ADJACENT PROPERTY OWNERS

1. Frank Morgan — West Minister Mall Co., 5430 W. 91st Street, West Minister, CO 80030

CREEKSIDE SUBDIVISION SECTION 1

91. Jas. M. & Rita M. Cipe — 9911 Kermont Lane, Louisville, KY 40241
92. John S. & Sybil W. Goswell — 9912 Kermont Lane, Louisville, KY 40241
93. Thomas A. & Donna S. Shoock — 9910 Kermont Lane, Louisville, KY 40241
103. Nick & Barbara Hester — 9909 Stonebenge Way, Louisville, KY 40241
104. R.D. & Kathleen Tankersley — 9910 Stonebenge Way, Louisville, KY 40241
105. Mary M. & Richard Stewart — 9908 Stonebenge Way, Louisville, KY 40241
114. P.F. & J.E. Cavanaugh — 9909 Westport Road, Louisville, KY 40241

CREEKSIDE SUBDIVISION SECTION 2

58. Michael & Sherry M. Beckerwald — 9813 Four Seasons Lane, Louisville, KY 40241
59. Harold & Adelaide Sherman — 9901 Four Seasons Lane, Louisville, KY 40241
60. Richard H. & Sherry T. Smith — 9903 Four Seasons Lane, Louisville, KY 40241
61. Stephen H. & M.S. Foster — 9905 Four Seasons Lane, Louisville, KY 40241
62. [illegible] — 9907 Four Seasons Lane, Louisville, KY 40241
63. Robert L. & Lendra N. Ott — 9909 Four Seasons Lane, Louisville, KY 40241
64. Edward & Helen G. Harrier — 9908 Four Seasons Lane, Louisville, KY 40241
66. James & Virginia Ward — 3205 Thornhill Court, Louisville, KY 40241
78. Carl M. & Deborah Michals — 9909 Sheplat Court, Louisville, KY 40241
79. Robert C. & Andrea G. Denzinger — 9911 Sheplet Court, Louisville, KY 40241
80. Robert S. & S.L. Borders — 9910 Sheplet Court, Louisville, KY 40241

CREEKSIDE SUBDIVISION SECTION 3

52. Stephen R. & Karen L. Wilbar — 9801 Four Seasons Lane, Louisville, KY 40241
53. M. Charles & Eleanor D. Mason — 9803 Four Seasons Lane, Louisville, KY 40241
54. Ulrich & Ingetraut Kaulitz — 9805 Four Seasons Louisville, KY 40241
55. Jas. D & Barbara Hightower — 9807 Four Seasons Lane, Louisville, KY 40241
56. Scott P. & Lois Mathews — 9809 Four Seasons Lane, Louisville, KY 40241
57. George W. & M.M. Mangold — 9811 Four Seasons Lane, Louisville, KY 40241

TEN BROECK SUBDIVISION

38. Leon E. Jr. & Betty B. Tallichet — 9213 Barley Drive, Louisville, KY 40241
39. Leon E. Jr. & Betty B. Tallichet — 9213 Barley Drive, Louisville, KY 40241
40. Geoffrey H. & June Lee — 9214 Barley Drive, Louisville, KY 40241
27. Peter P. & Kathryn Rowell — 9121 Brookwood Path, Louisville, Ky 40241
26A. Peter P. & Kathryn Rowell — 9121 Brookwood Path, Louisville, KY 40241
21A. Bradley K. & Rebecca L. Phillips — 9117 Lexington Lane, Louisville, KY 40241
20. John T. & Roberta H. Ashe — 9115 Lexington Lane, Louisville, KY 40241
19. Warner D. & Sally H. Long — 9111 Lexington Lane, Louisville, KY 40241
16. William L. Holley — 1 Lexington Lane, Louisville, KY 40241
13. Ronald E. & Joanne B. Merideth — 2935 Goose Creek Road, Louisville, KY 40241

