Easement.
- B.S.L. - Building Setback Line
- ROW - Right-of-Way

BUILDING SETBACK REQUIREMENTS:
 Front yard: 25'
 Side yard: 5' Min., 14' between residences
 Rear yard: 25'



Witness my signature this 15th day of November, 2011
 Brady Kuhn
 BRADY KUHN, Reg. L.S. Indiana Number 20500007

<p>This instrument prepared for:</p> <p>11190 N. Meridian Street, Ste. 130 Carmel, IN 46032</p>	<p>This instrument prepared by:</p> <p>WEIHE ENGINEERS Land Surveying Civil Engineering Landscape Architecture</p> <p>38802 N. College Avenue Indianapolis, Indiana 46284 weihe.net 317.842.8411 800.422.3448 317.842.3144, fax ALLIANCE WITH THE LAND</p>
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281106091 PLAT
 11/20/2011 11:28:17A 3 PDS
 11/20/2011 11:28:17A County Recorder IN
 Recorded as Permitted

THE MEADOWLANDS AT VIKING MEADOWS SECTION THREE
Secondary Plat

2012040801 PLAT
08/17/2012 11:53 AM 4 PLS
APPL. FOR CLERK
RECORDED BY RECORDER 28
RECORDED AS PRESENTED

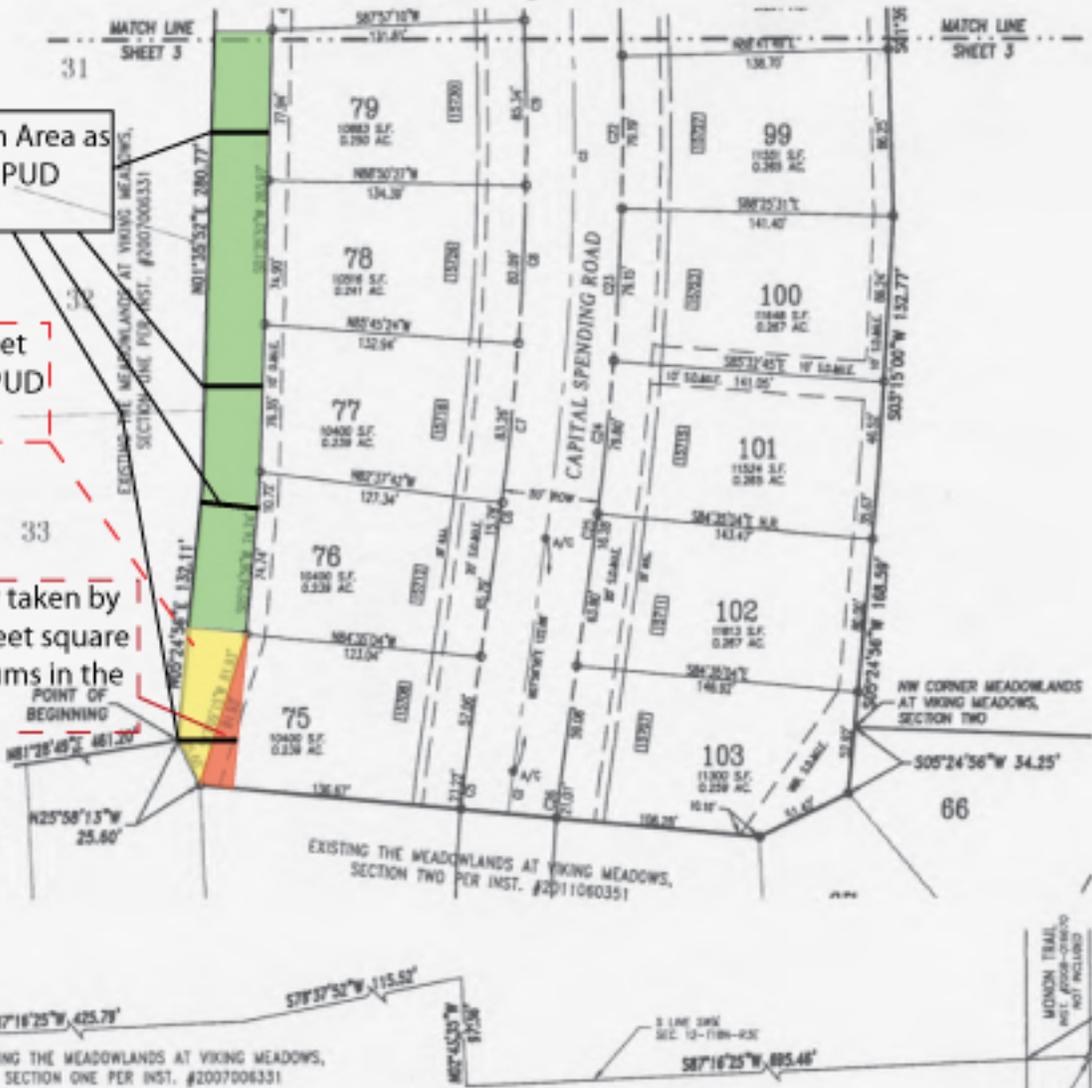
30' Common Area as required by PUD Ordinance

Area fails to meet MINIMUMS of PUD Ordinance.

Area wrongfully taken by developer to meet square footage minimums in the PUD Ordinance.

2012040801 PLAT
08/17/2012 11:53 AM 4 PLS
APPL. FOR CLERK
RECORDED BY RECORDER 28
RECORDED AS PRESENTED

- LEGEND:
- A/C represents a 5/8 inch diameter rebar with aluminum cap to be set to mark street centerline located at intersections, points of curvature and points of tangency.
 - C/W represents a concrete monument, 4 inches square by 36 inches in length to be set to mark sharp corners of the subdivision.
 - All other lot corners to be marked with a 1/2 inch diameter rebar with a plastic cap stamped "Weih Eng. 2012"
 - S&U.C. - Drainage and Utility Easement
 - S&U.S.E. - Sewer, Drainage and Utility Easement
 - S&L&L.C. - Sewer, Drainage, Landscaping and Utility Easement
 - S.S.L. - Building Setback Line
 - R/W - Right-of-Way
 - N.E. - Non-Noted



Witness my signature this 6 day of August 2012
 Brady Kuhn, Reg. L.S. Indiana Number 20600007

BUILDING SETBACK REQUIREMENTS
 Front yard 20'
 Side yard 4' @ 14' between residences
 Rear yard 25'

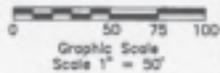


This instrument prepared by: **BRADY KUHN**

This instrument prepared by: **BRADY KUHN**

WEIHE ENGINEERS
 Land Surveying, Civil Engineering
 Landscape Architecture

18101 N. College Avenue
 Indianapolis, Indiana 46229
 weihe.com
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 800.452.6498
 317.643.2549 fax
 GUYTON, KIMBERLY L. PHD.D.



2010068626 ORDINANCE \$84.00
 12/20/2010 10:01:23A 37 PGS
 Jennifer J Hayden
 HAMILTON County Recorder IN
 Recorded as Presented



ORDINANCE 10-30

Document Cross Reference No. 200500022608

AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING AN AMENDMENT TO THE VIKING MEADOWS PLANNED UNIT DEVELOPMENT BEING THAT OF ORDINANCE 04-22 AND TITLE 16 -- LAND USE CONTROLS

WHEREAS, The City of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield-Washington Township Zoning Ordinance (the "Zoning Ordinance"), enacted by the City of Westfield under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended;

WHEREAS, the Westfield-Washington Township Advisory Plan Commission (the "Plan Commission") considered a petition (Docket 1010-PUD-11), filed with the Plan Commission requesting an amendment to Ordinance No. 04-22, the Viking Meadows Planned Unit Development District Ordinance and Concept Plan (the "Viking Meadows PUD"), enacted by the Westfield Town Council on June 14, 2004;

WHEREAS, on December 6, 2010, the Plan Commission took action to forward Docket 1010-PUD-11 to the Westfield City Council with a positive recommendation in accordance with Indiana Code 36-7-4-608, as required by Indiana Code 36-7-4-1505;

WHEREAS, on December 7, 2010, the Secretary of the Plan Commission certified the action of the Plan Commission to the City Council; and,

WHEREAS, the Westfield City Council is subject to the provisions of the Indiana Code 36-7-4-1507 and 36-7-4-1512 concerning any action on this request.

NOW, THEREFORE, BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT ORDINANCE 04-22 AND TITLE 16 OF THE WESTFIELD CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

Section 1. Applicability of Ordinance.

- 1.1 This ordinance shall hereafter be referred to as the Viking Meadows PUD Amendment Ordinance (this "Ordinance").
- 1.2 This Ordinance applies to the subject real estate, generally described as Parcels A and B of the Viking Meadows PUD, and more particularly described in Exhibit A attached hereto (the "Real Estate").
- 1.3 All other provisions of the Viking Meadows PUD shall remain in effect with the adoption of this Ordinance.

- 1.4 All provisions and representations of the Zoning Ordinance or Viking Meadows 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 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Viking Meadows PUD or as otherwise ascribed to them in the Zoning Ordinance, in effect on the date of the enactment of this Ordinance.

