

Staff Report – Agenda Item # 2

Case number	BZA-2025-03a through BZA-2025-03e	Property size	30 ac
Property address	Southeast corner of intersection of W 300 S and S 950 W	Property zoning	R1 (Suburban Neighborhood)
Applicant(s)	BPD Montgomery Farms, LLC		
Property owner(s)	BPD Montgomery Farms, LLC		

Requested action:

- a) UDO V 3.2.11.D.iii Approval of Variance of Development Standards to permit a reduction in the required amount of masonry on the front elevation of residential buildings.
- b) UDO V 3.2.11.D.iv Approval of Variance of Development Standards to permit a reduction in the required amount of masonry on the side and rear elevations in public view of residential buildings.
- c) UDO V 3.2.11.E.ii Approval of Variance of Development Standards to permit the elimination of the requirement for a step back on the rear elevation of the building.
- d) UDO V 3.2.11.E.iii Approval of Variance of Development Standards to permit up to one elevation to be windowless.
- e) UDO V 3.2.11.F Approval of Variance of Development Standards to permit the elimination of requirement to meet minimum score on Architectural and Conservation and Indoor Air Quality Standards.

Recommendation:

- a) APPROVE with conditions
- b) APPROVE with conditions
- c) DENY
- d) DENY
- e) DENY

Exhibits:

- 1. Location map
- 2. Zoning map
- 3. Submittal

ABOUT PROJECT

Location

The subject site is a partially developed subdivision located at the southeast corner of W 300 S and S 950 W (see Figure 1 here and Exhibit 1. Vicinity Map). The base zoning is Suburban Neighborhood (R1). To the north across W 300 S is a Parks and Open Space district; the R1 district extends to the east to cover the adjacent subdivision; and to the south and west is Agricultural.

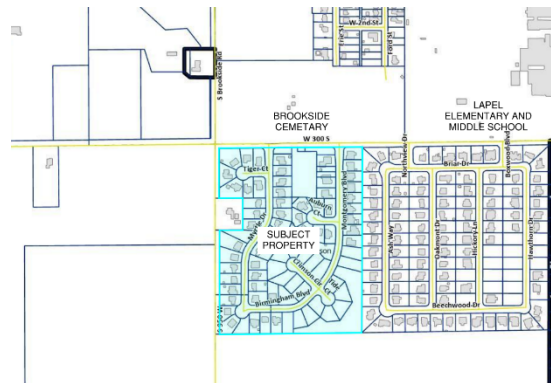


Figure 1. Project Site Location

Proposal

The petitioner would like to reduce a handful of architectural standards to allow new houses to be built with detailing and materials consistent with those found on existing houses in the subdivision.

The specific proposal is for the following (see Exhibit 3, page 6):

- Reduce the masonry requirements on building elevations in the public view of all residences greater than 1,500 square feet from 50% to a minimum of 36" of masonry on all building elevations in public view
- Eliminate the requirement for at least one step back on the rear building elevation
- Reduce the window requirements from requiring that all elevations have windows to requiring at least 3 elevations to have a window
- Eliminate the requirement to earn a minimum number of points based on the Architectural Standards and Conservation and Indoor Air Quality Standards tables

ANALYSIS

BZA-2025-03a and b

The Building Design and Architectural Standards are intended to ensure that new buildings in Lapel contribute to producing an aesthetically pleasing built environment. Another concern is to make sure that new buildings are durable, safe, and perform well. The goal is to make sure that builders and developers do not construct buildings lacking in visual interest or with materials that are cheap or low quality. Masonry is typically regarded as one of the highest-quality and most visually appealing building materials, which is why the Standards so heavily favor masonry. Other materials, siding in particular, tend to range more in their quality both in terms of visual appeal and durability.

Lapel's standards, found in V3.2.11.D, are intended to maximize the aesthetic qualities and "curb appeal" of housing in the town and does so by requiring at least 50% of any façade on "all visible elevations" be masonry. The fear is that if non-masonry materials are allowed to dominate the façade, the result will be buildings that don't look as nice and may face

maintenance issues as they age such as warping and staining that will reduce the building's performance and its attractiveness.

However, the homes built in Montgomery Farms to date are all quite attractive, and as Figure 2 shows, they achieve this attractiveness without the use of much masonry. The subdivision has an architectural review board that may provide the ability to ensure that the materials are high quality and well-maintained, thereby



Figure 2. Montgomery Farms houses with masonry

reducing the risk of warping and staining and other decay of the materials. This would alleviate the Town's concerns with permitting so little masonry to be used in the structures.