OTHERS

11. Nell B. & Otera Howerton — 4104 Simcoe Lane, Louisville, KY 40241
60. Baptist Homes for the Elderly — 3001 Hounz Lane, Louisville, KY 40222
25. Carl N. & Sylvia Garner — 4109 Simcoe Lane, Louisville, KY 40241
22. Jeffrey & Jennifer Peed — 4105 Simcoe Lane, Louisville, KY 40241
15. Marshal Planning Mill — P.O. Box 7066, Louisville, KY 40207
21B. Danny & Anita Vandiver — 4111 Simcoe Lane, Louisville, KY 40241
44. Raymond J. Borchert — 4113 Simcoe Lane, Louisville, KY 40241
54. Fred J. & Linda Caldwell — 4200 Simcoe Lane, Louisville, KY 40241
45. Fred J. & Linda Caldwell — 4200 Simcoe Lane, Louisville, KY 40241
28. Rudolph & Thelma Kaelin — 4206 Simcoe Lane, Louisville, KY 40241
26B. Eddie A. Jr. & Joyce Burger — 12707 Old Henry Road, Louisville, KY 40223
2. Edward L. Catterdam, Sr. — 4210 Simcoe Lane, Louisville, KY 40241

BOUNDARY INFORMATION

1	SOUTH 89 06'24"EAST	286.52
2	SOUTH 17 35'53"EAST	120.530
3	SOUTH 22 54'44"EAST	120.530
4	SOUTH 28 13'35"EAST	120.530
5	SOUTH 38 53'08"EAST	594.230
6	SOUTH 38 08'22"WEST	21.530
7	SOUTH 58 10'07"WEST	81.610
8	SOUTH 87 29'38"WEST	41.640
9	SOUTH 66 35'40"WEST	50.000
10	SOUTH 72 11'53"WEST	50.000
11	SOUTH 77 47'07"WEST	50.000
12	SOUTH 83 22'26"WEST	50.000
13	SOUTH 86 09'57"WEST	612.158
14	SOUTH 85 13'58"WEST	22.360
15	SOUTH 83 49'55"WEST	10.770
16	SOUTH 81 28'03"WEST	49.240
17	SOUTH 76 45'22"WEST	60.000
18	SOUTH 71 43'49"WEST	60.000
19	SOUTH 66 42'16"WEST	60.000
20	SOUTH 61 40'43"WEST	60.000
21	SOUTH 59 29'57"WEST	250.018
22	NORTH 75 49'15"WEST	42.440

DETENTION REQUIRED:

Single Family - (0.56 - 0.35) x 434.6 Ac x 2.5/12 = 22.1 Ac. Ft.

Multi Family - (0.75 - 0.35) x 126.0 Ac x 2.5/12 = 12.2 Ac. Ft.

Commercial - (0.83 - 0.35) x 116.2 Ac x 2.5/12 = 13.5 Ac. Ft.

Total = 47.8 Ac. Ft.

RETENTION PROVIDED:

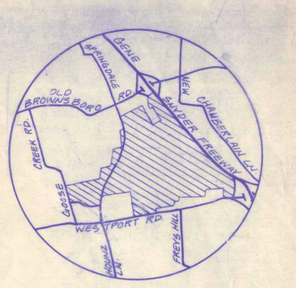
Above retention shall be provided unless a storm routing is performed that is acceptable to MSD that limits the post developed peak to the predeveloped peak.

All drainage structures will be designed for the upstream watershed and approved by MSD.

SPRINGHURST

OWNER & DEVELOPER

HFH, INC.
9420 BUNSEN PARKWAY
SUITE 200
LOUISVILLE, KY 40220



LOCATION MAP
NO SCALE

NOTICE

PERMITS SHALL BE ISSUED ONLY IN CONFORMANCE WITH THE BINDING ELEMENTS OF THIS DISTRICT DEVELOPMENT PLAN

Jeff Beck

JEFFERSON COUNTY, KENTUCKY
APPROVED DISTRICT DEVELOPMENT PLAN
DOCKET NO. 9-16-87C
APPROVAL DATE May 14, 1992
EXPIRATION DATE
SIGNATURE OF PLANNING COMMISSION
LOUISVILLE AND JEFFERSON COUNTY PLANNING COMMISSION

LOUISVILLE & JEFFERSON COUNTY PLANNING COMMISSION
NOTICE OF REVISION
THIS PLAN HAS BEEN REVISED TO A PLAN DATED
RECEIVED
IN FILE

DATA

EXISTING ZONING - R-4, R-1 & R-6

Total Acres in Project	675.209 Acres
Proposed Zoning:	
Multi-family R-7	83.137 Acres
Commercial C-2	108.623 Acres
Residential R-1 to R-4	16.686 Acres

RESIDENTIAL - R-4 & R-6

125' x 175' Lots	107 Lots
130' x 150' Lots	301 Lots
82' x 150' Lots	301 Lots
Total Single Family Lots	709 Lots
(UNIT PER GROSS ACRE) (0.82)	(1.05 UNITS PER ACRE)