- 2.1 **Meadowlands Section One.** Shall mean and refer to the real estate described and platted as "The Meadowlands at Viking Meadows Section One" Secondary Plat on February 1, 2007, as Instrument No. 2007006331 in the Office of the Recorder of Hamilton County, Indiana.
- 2.2 **Two Gaits Section One.** Shall mean and refer to the real estate described and platted as "Two Gaits at Viking Meadows Section One" Secondary Plat on December 31, 2007, as Instrument No. 2007071773 in the Office of the Recorder of Hamilton County, Indiana.
- 2.3 **Veneer.** Shall mean and refer to a nonstructural facing of material used to create part of a home's façade. A "brick veneer" is a veneer utilizing traditional, full-sized bricks.
- 2.4 **Viking Meadows PUD.** Shall mean and refer to The Viking Meadows Planned Unit Development District Ordinance recorded as Instrument No. 200500022608 in the Office of the Recorder of Hamilton County, Indiana and adopted by the Westfield Town Council on June 14, 2004 as Ordinance No. 04-22.

Section 3. **Concept Plan.** The Concept Plan is hereby amended and incorporated as Exhibit B (the "Concept Plan").

Section 4. **Development Standards.**

- 4.1 Exhibit 14 ("Development Standards Matrix – Parcels A, B, C and D") of the Viking Meadows PUD is hereby replaced and superseded, as applicable to the Real Estate, with the attached Exhibit C.
- 4.2 Section 15.2 of the Viking Meadows PUD, as applicable to Parcel B, shall be amended to read as follows: "Parcel B: Two (2) road cuts shall be permitted off of 156th Street into Parcel B, as shown on the Concept Plan; and one (1) road cut shall be permitted off of Oak Ridge Road into Parcel B."
- 4.3 **156th Street/Oak Ridge Cul-de-sac.** The cul-de-sac planned for the northeast corner of Oak Ridge Road and 156th Street (southwest corner of Parcel A as shown on the Concept Plan) shall comply, at a minimum, with the standards applicable to the Parcel A – Meadowlands (Unplatted) Lots (see Exhibits C & E).
- 4.4 **Additional Landscaping Buffer Standards.** The following buffer standards shall apply to those areas of Parcel A which have not yet been developed as of the date of the adoption of this Ordinance, and as further identified below:

- A. Meadowlands Section One Buffer.
- (i) A thirty-foot (30') wide common area shall be created upon the currently undeveloped and unplatted ground lying immediately east of Lots 24 through 33 of Meadowlands Section One. The common area shall include a staggered double row of spruce trees, a minimum of seven feet (7') tall at planting, planted thirty feet (30') on center.
 - (ii) In addition, a staggered double row of spruce trees, a minimum of seven feet (7') tall at planting, planted thirty feet (30') on center, shall be planted in a landscape easement immediately south of Lots 34, 35 and 36 of Meadowlands Section One. The width of the landscape easement shall be determined by the Developer at the time of platting the section of lots to the south of Lots 34, 35 and 36; however, the landscape easement shall be a minimum width of fifteen feet (15').
- B. Parcel A and Monon Trail Buffer.
- (i) At the time the lots in Parcel A adjacent to the Monon Trail (the "Trail Adjacent Lots") are developed, a staggered double row of spruce trees, a minimum of seven feet (7') tall at planting, shall be planted thirty feet (30') on center along the rear of the Trail Adjacent Lots abutting the Monon Trail.
 - (ii) The construction of a direct access point (e.g., path, bridge) to the Monon Trail from an individual Trail Adjacent Lot shall be prohibited unless specifically approved in writing by the City of Westfield prior to construction.
- C. Parcel A and 156th Street Buffer. On the southern perimeter of Parcel A along 156th Street where a mound does not currently exist today (as of the date of the adoption of this Ordinance) with the exception of where the property is already platted as Meadowlands Section One, a forty-foot (40') wide common area shall be provided upon the development of the abutting section. The common area shall include, where feasible (subject, but not limited to the following impediments: easements, floodplains, floodways, retention ponds and lines of sight), an undulating mound, no less than five (5) feet in height, with the following plantings to be located on the mound:
- (i) A double row of spruce trees, a minimum of seven feet (7') tall at planting, planted at a rate of twelve (12) trees per one hundred (100) lineal feet; and
 - (ii) Ornamental trees, a minimum of two-inch (2") caliper at planting, planted at the rate of six (6) trees per one hundred (100) lineal feet.
- D. Parcel A and Oak Ridge Road/161st Street Buffer. On the western perimeter of Parcel A along Oak Ridge Road and the northern perimeter of Parcel A along 161st Street, with the exception of where the property is already platted as Meadowlands Section One, a forty-foot (40') wide

common area shall be provided upon the development of the abutting section. The common area, where feasible (subject, but not limited to the following impediments: easements, floodplains, floodways, retention ponds and lines of sight), shall include an undulating mound, no less than five (5) feet in height, with the following plantings to be located on the mound:

- (i) A double row of spruce trees, a minimum of seven feet (7') tall at planting, planted at a rate of twelve (12) trees per one hundred (100) lineal feet; and
- (ii) Ornamental trees, a minimum of two-inch (2") caliper at planting, planted at the rate of six (6) trees per one hundred (100) lineal feet.

- 4.5 Identification with the City of Westfield. The Developer shall incorporate the addition of the words "of Westfield" to the Real Estate's existing monument signs (the signs that exist at the time of the adoption of this Ordinance) when the sign copy of the existing sign(s) is modified or by December 31, 2012, whichever occurs first. All monument signage erected after the adoption of this Ordinance shall include "of Westfield."

Section 5. Architectural Standards.

- 5.1 Exhibit 16 ("Architectural Standards – Parcel A – 75' Lots"), Exhibit 17 ("Architectural Standards – Parcel A – 85' Lots") and Exhibit 18 ("Architectural Standards – Parcel B") of the Viking Meadows PUD are hereby amended and replaced with the attached Exhibit D ("Architectural Standards – Parcel A – Blue Grass Lots"), Exhibit E ("Architectural Standards – Parcel A – Meadowlands (Unplatted) Lots") and Exhibit G ("Architectural Standards – Parcel B – Two Gaits"), respectively.
- 5.2 Meadowlands Section One. The architectural standards set forth in Exhibit F shall apply to Meadowlands Section One ("Architectural Standards – Parcel A - Meadowlands Section One Lots"). The following Lots in Meadowlands Section One shall also comply with the standards set forth for Parcel B in Exhibit G (except for Sections 1 and 3 thereof): Lot 23, Lot 29, Lot 34 and Lot 48. In addition, the Developer shall offer as available to be constructed on lots in Meadowlands Section One those homes which are offered and marketed to be constructed on lots in Parcel B – Two Gaits Lots.
- 5.3 Section 9.1 of the Viking Meadows PUD, as applicable to Area A, is hereby amended to read as follows: "Up to 58% of the Residences within Parcel A may be developed per architectural standards set forth in what is attached hereto and incorporated herein by reference as Exhibit D, all of which replace and supersede any conflicting provision in the Zoning Ordinance."
- 5.4 Section 9.2 of the Viking Meadows PUD, as applicable to Area A, is hereby amended to read as follows: "At least 42% of the Residences within Parcel A shall either comply with the architectural standards set forth in what is attached

hereto and incorporated herein by reference as Exhibit E or Exhibit F, all of which replace and supersede any conflicting provision in the Zoning Ordinance."

Section 6. Open Space.

- 6.1 Section 13.1 of the Viking Meadows PUD, as applicable to Parcel A, is hereby amended to read as follows: "Within Parcel A, there shall be at least 24.45 acres of open space/green space."

Section 7. Amenities.

- 7.1 The amenities shown on the attached Exhibit H (the "Clubhouse Amenities") shall be completed as follows:
- A. Phase 1 by the earlier of: (i) May 31, 2012, or (ii) within 180 days after the issuance of the 100th single-family building permit within Parcels A and B, combined, following approval of this Ordinance.
 - B. Phase 2 by the earlier of: (i) December 31, 2013, or (ii) within 180 days after the issuance of the 150th single-family building permit within Parcels A and B, combined, following approval of this Ordinance.
 - C. Phase 3 by the earlier of: (i) December 31, 2014, or (ii) within 180 days after the issuance of the 200th single-family building permit within Parcels A and B, combined, following approval of this Ordinance.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

Section 8. Approval. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 13th day of December, 2010.

**WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For

Voting Against

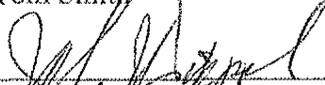
Abstain



Tom Smith

Tom Smith

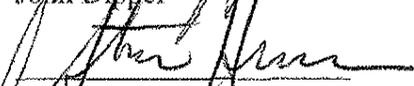
Tom Smith



John Dippel

John Dippel

John Dippel

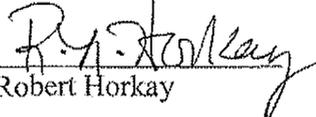


Steve Hoover

Steve Hoover

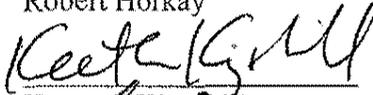
Steve Hoover

Robert Horkay



Robert Horkay

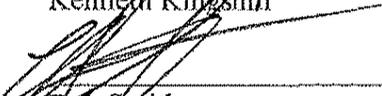
Robert Horkay



Kenneth Kingshill

Kenneth Kingshill

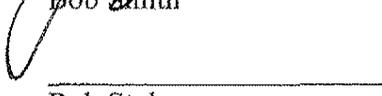
Kenneth Kingshill



Bob Smith

Bob Smith

Bob Smith



Rob Stokes



Rob Stokes

Rob Stokes

ATTEST:


Cindy Gossard, Clerk-Treasurer

**"I affirm, under the penalties of perjury,
that I have taken reasonable care to redact
each Social Security Number in this
document, unless required by law"**



Signed

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Steven D. Hardin.