BZA-2025-03c

Related to the Town's desire to ensure that buildings create visual interest, the standards contained in V 3.2.11.E are intended to prevent large expanses of blank, featureless walls. In newer residential developments, the front and rear elevations tend to be wider than the side elevations, so to break up the apparent bulk of the building, the V 3.2.11.E.ii requires that *"the exterior wall surface of the first floor of any multi-story residence shall have a minimum of one (1), two (2) foot step back on both the front and rear elevation, achieved through a recessed or alternately loaded garage, covered porch, gable, or other architectural feature."* As seen in Figure 3, many houses in the subdivision already meet this standard, though there are also many that do not.

Given the mix of housing that complies and does not comply with this standard, staff sees little reason to recommend approval of this variance on the grounds of architectural consistency. Even if all of the houses left to be built in the subdivision are required to meet this standard, this will not make them inconsistent with other houses present in the subdivision.

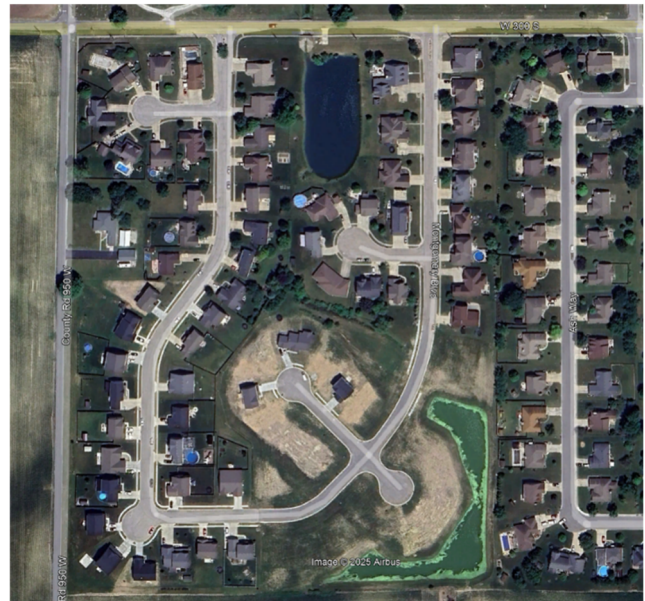


Figure 3. Satellite image of Montgomery Farms showing that while many houses have no step backs in the rear, there are many that do as well.

BZA-2025-03d

The intention of V3.2.11.E.iii is to prevent a building elevation that is just a flat, featureless wall by requiring at least one window on all elevations. The ordinance does not set any minimum requirements for what would satisfy this requirement, making it an easy requirement to satisfy.

Aside from avoiding featureless walls, requiring windows on all elevations creates more opportunities to provide daylight to interiors and allow building occupants to look outside. Access to sunlight and views of natural features—trees, water, the sky, animals—are associated with positive emotional and psychological effects, so staff is highly reluctant to recommend any changes to the standards that would reduce access to these two things.

The main reason that people might oppose having windows on all elevations is privacy concerns: most people are uncomfortable with the idea of a neighbor looking out of his or her window and directly into their home. However, these concerns can be mitigated during construction by designing windows that are smaller; that are higher up on walls; and/or that are placed so that windows on facing walls do not directly face one another. Occupants can also hang curtains or blinds or install fences for additional privacy.

It is staff's view that there is no compelling reason to approve this variance and good reason to reject it.

BZA-2025-03e

The tables contained in V3.2.11.F are intended to ensure developers build housing that is visually interesting and aesthetically pleasing; performs well in terms of energy efficiency, water use, and other similar areas; and does not negatively impact the health of its occupants through poor indoor air quality.

The points system employed by the table provides developers with a high degree of flexibility in meeting these intentions. For example, a house can meet the 15-point score minimum for Architectural Standards by only meeting the requirements under "Windows" or only meeting the requirements under "Architectural Details/Styles" and nothing else in the table. Given the high degree of flexibility provided for meeting the minimum requirements, staff can find no reason to recommend approval for this variance request.

The Conservation and Indoor Air Quality Standards table is admittedly a little less flexible, but this is because these standards are more critical. While the Architectural Standards are largely about producing an aesthetically pleasing building, these standards are largely about producing a building that conserve public resources—electricity, water, sewerage—and promote the health of their occupants. Given the higher purpose involved in these standards, staff recommends against approval for this variance request.

Variance of Development Standards Criteria

In order to approve a variance of development standards, the BZA needs to find that three (3) criteria are met. The applicant proposes their findings to these criteria in the submittal (Exhibit 3, page 2; Exhibit 4, page 2). Staff proposes their findings of fact below.