MULTI-FAMILY (EXISTING R-6)

SPRINGHURST PATIO HOMES	56 UNITS

MULTI-FAMILY (PROPOSED R-7)

83.137 Gross Acres	940 Units
(11.30 UNITS PER GROSS ACRES (85.37))	(11.30 UNITS PER ACRE)

COMMERCIAL (PROPOSED C-2)

MALL AREA:

Dept.Store 1	188,000 Sq.Ft.
Dept.Store 2	120,000 Sq.Ft.
Dept.Store 3	161,424 Sq.Ft.
Dept.Store 4	160,000 Sq.Ft.
Mall Shops G.L.A.	335,000 Sq.Ft.
Total Square Feet:	964,424 Sq.Ft.
ENCLOSED MALL AREA:	112,350 Sq.Ft.
TOTAL SQUARE FEET IN MALL:	1,076,774 Sq.Ft.
TOTAL PARKING SPACES:	4,823 Spaces (4.5 ratio)
PARKING RATIO:	5.00 Cars/1,000 Sq.Ft.

OUT LOTS

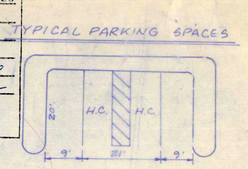
Restaurants (4 Buildings)	26,000 Sq.Ft.
Total Parking Spaces Required	260 Spaces.
Parking Ratio	10 Cars/1,000 Sq.Ft.
Total Parking Spaces shown:	336 spaces (8 H/C)
Retail North	158,500 Sq.Ft.
Total Parking Spaces Required	793 Spaces
Parking Ratio	5 Cars/1,000 Sq.Ft.
Total Parking Spaces shown:	827 Spaces (11 H/C)
Retail South (2 Banks & 2 Retail Stores)	19,000 Sq. Ft.
Total Parking Spaces Required	95 Spaces
Total Parking Spaces Shown	159 Spaces (5 H/C)
Total Commercial Sq.Ft.	1,280,274 Sq.Ft.

MSD NOTES

1. SANITARY SEWERS TO BE PROVIDED BY EXTENSION OF MSD SYSTEM PER PENDING AGREEMENT.
2. REPORT ADDRESSING DRAINAGE ISSUES TO BE SUBMITTED PRIOR TO L.D.&T MEETING.

NOTE: LOTS 698, 699, 697, 701 AND 708 ARE OPEN SPACE LOTS AND ARE NOT BUILDABLE.

PRELIMINARY APPROVAL
DEVELOPMENT PLAN
SHALL COMPLY WITH ORDINANCE #28
CONDITIONS:
BY: Parke M. Osborne
DATE: 5-6-92
JEFFERSON COUNTY
DEPT. OF PUBLIC WORKS



(NO SCALE)

RECEIVED
MAY 06 1992
LOUISVILLE & JEFFERSON COUNTY PLANNING COMMISSION

PRELIMINARY APPROVAL
Conditions of approval: State ROW, Local ROW, MSD to approve/bond of lot prior
TVB/PJS 5/6/92
Date
Mill/PJS 5-6-92
Date

REVISED PRELIMINARY DISTRICT DEVELOPMENT & SUBDIVISION PLAN

LOUISVILLE & JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT

FILE (S#) 1
Sheets in Set

APPROVE PLAN 9-6-88

SABAK, WILSON & LINGO, INC.
ENGINEERS, LANDSCAPE ARCHITECTS & PLANNERS
313 WEST MARKET STREET, LOUISVILLE, KENTUCKY 40202 (502) 584-6371

SCALE 1"=200'
DATE 11-21-88
12-6-88
1-11-89
REV 3-6-92
REV 5-19-92

DOCKET NO. 9-122-85
Owner/Developer: STM/Springhurst Partnership
Location: Northeast corner Goose Creek Road and Blossom Lane
Request: Revised District Development Plan

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby APPROVE the revised district development plan for Docket No. 9-122-85 subject to the following binding elements:

1. In addition to the following binding elements, the Binding Elements for Docket No. 9-6-89C relating to drainage improvements shall apply to this docket, 9-122-85.

2. Prior to requesting issuance of building permits for development of tracts 1, 2 and 3:
    a) Detailed district development plan(s) must be reapproved by the Jefferson County Department of Public Works and Transportation and the Metropolitan Sewer District.
    b) The detailed district development plan shall be submitted to the LD&T Committee for approval.