This Instrument prepared by: Steven D. Hardin, Esq., Baker & Daniels, LLP and
Jesse M. Pohlman, Land Use Consultant, Baker & Daniels, LLP
600 East 96th Street, Suite 600, Indianapolis, Indiana 46240 | (317) 569-9600

I hereby certify ORDINANCE 10-30 was delivered to the Mayor of Westfield on the 14 day of December, 2010, at 11:00 A m.

Cindy Gossard
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 10-30
this 14 day of December, 2010.

J. Andrew Cook
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 10-30
this _____ day of December, 2010.

J. Andrew Cook, Mayor

"I affirm, under the penalties of perjury,
that I have taken reasonable care to redact
each Social Security Number in this
document, unless required by law"

C. Gossard
Signed

SCHEDULE OF EXHIBITS

Exhibit A	Legal Description
Exhibit B	Concept Plan Exhibit
Exhibit C	Amended Development Standards Matrix – Parcels A & B
Exhibit D	Architectural Standards – Parcel A – Blue Grass Lots
Exhibit E	Architectural Standards – Parcel A – Meadowlands (Unplatted) Lots
Exhibit F	Architectural Standards – Parcel A – Meadowlands Section One Lots
Exhibit G	Architectural Standards – Parcel B – Two Gaits Lots
Exhibit H	The Clubhouse Amenities
Exhibit I	Single-Family Home Style Exhibit
Exhibit J	Viking Meadows Façade Variety Code

EXHIBIT A
REAL ESTATE

"PARCEL A"

A part of the Southwest Quarter of Section 12, Township 18 North, Range 3 East, Hamilton County, Indiana, being more particularly described as follows:

Beginning at the northwest corner of the Southwest Quarter of Section 12, Township 18 North, Range 3 East, Hamilton County, Indiana; thence North 87 degrees 45 minutes 58 seconds East (assumed bearing) on the north line of said Southwest Quarter 2274.66 feet; thence South 00 degrees 00 minutes 00 seconds East 790.25 feet; thence North 90 degrees 00 minutes 00 seconds East 281.45 feet to a point on the west right-of-way line of the Monon Railroad; thence South 00 degrees 09 minutes 41 seconds East on said west right-of-way line 1810.31 feet to a point on the south line of said Southwest Quarter; thence South 87 degrees 16 minutes 25 seconds West on said south line 2558.29 feet to the southwest corner of said Southwest Quarter; thence North 00 degrees 05 minutes 20 seconds West on the west line of said Southwest Quarter 837.03 feet to a corner of the real estate described in Instrument No. 2001-22531 in the Office of the Recorder of Hamilton County, Indiana; thence the following nine calls on the perimeter of said real estate: 1.) North 89 degrees 55 minutes 23 seconds East 17.78 feet; 2.) North 09 degrees 00 minutes 01 seconds East 45.57 feet; 3.) North 00 degrees 04 minutes 37 seconds West 95.00 feet; 4.) North 33 degrees 56 minutes 33 seconds East 48.26 feet; 5.) North 00 degrees 04 minutes 37 seconds West 25.00 feet; 6.) North 23 degrees 49 minutes 35 seconds West 54.63 feet; 7.) North 00 degrees 04 minutes 37 seconds West 90.00 feet; 8.) North 15 degrees 30 minutes 37 seconds West 46.68 feet; 9.) South 89 degrees 55 minutes 23 seconds West 17.63 feet to a point on the west line of said Southwest Quarter; thence North 00 degrees 05 minutes 20 seconds West on said west line 1406.55 feet to the Point of Beginning, containing 148.37 acres, more or less.

Subject to all easements, restrictions, and rights-of-way of record.

"PARCEL B"

A part of the Northwest Quarter of Section 13, Township 18 North, Range 3 East, Hamilton County, Indiana, being more particularly described as follows:

Beginning at the northwest corner of the Northwest Quarter of Section 13, Township 18 North, Range 3 East, Hamilton County, Indiana; thence North 87 degrees 16 minutes 25 seconds East (assumed bearing) on the north line of said Northwest Quarter 1952.56 feet to a point which is on the easternmost line of the real estate described in Instrument No. 97-45676 (Exhibit D) in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 02 minutes 41 seconds East on the east line of said real estate 1323.73 feet to a point on the south line of the North Half of said Northwest Quarter; thence South 87 degrees 36 minutes 09 seconds West on said south line 1917.12 feet to the southeast corner of the real estate described in Instrument No. 2001-22530; thence the following five calls on the perimeter of said real estate: 1.) North 00 degrees 02 minutes 27 seconds West 24.96 feet; 2.) North 15 degrees 12 minutes 51 seconds East 57.01 feet; 3.) North 11 degrees 48 minutes 33 seconds West 122.58 feet; 4.) North 00 degrees 02 minutes 27 seconds West 90.00 feet; 5.) South 89 degrees 57 minutes 33 seconds West 24.11 feet to a point on the west line of said Northwest Quarter; thence North 00 degrees 05 minutes 26 seconds West on said west line 1021.12 feet to the Point of Beginning, containing 58.78 acres, more or less.

Subject to all easements, restrictions, and rights-of-way of record.

VIKING MEADOWS

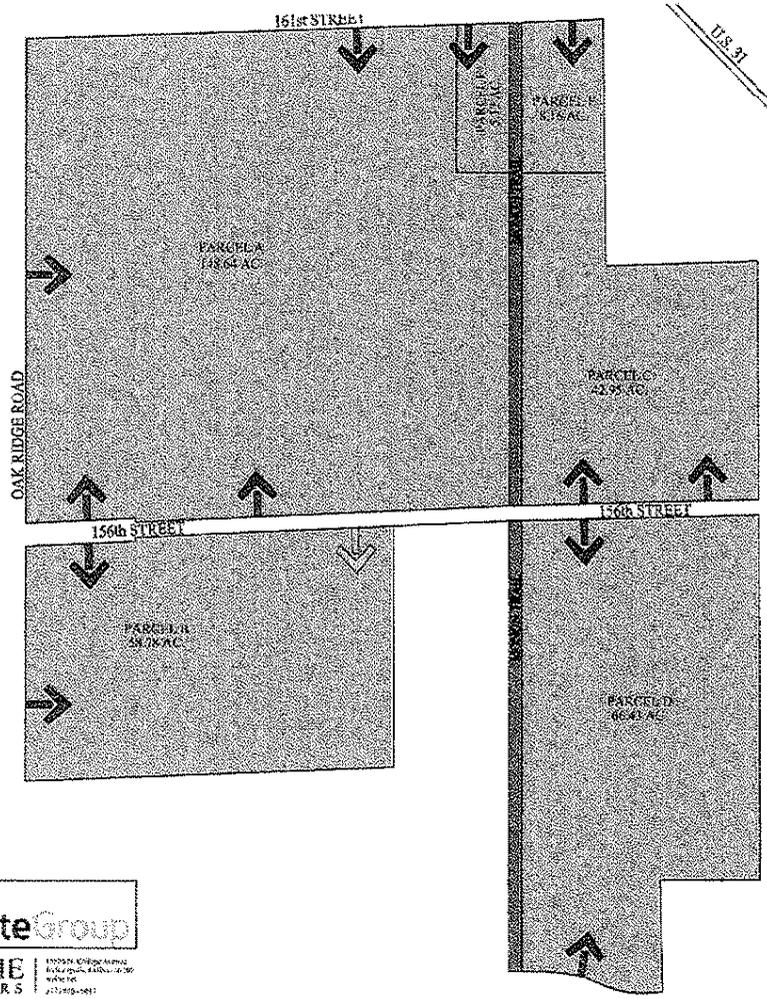
CONCEPT PLAN
Date: SEPTEMBER 27, 2010

LEGEND

-  = APPROXIMATE LOCATION OF ACCESS POINTS
-  = APPROXIMATE LOCATION OF NEW ACCESS POINT

RESIDENTIAL/ LOCAL BUSINESS DENSITY = 1.49 LOTS/ACRE
OR
RESIDENTIAL/ MULTIFAMILY DENSITY = 2.15 LOTS/ACRE

EXHIBIT B
CONCEPT PLAN



SCALE: 1" = 500'
0 100 200 300
Page 1 of 1



EXHIBIT C
AMENDED DEVELOPMENT STANDARDS MATRIX

Parcels A and B: Residential Development Standards

Parcel	Base Underlying Zoning	Max. # of Units	Min. Lot Width		Min. Lot Area (SF)	Max. Bldg. Height	Minimum Building Setbacks			Min. Home Size (SF)		Parcel Size (acres)	Density (du/acre)	Architectural Standards
			at Bldg Setback Line	at Right of Way			Front	Side	Rear	1-Story	2-Story			
A ("Blue Grass")	SF-2	178	65'	40'	8,450	35'	25'	5' min. 14' Aggregate Between Structures	25'	1,800	2,000	148.64	2.20	See Exhibit D
A ("Meadowlands")	SP-2	148	80'	40'	10,400	35'	25'	5' min. 14' Aggregate Between Structures	25'	2,000	2,200			See Exhibit E See Exhibit F for Section One
B ("Two Gaits")	SF-2	70	95'	50'	12,000	25'	25'	5' min. 18' Aggregate Between Structures	25'	2,400	2,600	58.78	1.20	See Exhibit G