Deleted LD&T May 14, 1992

2. 3. The number of units shall be no more than 68 without prior approval of the Planning Commission.

4. If a building permit is not issued within one year of the date of approval of the plan tracts 1, 2 and 3 shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.

Deleted LD&T May 14, 1992

3. 5. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements must be implemented prior to requesting issuance of the certificate.

4. 6. The above binding elements may be amended as provided for in the Zoning District Regulations.

DOCKET NO. 9-6-89C
Changes in zoning from R-1 Residential Single Family to R-4 Residential Single Family and from R-4 Residential Single Family to R-7 Residential Multi-Family and C-2 Commercial on the west quadrant of Westport Road and I-265 (Gene Snyder Freeway) containing 208 acres subject to the rezoning application; the property is located at the intersections of the following streets: Westport Road at Simcoe Lane, Westport Road and I-265 (Gene Snyder Freeway) and Westport Road and Old Chamberlain Lane; also a request for a Conditional Use Permit to allow a day care center in the R-4 zone (Springhurst Subdivision); also a request for a Conditional Use Permit to allow a private club in the R-4 (Springhurst Subdivision) and R-7 zones; having a related subdivision variance request Docket No. 10-6-89V and two related street and road closure requests Docket Nos. 1-2-89 (Simcoe Lane) and 1-5-89 (Old Chamberlain Lane) all being located in unincorporated Jefferson County, Kentucky, and all being part of the proposed Springhurst mixed-use development.

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby APPROVE the district development plan for Docket No. 9-6-89C subject to the following binding elements:

1. Prior to requesting issuance of building permits for development of lot 707 (non-residential uses), detailed district development plans shall be approved by the Planning Commission for each site or phase. Each plan shall be in adequate detail to ensure compliance with binding elements of the general district development plan as shown below. Each plan may be subject to additional binding elements which may relate to, but not be limited to the following items:
    a) screening, buffering, landscaping as described in Article 12.
    b) points of access.
    c) signs
    d) loading berths

2. The commercial development shall not exceed the following:
    a) Mall area - 1,076, 744 square feet of gross floor area.
    b) Retail North - 158,500 square feet of gross floor area.
    c) Retail South - 19,000 square feet of gross floor area.
    d) 4 buildings - 26,000 square feet of gross floor area.

3. The R-7 Multi-Family development shall not have more than 940 dwelling units.

4. Vehicular access to Westport Road shall be prohibited from the outlots.

5. The order or resolution of Jefferson County Fiscal Court closing Simcoe Lane will be conditioned to become effective upon the completion of Hurstbourne Parkway from Brownsboro Road to Westport Road; the order or resolution of Jefferson County Fiscal Court closing Old Chamberlain Lane will be conditioned to become effective upon the transfer of title consolidating the Anderson tract with the property on the west side of Old Chamberlain Lane.

6. a) Uses on Lot 705 (south of lake bearing elevation 640') may be occupied or open for business when the intersection and taper improvements at the Freys Hill - Westport Road intersection are substantially completed.
    b) Uses on Lot 705 (north of lake bearing elevation 640') may be occupied or open for business when Road A between Hurstbourne Parkway and Westport Road is substantially completed (plus improvements in No. 1 above).
    c) The shopping mall in Lot 707 may be occupied or open for business when all of the improvements to Westport Road and intersecting streets (as shown in Exhibit A-1), including four through lanes to Hurstbourne Parkway, are substantially completed (plus improvements listed in Nos. 1 and 2 above).
    d) The developer shall submit a preliminary engineering study showing the ultimate right-of-way required along Westport Road. This study shall be approved by the State Highway Department and County Works Department prior to development approval of Springhurst Subdivision sections adjacent to Westport Road.

7. Access points shall be limited to those shown on the approved general district development plan and the preliminary subdivision plan.

8. The developer will provide storm water retention in excess of the minimum amount required by the Metropolitan Sewer District. The retention will provide for a reduction in the pre-development storm water flow through the City of Ten Broeck. The reduction will amount to 15% for the 2-year storm and 10% for the 10 and 100-year storm.

9. Before a building permit is requested:
    a) The development plan must be reapproved by the Jefferson County Department of Public Works and Transportation and the Metropolitan Sewer District.
    b) The size and location of any proposed sign must be approved by the Planning Commission. The Planning Commission may require that the signs be smaller than would otherwise be permitted by the Zoning District Regulations.
    c) Encroachment permits must be obtained from the Kentucky Department of Transportation, Bureau of Highways.
    d) A major subdivision plat shall be recorded creating the lots and roadways shown on the approved general district development plan and preliminary subdivision plan.
    e) The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12. Such plan shall be implemented prior to requesting a certificate of occupancy and maintained thereafter.
    f) All necessary recording fees shall be paid.

10. The applicant shall request abandonment of the existing CUP on the site (B-34-78) within two months of the approval of the change in zoning.

11. Outdoor advertising signs (billboards) and small freestanding (temporary) signs, pennants and banners shall be prohibited on the site.

12. When developer determines it is necessary to develop property on land which includes the Jacob Hite House (JF502), Fischer Family Bungalow, believed to be a Sears "kit" house, and the "Simcoe House", also purported to be a Sears "Kit" house, in each case, the developer will give ninety days notice to the Jefferson County Office of Historic Preservation and Archives so that the homes may be relocated.

    The Brenner house (JF506) which is presently adjacent to the development, and is located at the intersection of Road "A" at Westport Road, will be buffered by a fifteen foot landscape buffer of trees and shrubs as called for in Article 12.

    The Young Dorsey Springhouse (JF694) will be preserved if detailed engineering studies by Developer's engineers determine that it is economically feasible to move Road "A" to allow its preservation. If preservation is not feasible, developer will permit the Jefferson County Office of Historic Preservation and Archives to document the Springhouse, through photographs and drawings, prior to its removal.

13. The following C-2 Commercial uses otherwise allowed in the C-2 district shall be prohibited in this development:

    Billboards
    Automobile repair garages
    Beer depots where alcoholic beverages are not consumed on the premises
    Boarding and lodging houses
    Building materials, storage and sales provided all operations are totally enclosed in a building
    Business schools
    Colleges, schools and institutions of learning
    Flea markets
    Fraternities, sororities, clubs and lodges excluding those the chief activity of which is a service customarily carried on as a business
    Garage or yard sales
    Golf courses, except miniature courses, driving ranges, or privately owned golf courses operated for commercial purposes
    Kennels
    Monument sales
    Plumbing, and heating shops, storage and sales provided all operations are totally enclosed in a building
    Printing, lithographing, or publishing establishments, if constructed to insure that there is no noise or vibration evident outside the walls of the buildings
    Rubber stamp manufacturing, where products are sold on premises
    Trade schools
    Used car sales areas.

14. If a building permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.

15. A certificate of occupancy must be received from the appropriate code enforcement office prior to occupancy of the structure or land for the proposed use. All binding elements must be implemented prior to requesting issuance of the certificate.

16. The above binding elements may be amended as provided for in the Zoning District Regulations.

CONDITIONAL USE PERMIT - PRIVATE CLUB

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby APPROVE ON CONDITION the Conditional Use Permit.

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby WAIVE Article 15, D., 31, item c. of the Conditional Use Permit Section of the Development Code to permit parking spaces as shown on the approved plan.

The conditions are as follows:

1. The site shall be developed in strict compliance with the approved development plan. No further development shall occur on the site without prior review and approval by the Planning Commission.

2. Access to Lots 694 and 694A will be from Simcoe Lane until dedication of the proposed streets abutting the Swim & Tennis Club are recorded.

3. No development of the site as a private proprietary club shall occur until the applicant has received construction approval for the proposal from the Metropolitan Sewer District.

4. The site shall not be used for a private proprietary club until a public water supply and an approved method of disposal of sewage is approved by the Metropolitan Sewer District and the Health Department. At the time that sanitary sewers are available, the site shall be connected to sanitary sewers.

CONDITIONAL USE PERMIT - DAY CARE CENTER

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby APPROVE ON CONDITION the Conditional Use Permit for a day care center.

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby WAIVE Article 15., D., 31, item e. of the Conditional Use Permit Section of the Development Code to permit 48 off-street parking spaces for the proposed day care center.

The conditions are as follows:

1. The site shall be developed in strict compliance with the approved development plan. No further development shall occur on the site without prior review and approval by the Planning Commission.

2. The day care center shall serve no more than 200 children. There shall be no increase in the number of children served without prior review and approval by the Planning Commission. 150 LD&T June 10, 1993

3. There shall be no more than [illegible] employees. There shall be no increase in the number of employees without prior review and approval by the Planning Commission.