EXHIBIT D

(Replaces Exhibit 16 of the Viking Meadows PUD)

**ARCHITECTURAL STANDARDS
PARCEL A – BLUE GRASS LOTS**

- 1) **Lot Width:**
Minimum of 65 ft. at front building line
- 2) **Minimum Square Footage:**
One-story home: 1800
Two-story home: 2000
- 3) **Side Yard Setbacks:**
5 ft. minimum
14 ft. minimum between residences
- 4) **Minimum Roof Pitch:**
Front to back: 6/12
Front gables: 8/12

Note: Ancillary roofs such as porches, bays or walkways may be less than the minimum requirement.
- 5) **Roof Overhangs:**
Minimum framed front and rear overhang: 12 inches

Note: Where masonry meets any overhang, the overhang shall measure a minimum of eight (8) inches.
- 6) **Roof Ridgeline:**
 - A. In Viking Meadows a one-story home shall have a minimum of three (3) ridgelines, unless fewer is consistent with a historical style¹ of the home, in which case a minimum of two (2) ridgelines are required. Only two (2) ridgelines are required if the front and two sides of the first floor are masonry wrapped.
 - B. A two-story home shall have a minimum of three (3) ridgelines, unless fewer is consistent with a historical style¹ of the home, in which case a minimum of two (2) ridgelines are required. Only two (2) ridgelines are required if the front and two sides of the first floor are masonry wrapped.
 - C. Ridgelines shall only be considered if they are horizontal ridges which form the peak of a pitched area. Covered and enclosed porches shall count as a ridgeline.
- 7) **Corner Breaks:**
Each home shall have a minimum of three (3) corner breaks on the front façade and two (2) corner breaks on the rear facade. The exterior corners of a covered porch, the

outermost corners of the home, and a projection with a height of no less than six feet (6') shall count toward this requirement.

8) **Equipment Vents:**

All vents shall attach to the rear or side of the home to reduce visibility from the street.

9) **Foundations:**

Slabs and basements shall be permitted. Crawl spaces shall be prohibited.

10) **Windows:**

- A. Window type shall be vinyl, vinyl clad, aluminum clad or wood.
- B. Each front and rear facade shall include a minimum of four (4) windows, and each side facade shall include at least one (1) window.
- C. In counting windows, a double-hung shall count as one (1) window and each casement window where the glass is enclosed by vinyl, vinyl clad or aluminum clad, or wood material frame shall count as one (1) window.

11) **Garages:**

All homes shall have a minimum two-car attached garage.

12) **Masonry Requirements:**

- A. Acceptable masonry materials include the following: brick, limestone, natural stone, cultured stone, stucco and EIFS.
- B. Except as provided in sub-section C, below, all homes shall have masonry on at least fifty percent (50%) of the front façade (exclusive of windows, doors and garage doors).
- C. Homes with a historical architectural style¹ that lends itself to the use of less masonry may have less than fifty percent (50%) masonry on the front facade.
- D. A minimum of seventy percent (70%) of the homes in Parcel A – Blue Grass Lots area shall have at least a masonry wainscot on the front façade of at least twenty-four inches (24") in height excluding windows, doors, garage doors and other openings. This overall requirement does not relieve homes without a historical architectural style from compliance with sub-section B, above.

13) **Siding Requirements:**

No vinyl or aluminum siding shall be permitted. Acceptable siding materials shall be wood, LP siding, Hardiplank or similar composition siding materials.

14) **Landscaping:**

- A. Front landscaping:
 - 1) 20 shrubs (2 gallon planted)
 - 2) 2 yard trees (one shade tree / one ornamental tree)
(2" minimum caliper outside planting bed)

- 3) 1 to 4 shade trees (2" minimum caliper) to be planted between the curb and sidewalk, required at a 50' to 60' on center spacing (number depends on lot street frontage).

B. Lawns:

- 1) Each home shall utilize either sod (with or without irrigation) or hydroseed with irrigation in all front yards to the front corners of the home. All side yards and rear yards must be seeded with straw at a minimum and no irrigation is required.
- 2) Corner lot homes which have two elevations substantially parallel to a public street shall have lawns comprised of sod (with or without irrigation) or hydroseed with irrigation in that portion of the yard located between the public street on each side of the corner lot and a line drawn parallel to each front corner elevation closest to the public street extending from each end of said elevations to each perpendicular lot line. All other side yards and rear yards must be seeded with straw at a minimum and no irrigation is required.
- 3) Corner lot homes which are set at an angle to the public streets, lacking an elevation substantially parallel to either abutting public street, shall have lawns comprised of sod (with or without irrigation) or hydroseed with irrigation in that portion of the yard located (i) between the front elevation of the home and each public street and (ii) between the public street on each side of the corner lot and a line drawn parallel to each public street, extending to each perpendicular lot line from the two exterior corners of the home closest to each abutting public street. All other side yard and rear yards must be seeded with straw at minimum and no irrigation is required.

15) **Miscellaneous:**

- A. A not-for-profit Viking Meadows Homeowners Association shall be incorporated and related Covenants, Restrictions and By-Laws shall be created prior to platting any sections of Viking Meadows.
- B. All new home, landscaping and exterior color plans must be approved by the Covenants, Restrictions and By-Laws' New Construction Committee (the "NCC") prior to beginning construction. One existing Viking Meadows homeowner shall be appointed to the NCC.
- C. All driveways shall be concrete unless otherwise approved by the NCC; asphalt is not permitted.
- D. Public sidewalks are required on all lots.
- E. Uniform mailboxes consistent with the existing mailboxes in Meadowlands Section One shall be required.
- F. Dusk to dawn yardlights shall be required in a uniform location (as determined by Developer). The yardlight shall have a maximum total of 120-watt bulbs.
- G. All fireplaces located on the exterior elevation of a home must be constructed of masonry. Interior fireplaces protruding through the roof not on an exterior

elevation of a home, are not required to be masonry, but must be decorative in nature using masonry, stucco or EIFS materials.

H. Dumpsters and or trash bins are required on all lots once framing begins and shall be removed prior to receiving a Certificate of Occupancy.

16) **Facade Variety:**

All homes shall comply with the provisions set forth in Exhibit J, the Viking Meadows Façade Variety Code.

¹ Historical architectural styles are styles such as those identified in Exhibit I, Colonial, Cape Code, Farmhouse or homes with various architectural elements taken from the foregoing to create more recent and modern versions of the foregoing. The Department shall have the authority to determine whether a specific house plan qualifies as a historical architectural style entitled to the modification, in the manner specified in these guidelines, of the standards set forth in these guidelines. The Department shall have the authority to approve a home plan as a Historical architectural style.

EXHIBIT E

(Replaces Exhibit 17 of the Viking Meadows PUD)

**ARCHITECTURAL STANDARDS
PARCEL A – MEADOWLANDS (UNPLATTED²) LOTS**

- 1) **Lot Width:**
Minimum of 80 ft. at front building line
- 2) **Minimum Square Footage:**
One-story home: 2000
Two-story home: 2200
- 3) **Side Yard Setbacks:**
5 ft. minimum
14 ft. minimum between residences
- 4) **Minimum Roof Pitch:**
Front to back: 6/12
Front gables: 8/12

Note: Ancillary roofs such as porches, bays or walkways may be less than the minimum requirement.

- 5) **Roof Overhangs:**
Minimum framed front and rear overhang: 12 inches

Note: Where masonry meets any overhang, the overhang shall measure a minimum of eight (8) inches.

- 6) **Roof Ridgeline:**
 - A. In Viking Meadows a one-story home shall have a minimum of three (3) ridgelines, unless fewer is consistent with a historical style¹ of the home, in which case a minimum of two (2) ridgelines are required. Only two (2) ridgelines are required if the front and two sides of the first floor are masonry wrapped.
 - B. A two-story home shall have a minimum of three (3) ridgelines, unless fewer is consistent with a historical style¹ of the home, in which case a minimum of two (2) ridgelines are required. Only two (2) ridgelines are required if the front and two sides of the first floor are masonry wrapped.
 - C. Ridgelines shall only be considered if they are horizontal ridges which form the peak of a pitched area. Covered and enclosed porches shall count as a ridgeline.