4. [illegible] Simcoe Lane.

5. The Conditional Use Permit shall not be effective until the extension of Hurstbourne Parkway between Westport Road and Ky. Highway 22 and that portion of proposed road "A" of Springhurst Subdivision are created by record plat and the roadways are constructed.

6. The site shall not be used for a day care center until the day care center is connected to a public water supply and a sanitary sewer system as required by the Health Department.

7. The Conditional Use Permit shall not be effective until the applicant submits to the staff of the Board a written statement from an attorney or title insurance company that no restrictive covenant exists on the site restricting the property to residential use.

8. The applicant shall submit to the staff of the Planning Commission a copy of the State license for the day care center within [illegible] days of the issuance of the license.

DOCKET NO. 10-[illegible]
Springhurst [illegible]
Preliminary Plan
Location: Northwest quadrant of Westport Road and I-265 (Gene Snyder Freeway) having a related variance request to allow wall to exceed maximum required height; also a related change in zoning request, Docket No. 9-6-89C and two related conditional use permits to allow a day care and a private club and two related street closure requests, Docket Nos. 1-2-89 and 1-5-89, containing 203 acres and being in unincorporated area of Jefferson County.
Developer: STM/Springhurst Partnership
301 North Hurstbourne Lane 40222
Engineer: Sabak, Wilson & Lingo
315 W. Market Street 40202

RESOLVED, That the variance is hereby APPROVED.

The variance allows:

1. The proposed brick serpentine wall noise barrier to be 14 feet tall in the road "A" front yard of proposed lot 691, and

2. The proposed brick serpentine wall noise barrier to be 14 feet tall in the required rear yard of proposed lot 705 and the required side yard of proposed lot 691, and

3. The proposed brick serpentine wall noise barrier to be 14 feet tall in the required road "A" front yard of lots 102 through 111, 130 through 142, and 150 through 156.

DOCKET NO. 10-30-91V
Springhurst Patio Homes (Innovative)
Location: Northwest intersection of Blossom Lane and Goose Creek Road extending east along Blossom Lane to the northeast intersection of Blossom Lane and Hurstbourne Parkway, containing 13.71 acres and being in unincorporated Jefferson County

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby GRANT waivers under the Innovative Residential Development Section of the Zoning District Regulations to allow:

1. A reduction in the lot size from 6,000 to 3,500 square feet.

2. A reduction in the front yard setback from 25 to 10 feet.

3. A reduction in the street side yard setback requirement from 25 to 10 feet.

4. A reduction in the rear yard setback requirement from 25 to 0 feet.

5. A reduction in the side yard setback requirement from 5 to 0 feet.

RESOLVED, That the Louisville and Jefferson County Planning Commission does hereby GRANT waivers under Section 1.90 of the Metropolitan Subdivision Regulations to allow:

1. Deletion of the sidewalk requirement along Blossom Lane and the private roadways within the interior of the of the subdivision with the exception of a portion on the south side of the main private roadway extending from Hurstbourne Parkway for 291 feet.

2. A reduction in the minimum road widths from 24 feet to 16 and 18 feet.

RESOLVED, That this preliminary plan shall be subject to the following binding elements:

1. The development shall be in accordance with the approved Residential Development Preliminary Plan. No further subdivision or resubdivision of the land into a greater number of lots than originally approved shall occur.

2. Prior to the recording of the record plat, copies of the recorded documents listed below shall be filed with the Planning Commission.
    a) Articles of Incorporation in a form approved by Counsel for the Planning Commission and the Certificate of Incorporation of the Homeowners Association.
    b) A deed of restriction in a form approved by Counsel of the Planning Commission outlining responsibilities for the maintenance of open space.
    c) Bylaws of the Homeowners' Association in a form approved by Counsel for the Planning Commission.

3. When 80% of the dwelling units have been sold, the homeowners association must have cash in its account in the amount of $3,000 and the subdivision performance bond may be required by the Planning Commission to fulfill this funding.

NOW, THEREFORE, BE IT RESOLVED, that the variances are hereby APPROVED.

The variances allow:

1. A proposed 8-foot tall wood fence to exceed the maximum allowed height of 4 feet in the required Blossom Lane street side yard.

2. A proposed 6-foot tall wood fence to exceed the maximum allowed height of 4 feet in the required Goose Creek Road front yard.

3. An existing 7-foot tall wood fence to exceed the maximum allowed height of 4 feet in the required Goose Creek Road front yard.