- 7) **Corner Breaks:**
Each home shall have a minimum of three (3) corner breaks on the front façade and two (2) corner breaks on the rear facade. The exterior corners of a covered porch, the outermost corners of the home, and a projection with a height of no less than six feet (6') shall count toward this requirement.
- 8) **Equipment Vents:**
All vents shall attach to the rear or side of the home to reduce visibility from the street.
- 9) **Foundations:**
Slabs and basements shall be permitted for one story homes. All two story homes shall have full basements. Crawl spaces shall be prohibited.
- 10) **Windows:**
A. Window type shall be vinyl, vinyl clad, aluminum clad or wood.
B. Each front and rear facade shall include a minimum of four (4) windows, and each side facade shall include at least one (1) window.
C. In counting windows, a double-hung shall count as one (1) window and each casement window where the glass is enclosed by vinyl, vinyl clad or aluminum clad, or wood material frame shall count as one (1) window.
- 11) **Garages:**
All homes shall have a minimum three-car attached garage with decorative garage doors. The width of the garage door for any one-story home with a front load garage shall be limited to a maximum of forty percent (40%) of the total lineal footage of the home's front façade.
- 12) **Masonry Requirements:**
A. Acceptable masonry materials include the following: brick, limestone, natural stone, cultured stone, stucco and EIFS.
B. Except as provided in sub-section C, below, all homes shall have masonry on at least fifty percent (50%) of the front façade (exclusive of windows, doors and garage doors).
C. Homes with a historical architectural style¹ that lends itself to the use of less masonry may have less than fifty percent (50%) masonry on the front facade.
D. A minimum of seventy percent (70%) of the homes in Parcel A –Meadowlands (Unplatted) area shall have at least a masonry wainscot on the front façade of at least twenty-four inches (24") in height excluding windows, doors, garage doors and other openings. This overall requirement does not relieve homes without a historical architectural style from compliance with sub-section B, above.
- 13) **Siding Requirements:**
No vinyl or aluminum siding shall be permitted. Acceptable siding materials shall be wood, LP siding, Hardiplank or similar composition siding materials.

14) Landscaping:**A. Front landscaping:**

- 1) 20 shrubs (2 gallon planted)
- 2) 2 yard trees (one shade tree / one ornamental tree)
(2" minimum caliper outside planting bed)
- 3) 1 to 4 shade trees (2" minimum caliper) to be planted between the curb and sidewalk, required at a 50' to 60' on center spacing (number depends on lot street frontage).

B. Lawns:

- 1) Each home shall utilize either sod (with or without irrigation) or hydroseed with irrigation in all front yards to the front corners of the home. All side yards and rear yards must be seed with straw at a minimum and no irrigation is required.
- 2) Corner lot homes which have two elevations substantially parallel to a public street shall have lawns comprised of sod (with or without irrigation) or hydroseed with irrigation in that portion of the yard located between the public street on each side of the corner lot and a line drawn parallel to each front corner elevation closest to the public street extending from each end of said elevations to each perpendicular lot line. All other side yards and rear yards must be seeded with straw at a minimum and no irrigation is required.
- 3) Corner lot homes which are set at an angle to the public streets, lacking an elevation substantially parallel to either abutting public street, shall have lawns comprised of sod (with or without irrigation) or hydroseed with irrigation in that portion of the yard located (i) between the front elevation of the home and each public street and (ii) between the public street on each side of the corner lot and a line drawn parallel to each public street, extending to each perpendicular lot line from the two exterior corners of the home closest to each abutting public street. All other side yard and rear yards must be seeded with straw at minimum and no irrigation is required.

15) Miscellaneous:

- A. A not-for-profit Viking Meadows Homeowners Association shall be incorporated and related Covenants, Restrictions and By-Laws shall be created prior to platting any sections of Viking Meadows.
- B. All new home, landscaping and exterior color plans must be approved by the NCC prior to beginning construction. One existing Viking Meadows homeowner shall be appointed to the NCC.
- C. All driveways shall be concrete unless otherwise approved by the NCC; asphalt is not permitted.
- D. Public sidewalks are required on all lots.
- E. Uniform mailboxes consistent with the existing mailboxes in Meadowlands Section One shall be required.
- F. Dusk to dawn yardlights shall be required in a uniform location (as determined by Developer). The yardlight shall have a maximum total of 120-watt bulbs.

- G. All fireplaces located on the exterior elevation of a home must be constructed of masonry. Interior fireplaces protruding through the roof not on an exterior elevation of a home, are not required to be masonry, but must be decorative in nature using masonry, stucco or EIFS materials.
- H. Dumpsters and or trash bins are required on all lots once framing begins and shall be removed prior to receiving a Certificate of Occupancy.

16)

Facade Variety:

All homes shall comply with the provisions set forth in Exhibit J, the Viking Meadows Façade Variety Code.

¹ Historical architectural styles are styles such as those identified in Exhibit I, Colonial, Cape Code, Farmhouse or homes with various architectural elements taken from the foregoing to create more recent and modern versions of the foregoing. The Department shall have the authority to determine whether a specific house plan qualifies as a historical architectural style entitled to the modification, in the manner specified in these guidelines, of the standards set forth in these guidelines. The Department shall have the authority to approve a home plan as a Historical architectural style.

² Applies to those areas of Meadowlands that are not platted as of the date of the adoption of this Ordinance.

EXHIBIT F**ARCHITECTURAL STANDARDS
PARCEL A - MEADOWLANDS SECTION ONE LOTS**

1) **Lot Width:**
Minimum of 85 ft. at front building line

2) **Minimum Square Footage:**
One-story home: 2000
Two-story home: 2200

Note: Two-story homes on Lots 4, 6, 16, 17, 21, 25, 30, 45 and 49 of Meadowlands Section One (the "Adjacent Lots") shall be a minimum of 2500 square feet. If a one-story home is constructed on an Adjacent Lot, then the home shall be required to have a full basement.

3) **Side Yard Setbacks:**
5 ft. minimum
14 ft. minimum between residences

4) **Minimum Roof Pitch:**
Front to back: 6/12
Front gables: 8/12

Note: Ancillary roofs such as porches, bays or walkways may be less than the minimum requirement.

5) **Roof Overhangs:**
Minimum framed front and rear overhang: 12 inches

Note: Where masonry meets any overhang, the overhang shall measure a minimum of eight (8) inches.

6) **Roof Ridgeline:**

- A. In Viking Meadows a one-story home shall have a minimum of three (3) ridgelines, unless fewer is consistent with a historical style¹ of the home, in which case a minimum of two (2) ridgelines are required. Only two (2) ridgelines are required if the front and two sides of the first floor are masonry wrapped.
- B. A two-story home shall have a minimum of three (3) ridgelines, unless fewer is consistent with a historical style¹ of the home, in which case a minimum of two (2) ridgelines are required. Only two (2) ridgelines are required if the front and two sides of the first floor are masonry wrapped.
- C. Ridgelines shall only be considered if they are horizontal ridges which form the peak of a pitched area. Covered and enclosed porches shall count as a ridgeline.

- 7) **Corner Breaks:**
Each home shall have a minimum of three (3) corner breaks on the front façade and two (2) corner breaks on the rear facade. The exterior corners of a covered porch, the outermost corners of the home, and a projection with a height of no less than six feet (6') shall count toward this requirement.
- 8) **Equipment Vents:**
All vents shall attach to the rear or side of the home to reduce visibility from the street.
- 9) **Foundations:**
Slabs and basements shall be permitted for one story homes. All two story homes shall have full basements. Crawl spaces shall be prohibited.
- 10) **Windows:**
A. Window type shall be vinyl, vinyl clad, aluminum clad or wood.
B. Each front and rear facade shall include a minimum of four (4) windows, and each side facade shall include at least one (1) window.
C. In counting windows, a double-hung shall count as one (1) window and each casement window where the glass is enclosed by vinyl, vinyl clad or aluminum clad, or wood material frame shall count as one (1) window.
- 11) **Garages:**
All homes shall have a minimum three-car attached garage. All garages shall either be (i) side load; or (ii) front load with decorative garage doors. Garages for two-story homes shall be side load. The width of the garage door for any one-story home with a front load garage shall be limited to a maximum of forty percent (40%) of the total lineal footage of the home's front façade.
- 12) **Masonry Requirements:**
A. Acceptable masonry materials include the following: brick, limestone, natural stone, cultured stone, stucco and EIFS.
B. Except as provided in sub-section C, below, all homes shall have masonry on at least fifty percent (50%) of the front façade (exclusive of windows, doors and garage doors).
C. Homes with a historical architectural style¹ that lends itself to the use of less masonry may have less than fifty (50%) masonry on the front facade.
D. A minimum of seventy percent (70%) of the homes in Meadowlands Section One shall have at least a masonry wainscot on the front façade of at least twenty-four inches (24") in height excluding windows, doors, garage doors and other openings. This overall requirement does not relieve homes without a historical architectural style from compliance with sub-section B, above.

13) **Siding Requirements:**

No vinyl or aluminum siding shall be permitted. Acceptable siding materials shall be wood, LP siding, Hardiplank or similar composition siding materials.

14) **Landscaping:**

A. Front landscaping:

- 1) 20 shrubs (2 gallon planted)
- 2) 2 yard trees (one shade tree / one ornamental tree)
(2" minimum caliper outside planting bed)
- 3) 1 to 4 shade trees (2" minimum caliper) to be planted between the curb and sidewalk, required at a 50' to 60' on center spacing (number depends on lot street frontage).

B. Lawns:

- 1) Each home shall utilize either sod (with or without irrigation) or hydroseed with irrigation in all front yards to the front corners of the home. All side yards and rear yards must be seed with straw at a minimum and no irrigation is required.
- 2) Corner lot homes which have two elevations substantially parallel to a public street shall have lawns comprised of sod (with or without irrigation) or hydroseed with irrigation in that portion of the yard located between the public street on each side of the corner lot and a line drawn parallel to each front corner elevation closest to the public street extending from each end of said elevations to each perpendicular lot line. All other side yards and rear yards must be seeded with straw at a minimum and no irrigation is required.
- 3) Corner lot homes which are set at an angle to the public streets, lacking an elevation substantially parallel to either abutting public street, shall have lawns comprised of sod (with or without irrigation) or hydroseed with irrigation in that portion of the yard located (i) between the front elevation of the home and each public street and (ii) between the public street on each side of the corner lot and a line drawn parallel to each public street, extending to each perpendicular lot line from the two exterior corners of the home closest to each abutting public street. All other side yard and rear yards must be seeded with straw at minimum and no irrigation is required.

15) **Miscellaneous:**

- A. A not-for-profit Viking Meadows Homeowners Association shall be incorporated and related Covenants, Restrictions and By-Laws shall be created prior to platting any sections of Viking Meadows.
- B. All new home, landscaping and exterior color plans must be approved by the NCC prior to beginning construction. One existing Viking Meadows homeowner shall be appointed to the NCC.
- C. All driveways shall be concrete unless otherwise approved by the NCC; asphalt is not permitted.
- D. Public sidewalks are required on all lots.

- E. Uniform mailboxes consistent with the existing mailboxes in Meadowlands Section One.
- F. Dusk to dawn yardlights shall be required in a uniform location (as determined by Developer). The yardlight shall have a maximum total of 120-watt bulbs.
- G. All fireplaces located on the exterior elevation of a home must be constructed of masonry. Interior fireplaces protruding through the roof not on an exterior elevation of a home, are not required to be masonry, but must be decorative in nature using masonry, stucco or EIFS materials.
- H. Dumpsters and or trash bins are required on all lots once framing begins and shall be removed prior to receiving a Certificate of Occupancy.

16) **Facade Variety:**

All homes shall comply with the provisions set forth in Exhibit J, the Viking Meadows Façade Variety Code.

17) **Model Homes:**

The Developer anticipates model homes will be constructed within Meadowlands Section One and that said model homes will be representative of those homes available within both Parcels A and B. As a result, if a model home is constructed within Meadowlands Section One, then the model home(s) shall be restricted to Lots 10 through 14 of Meadowlands Section One (the "Model Home Lots"). The initial model homes constructed in Meadowlands Section One shall be constructed on Lots 12, 13 and 14. Notwithstanding any other requirements to the contrary set forth herein, a model home constructed on a Model Home Lot shall only be required to meet the architectural specifications of either Exhibit D, Exhibit E, Exhibit F or Exhibit G. A model home in Meadowlands Section One that is constructed to the architectural specifications of Exhibit D and marketed as available within Parcel A – Blue Grass Lots area may only be constructed on Lot 14. If a model home is constructed on Lot 10, then such model home shall be required to have a side load garage.

18) **Additional Standards:**

Pursuant to Section 5.2 of this Ordinance, the following lots in Meadowlands Section One shall also comply with the standards set forth in Exhibit G (except for Sections 1 and 3 thereof) for Parcel B – Two Gaits Lots: Lot 23, Lot 29, Lot 34 and Lot 48. If a standard in Exhibit G is more restrictive than a standard set forth above, then the more restrictive standard shall apply to these lots. In addition, the Developer shall offer as available to be constructed on lots in Meadowlands Section One those homes which are offered and marketed to be constructed on lots in Parcel B – Two Gaits Lots.

¹ Historical architectural styles are styles such as those identified in Exhibit I, Colonial, Cape Code, Farmhouse or homes with various architectural elements taken from the foregoing to create more recent and modern versions of the foregoing. The Department shall have the authority to determine whether a specific house plan qualifies as a historical architectural style entitled to the modification, in the manner specified in these guidelines, of the standards set forth in these guidelines. The Department shall have the authority to approve a home plan as a Historical architectural style.

EXHIBIT G*(Replaces Exhibit 18 of the Viking Meadows PUD)***ARCHITECTURAL STANDARDS
PARCEL B - TWO GAITS LOTS**

- 1) **Lot Width:**
Minimum of 95 ft. at front building line

- 2) **Minimum Square Footage:**
One-story home: 2400
Two-story home: 2600

Note: Homes on Lots 15, 16, 17, 18 and 19 of Two Gaits Section One (collectively, the "Cul-de-Sac Lots") shall be a minimum of 3200 square feet exclusive of basements. Homes on Lots 14, 20, 35, 36, 37, 38, 39, 44 and 57, as shown on the Two Gaits Primary Plat approved by the Westfield Plan Commission on April 25, 2005, shall be a minimum of 2800 square feet exclusive of basements (collectively, the "Additional Lots"). Homes on both the Cul-de-Sac Lots and the Additional Lots shall have a full basement.

- 3) **Side Yard Setbacks:**
5 ft. minimum
18 ft. minimum between residences

- 4) **Minimum Roof Pitch:**
Front to back: 8/12
Front gables: 9/12

Note: Ancillary roofs such as porches, bays or walkways may be less than the minimum requirement.

- 5) **Roof Overhangs:**
Minimum framed front and rear overhang: 12 inches

Note: Where masonry meets any overhang, the overhang shall measure a minimum of eight (8) inches.

- 6) **Roof Ridgeline:**
- A. In Viking Meadows a one-story home shall have a minimum of three (3) ridgelines, unless fewer is consistent with a historical style¹ of the home, in which case a minimum of two (2) ridgelines are required.
 - B. A two-story home shall have a minimum of three (3) ridgelines, unless fewer is consistent with a historical style¹ of the home, in which case a minimum of two (2) ridgelines are required.
 - C. Ridgelines shall only be considered if they are horizontal ridges which form the peak of a pitched area. Covered and enclosed porches shall count as a ridgeline.

- 7) **Corner Breaks:**
Each home shall have a minimum of three (3) corner breaks on the front façade and two (2) corner breaks on the rear facade. The exterior corners of a covered porch, the outermost corners of the home, and a projection with a height of no less than six feet (6') shall count toward this requirement.
- 8) **Equipment Vents:**
All vents shall attach to the rear or side of the home to reduce visibility from the street.
- 9) **Foundations:**
No slab foundations shall be permitted. All home foundations shall be on a basement or crawl space.
- 10) **Windows:**
A. Window type shall be vinyl, vinyl clad, aluminum clad or wood.
B. Each front and rear facade shall include a minimum of six (6) windows, and each side façade shall include at least one (1) window.
C. In counting windows, a double-hung shall count as one (1) window and each casement window where the glass is enclosed by vinyl, vinyl clad or aluminum clad, or wood material frame shall count as one (1) window.
- Note: Homes on both the Cul-de-Sac Lots and the Additional Lots shall include a minimum of eight (8) windows on the front and rear facades.
- 11) **Garages:**
All homes shall have a minimum three-car attached side load garage.
- 12) **Masonry Requirements:**
A. Acceptable masonry materials include the following: brick, limestone, natural stone, cultured stone, stucco and EIFS.
B. Except as provided in sub-section C, below, all homes shall have masonry on the first floor, front, sides and rear (exclusive of windows, doors and garage doors).
C. Homes with a historical architectural style¹ that lends itself to the use of less masonry may have less masonry.
E. A minimum of seventy percent (70%) of the homes in Parcel B -Two Gaits area shall have at least a masonry wainscot on the front façade of at least twenty-four inches (24") in height excluding windows, doors, garage doors and other openings. This overall requirement does not relieve homes without a historical architectural style from compliance with sub-section B, above.

13) **Siding Requirements:**

No vinyl or aluminum siding shall be permitted. Acceptable siding materials shall be wood, LP siding, Hardiplank or similar composition siding materials.

14) **Landscaping:**

A. Front landscaping:

- 1) 30 shrubs (2 gallon planted)
- 2) 3 yard trees (two shade trees / one ornamental tree)
(2" minimum caliper outside planting bed)
- 3) 1 to 4 shade trees (2" minimum caliper) to be planted between the curb and sidewalk, required at a 50' to 60' on center spacing (number depends on lot street frontage).

B. Lawns:

- 1) Each home shall utilize either sod (with or without irrigation) or hydroseed with irrigation in all front yards to the front corners of the home. All side yards and rear yards must be seed with straw at a minimum and no irrigation is required.
- 2) Corner lot homes which have two elevations substantially parallel to a public street shall have lawns comprised of sod (with or without irrigation) or hydroseed with irrigation in that portion of the yard located between the public street on each side of the corner lot and a line drawn parallel to each front corner elevation closest to the public street extending from each end of said elevations to each perpendicular lot line. All other side yards and rear yards must be seeded with straw at a minimum and no irrigation is required.
- 3) Corner lot homes which are set at an angle to the public streets, lacking an elevation substantially parallel to either abutting public street, shall have lawns comprised of sod (with or without irrigation) or hydroseed with irrigation in that portion of the yard located (i) between the front elevation of the home and each public street and (ii) between the public street on each side of the corner lot and a line drawn parallel to each public street, extending to each perpendicular lot line from the two exterior corners of the home closest to each abutting public street. All other side yard and rear yards must be seeded with straw at minimum and no irrigation is required.

15) **Miscellaneous:**

- A. A not-for-profit Viking Meadows Homeowners Association shall be incorporated and related Covenants, Restrictions and By-Laws shall be created prior to platting any sections of Viking Meadows.
- B. All new home, landscaping and exterior color plans must be approved by the NCC prior to beginning construction. One existing Viking Meadows homeowner shall be appointed to the NCC.
- C. All driveways shall be concrete unless otherwise approved by the NCC; asphalt is not permitted.
- D. Public sidewalks are required on all lots.

- E. Uniform mailboxes consistent with the existing mailboxes in Two Gaits Section One shall be required.
- F. Dusk to dawn yardlights shall be required in a uniform location (as determined by Developer). The yardlight shall have a maximum total of 120-watt bulbs.
- G. All fireplaces located on the exterior elevation of a home must be constructed of masonry. Interior fireplaces protruding through the roof not on an exterior elevation of a home, are not required to be masonry, but must be decorative in nature using masonry, stucco or EIFS materials.
- H. Dumpsters and or trash bins are required on all lots once framing begins and shall be removed prior to receiving a Certificate of Occupancy.

16) **Facade Variety:**

All homes shall comply with the provisions set forth in Exhibit J, the Viking Meadows Façade Variety Code.

Historical architectural styles are styles such as those identified in Exhibit I, Colonial, Cape Code, Farmhouse or homes with various architectural elements taken from the foregoing to create more recent and modern versions of the foregoing. The Department shall have the authority to determine whether a specific house plan qualifies as a historical architectural style entitled to the modification, in the manner specified in these guidelines, of the standards set forth in these guidelines. The Department shall have the authority to approve a home plan as a Historical architectural style.

EXHIBIT H

CLUBHOUSE AMENITIES

Existing Amenity Improvements.

As of the date of the adoption of this Ordinance, the following improvements existed on Block E of the Meadowlands Section One (the "Existing Improvements"):

- Partially completed clubhouse/pool house (the "Clubhouse")(pursuant to Section 16.3 of the Viking Meadows PUD);
- Outdoor basketball court (pursuant to Section 16.4 of the Viking Meadows PUD);
- Playground (pursuant to Section 16.5 of the Viking Meadows PUD);
- Landscaping (pursuant to Section 16.6 of the Viking Meadows PUD);
- Parking areas; and
- Outdoor tennis court.

New Amenity Improvements.

In addition to those Existing Improvements, the following improvements shall be installed and completed pursuant to Section 7 of this Ordinance:

Phase 1 (outdoor improvements):

- One (1) swimming pool of approximately one thousand nine hundred fifty (1950) square feet
- One (1) wading pool of approximately one hundred forty (140) square feet
- Lounge chairs (20)
- Tables (5)
- Umbrellas (5)
- Gazebo
- Picnic tables (3)
- **Outdoor drinking fountain**
- Bathrooms (within the Clubhouse)

Phase 2 (improvements to finish out the Clubhouse):

- Indoor Half-Court Basketball Court (north area of Clubhouse)
- Fitness Center (north area of Clubhouse) to include the following equipment: universal-type weight machine, dumbbell set, 3 treadmills, 2 exercise bikes, 3 elliptical trainers, 2 stair climbers and exercise balls

Phase 3 (improvements to finish out the Clubhouse):

- Game Room (north area of Clubhouse)
- Hearth Room (center area of Clubhouse)
- South Area Improvements. The improvements for this area of the Clubhouse will be determined by the Developer with input from the Viking Meadows Homeowners Association advisory board.

EXHIBIT I (cont.)

This exhibit is not illustrative of an actual home plan; rather, it illustrates various elements of the historical architectural style. Actual home plans will incorporate various style elements of the historical architectural style shown to create more recent and modern versions of the style.

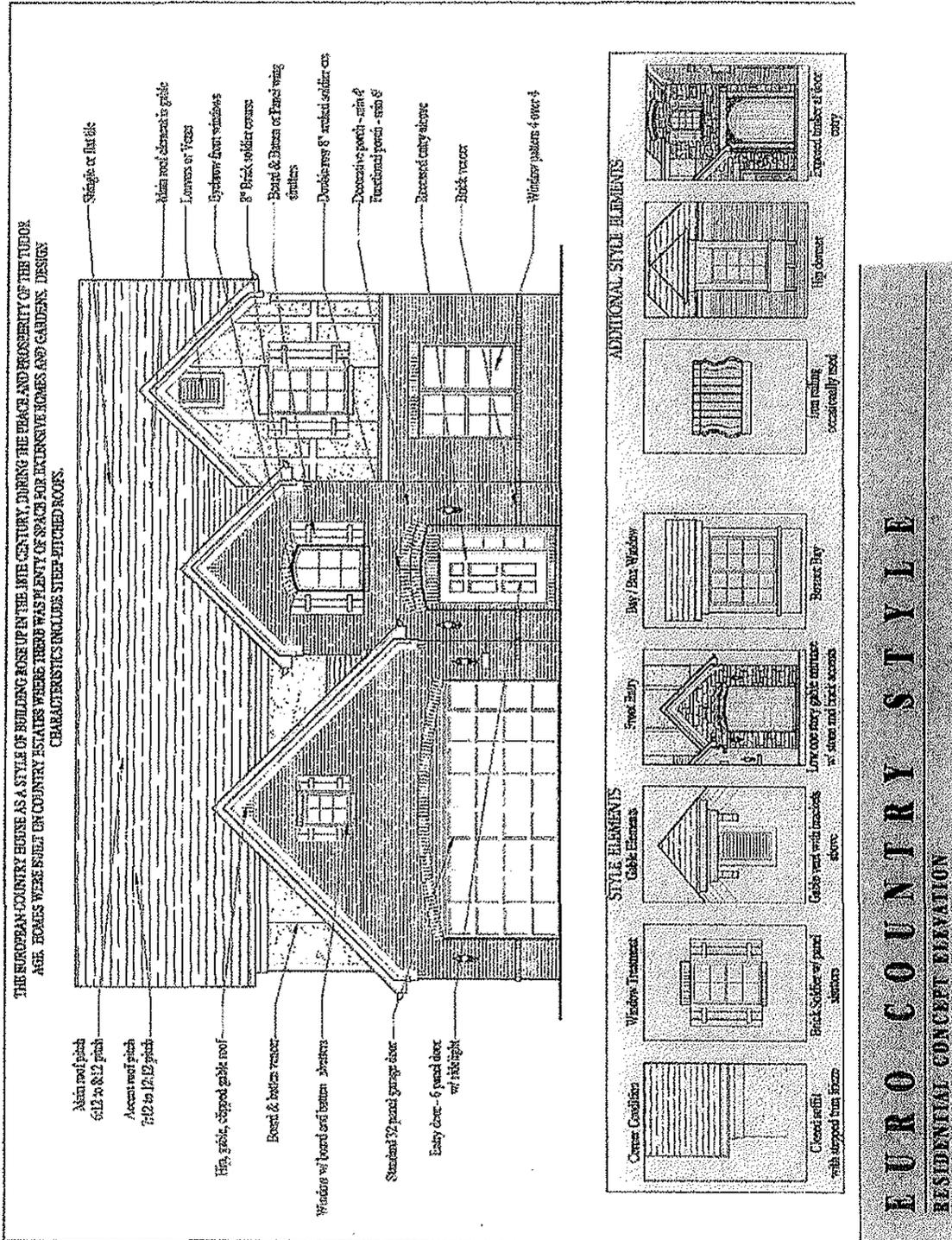


EXHIBIT I (cont.)

This exhibit is not illustrative of an actual home plan; rather, it illustrates various elements of the historical architectural style. Actual home plans will incorporate various style elements of the historical architectural style shown to create more recent and modern versions of the style.

CRAFTSMAN STYLE EMPHASIZES A HORIZONTAL LINK BETWEEN THE HOUSE AND THE LAND AROUND IT. HORIZONTAL IMAGING, FUNCTIONAL AESTHETICS, NATURAL-LOCAL MATERIALS AND A GREATER DECREE OF CRAFTSMANSHIP ALSO REINFORCE THIS HOME - LAND RELATIONSHIP. AXIS & CENTER PROPORTIONS BELIEVED TO BE MISSING FROM THE HOME ORNATE OR TRADITIONAL STYLE OF THE PERIOD

Exterior materials are board and batten, horizontal lap siding, shaker, brick, stone, or stucco are all common; they frequently occur in combination (demographic areas determine what materials are used usually). Exterior trimways (sills) are always brick or stone.

STYLE ELEMENTS

- Corner Condition:** Hip roof with square and stone center ornaments
- Window Treatment:** Fixed pane louver
- Gable Eave:** Eave
- Front Entry:** Staged por (over)
- Bay / Box Window:** Single-leaf centered (no transoms)
- Additional Style Elements:**
 - Tall and crisp
 - Gable runs which is the signature of being handcrafted with window sills
 - Example of gable eave

Low gabled gable (5/12 pitch) occasionally lap roof with wide eave overhang (slights or battie)

Medium pitched gable (6/12 pitch) occasionally hip roof with wide eave overhang

Decorative (false) beams or brackets under gable gire for illustration of horizontal beamship

Extended end / or elaborated rather ends which emphasize horizontal beamship instead mass reproduction

Windows with single / double-leaf casets, typically with three panes per caset (top) with one larger pane pane (bottom) (panes usually paired together)

Open rather than to give the illusion of handcrafted

Decorative handrail reflects the architectural style of the house. Products frequently extend to ground level (shelves at level of porch floor)

Covered porch provides a semi-private transitional space between the interior and exterior

Wide front stoop developed as part of the architecture

Front door architectural style should give the illusion of handcrafted

Shake or brick waistcoat anchors the house to the ground plane

Board spreading eaves supported by projecting beams and brackets

Chapel style

Recessed soft trim board finishes as a transitional element between the facade and roof eave

Exterior trim should have the appearance of being handcrafted

Decorative gable does reflect the architectural style of the house

CRAFTSMAN STYLE
RESIDENTIAL CONCRETE ELEVATION

EXHIBIT I (cont.)

This exhibit is not illustrative of an actual home plan; rather, it illustrates various elements of the historical architectural style. Actual home plans will incorporate various style elements of the historical architectural style shown to create more recent and modern versions of the style.

COTTAGE STYLE (ENGLISH OR FRENCH) HOMES HAVE MANY OF THE SAME DETAILS OF THEIR STYLE HOMES, BUT ARE COMMONLY BUILT TO A MUCH SMALLER SCALE. CHARACTERISTICS INCLUDE STEEP ROOFS, USE OF DORMERS, AND STONE OR BRICK ACCENTS ON AN OTHERWISE STUCCO VENEER. HOMES OFTEN HAVE A HIGHER LEVEL OF DETAIL THAN OTHER ARCHITECTURE STYLES MIGHT INCLUDE.

Labels on the drawing include:

- Medium-pitched gable (12/12 pitch) gable and hip with some stepped gable applications (steep - see the next aerial section)
- Arched recess steps should be steep - pitch (9 - 10)
- Dormer roofs can be gable, hip, or shed
- Flash rakers with beveled returns
- Windows with single / double-hung sashes, typically with six panes per sash (top) with one large glass pane (bottom)
- 1.5 - 2 in. surround
- Exterior materials are board and batten, horizontal lap siding, shingles, stone, brick, or stone on all corners, they frequently occur in combination
- Decorative front doors reflect the architectural style of the house
- Front facade porches are generally either small or are entirely absent
- English / French cottages asymmetrical in plan. Also these styles can be found mixed with Tudor, Shingle, Queen Anne Revival, Stick and Parable styles.
- Decorative garage doors reflect the architectural style of the home
- Sizes / height and functions (2 + transitional) placed between the porch / brick vaulted and siding / stucco
- Stone or brick windows and doors for home to the ground plane
- Decorative garage doors reflect the architectural style of the home
- Sizes / height and functions (2 + transitional) placed between the porch / brick vaulted and siding / stucco
- Stone or brick windows and doors for home to the ground plane

STYLE ELEMENTS

Corner Condition Open rate gable with steep hip	Window Treatment Tucked capital	Gable Elements	Front Entry Open gable above porch with brackets	Bay / Box Window Box bay window and (no foundation)	Shingles Hip dormer roof with stepped trim course	Board and Batten Examples of window treatments
Examples of other elements with windows below	Example of porch elements wrapped with 1.5 - 2 in.	Front Entry Open gable above porch with brackets	Box bay window and (no foundation)	2 of deep porch lines front facade	Examples of window treatments	

ADDITIONAL STYLE ELEMENTS

Front facade porches are generally either small or are entirely absent	English / French cottages asymmetrical in plan. Also these styles can be found mixed with Tudor, Shingle, Queen Anne Revival, Stick and Parable styles.
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COTTAGE STYLE
RESIDENTIAL CONCEPT ELEVATION

EXHIBIT I (cont.)

This exhibit is not illustrative of an actual home plan; rather, it illustrates various elements of the historical architectural style. Actual home plans will incorporate various style elements of the historical architectural style shown to create more recent and modern versions of the style.

HEARTLAND ARCHITECTURAL STYLE INVOKES IMAGES OF HOUSES AND STRUCTURE FROM THREE MAJOR ARCHITECTURAL STYLES: CLASSICAL, FARMHOUSE AND CRAFTSMAN. THE ROOF AND MASSING OF THE HEARTLAND STYLE LINKS ITS ROOTS HEAVY TO THE CLASSICAL STYLE, WITH INFLUENCES OF FARMHOUSE AND CRAFTSMAN ARCHITECTURE WITH USE OF ELEMENTS FROM BOTH STYLES TO COMPLETE THE EXTERIOR MAKEUP.

Single roof
 Primarily gable roof
 Bracketed braces and corbels are used for accents
 Accented roof pitch 8/12 to 12/12
 5' to 5' molding around or windows
 Porches or bays are occasionally used
 Tapered square post w/ half-up base
 Front doors are normally paneled
 Tall height gable and front porches are common which provide protection from the weather

Roof materials are shingles with metal accents
 Occasionally dormers are used in the style
 Vertical board
 Use of corner boards
 Veneer - Siding
 Keystone accents are used in style
 Artisanal molding around or garage
 Standard 3/4 panel garage door
 Exterior materials are siding and small elements of stone and brick

ADDITIONAL STYLE ELEMENTS

Decorative corbels

Tapered square post w/ decorative base

Decorative railing system with oval bar

60 or 45 degree cantilevered bay

Door with raised trim

Gable treatments or Vents

Typical window w/ paneled surround and pediment

Chimney with pilars with stepped front face

STYLE ELEMENTS

Gable treatment with decorative brackets

Decorative window with pediment

Decorative door with pediment

HEARTLAND STYLE

RESIDENTIAL CONCEPT ELEVATION

EXHIBIT I (cont.)

This exhibit is not illustrative of an actual home plan; rather, it illustrates various elements of the historical architectural style. Actual home plans will incorporate various style elements of the historical architectural style shown to create more recent and modern versions of the style.

PRairie style homes are characterized by an overall horizontal emphasis, reinforced with long, low proportions and shallow-pitched hip or flat roofs with wide overhangs. Windows are often compressed at the upper story. Prairie style homes may also include hidden or off-center entry doors and massive square piers and porch supports.

Smooth flat shingle roof reinforces the Prairie usage

70% horizontal casing, 30% vertical casing

Exterior plaster wall cladding

6" Shallow eave

Standard 32" panel garage door

Contouring window top

Exterior materials are brick, stone, concrete block, stucco or siding are all common. They frequently occur in combination. Exterior chimneys are broad, flat and are brick or stone.

Free door reveals architectural style of panel

Decorative porch - may be functional porch - may be

Continuous masonry base anchors the house to the ground (historical Prairie image)

Prairie style windows with decorative patterns of small pane windows glazing

Thickened box (Stucco or Cast) on square base (brick or stone). Full in brick/stone columns

Masonry windowless sill (overhang)

Window planer box

Praxion uniform field or Ashlar laid stone projects a horizontal Prairie image

Horizontal lines built-up molding

Massive square pier supports

Reinforced terra cotta emphasizes the upper facade

Low pitched hip roof projects a horizontal Prairie image

STYLE ELEMENTS

- Decorative Cresting**
Off center frame of flat Prairie beam
- Window Treatment**
Examples of a common wood crown or capital
- Gable Elements**
Dormer through - cornice
- Front Entry**
Built-up square column on brick or stone base
- Bay / Box Window**
Window or planer box
- Projected balcony / further form**
lower planer box
- Shallow bay gable**
massive square pier
- Decorative porch / column**
ribbed windows

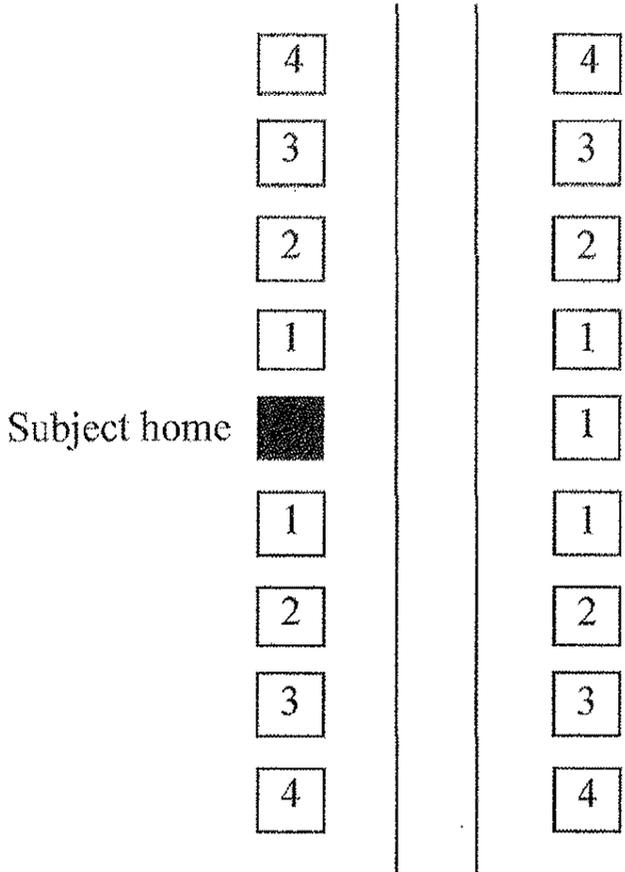
ADDITIONAL STYLE ELEMENTS

PRAIRIE STYLE

RESIDENTIAL CONCEPT ELEVATION

EXHIBIT J

VIKING MEADOWS FAÇADE VARIETY CODE



- 1** Home cannot be of the same elevation of the same plan as the Subject home. Must be a different color package.
- 2** Home cannot be of the same elevation of the same plan as the Subject home. Cannot be the identical color package as the Subject home but may have the same brick.
- 3** Home may be of the same plan and elevation as the Subject home, but must be a different color package.
- 4** May be identical to Subject home.