VARIANCE OF DEVELOPMENT STANDARDS FINDINGS

If the Board should decide to APPROVE the requested Variance of Development Standards, please use the following findings of fact:

The Lapel Board of Zoning Appeals is authorized to approve or deny Variances of Development Standards by Indiana Code 36-7-4-918.5 and by Lapel UDO V1.6.3. The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standards may be approved upon a determination in writing that the following three (3) criteria are met (V1.6.9.A):

BZA-2025-03a

- **The approval will not be injurious to the public health, safety, morals, and general welfare of the community:**

The requested variance would allow buildings that are consistent with the appearance of existing buildings in the subdivision, so it is presumed that it will not be injurious to the public health, safety, morals and general welfare of the community.

- **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:**

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

- **The strict application of the terms of this Ordinance will NOT result in a practical difficulty in the use of the property.**

The strict application of these architectural standards does not present practical difficulties, but it would result in a sharp break in the architectural character of the subdivision.

BZA-2025-03b

- **The approval will not be injurious to the public health, safety, morals, and general welfare of the community:**

The requested variance would allow buildings that are consistent with the appearance of existing buildings in the subdivision, so it is presumed that it will not be injurious to the public health, safety, morals and general welfare of the community.

- **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:**

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be

brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

- **The strict application of the terms of this Ordinance will NOT result in a practical difficulty in the use of the property.**

The strict application of these architectural standards does not present practical difficulties, but it would result in a sharp break in the architectural character of the subdivision.

BZA-2025-03c

- **The approval will not be injurious to the public health, safety, morals, and general welfare of the community:**

The requested variance would allow buildings that are consistent with the appearance of existing buildings in the subdivision, so it is presumed that it will not be injurious to the public health, safety, morals and general welfare of the community.

- **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:**

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

- **The strict application of the terms of this Ordinance will NOT result in a practical difficulty in the use of the property.**

The strict application of these architectural standards does not present practical difficulties, and there are enough houses within the subdivision that already meet these standards that the strict application of these standards will not alter the overall character of the subdivision.

BZA-2025-03d

- **The approval will be injurious to the public health, safety, morals, and general welfare of the community:**

While the primary purpose of this standard is to prevent large expanses of blank, featureless walls, there are some public health benefits to providing windows on all elevations, chiefly in the form of the psychological benefits of access to sunlight and views of nature. Admittedly, these effects are likely to be small, but there is no compelling reason to make this trade-off.

- **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:**

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

- **The strict application of the terms of this Ordinance will NOT result in a practical difficulty in the use of the property.**

The strict application of these architectural standards does not present practical difficulties. There are no standards for the location or size of windows that would meet the terms of this ordinance, so it should be completely practicable.

BZA-2025-03e

- **The approval will be injurious to the public health, safety, morals, and general welfare of the community:**

The standards in these tables promote public health by protecting indoor air quality and promote the general welfare of the community by promoting energy and water efficiency, allowing the Town to provide these critical utilities to more households with smaller decreases in available capacity. Approval of this variance will allow the construction of houses that fail to meet these attainable standards.

- **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:**

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

- **The strict application of the terms of this Ordinance will NOT result in a practical difficulty in the use of the property.**

The strict application of these architectural standards does not present practical difficulties because the tables are designed for flexibility, accommodating multiple pathways for compliance.

RECOMMENDATION

BZA-2025-03a

APPROVE the requested Variances of Development Standards based upon the following findings of fact:

- The approval **will not** be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value of the area adjacent to the property included in the variance **will not** be affected in a substantially adverse manner;
- The strict application of the terms of this Ordinance **will not** result in a practical difficulty in the use of the property.

With the following specific conditions:

1. The Applicant shall sign the Acknowledgement of Variance of Development Standards/Special Use document prepared by the Lapel Planning Staff within 60 days of this approval. Staff will then record this document against the property and file of stamped copy of such recorded document shall be available in the Lapel Town Hall.
2. Any alterations to the approved building plan or site plan, other than those required by the Board of Zoning Appeals (BZA), shall be submitted to the Planning Department prior to the alterations being made, and if necessary, a BZA hearing shall be held to review such changes.

BZA-2025-03b

APPROVE the requested Variances of Development Standards based upon the following findings of fact:

- The approval **will not** be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value of the area adjacent to the property included in the variance **will not** be affected in a substantially adverse manner;
- The strict application of the terms of this Ordinance **will not** result in a practical difficulty in the use of the property.

With the following specific conditions:

1. The Applicant shall sign the Acknowledgement of Variance of Development Standards/Special Use document prepared by the Lapel Planning Staff within 60 days of this approval. Staff will then record this document against the property and file of stamped copy of such recorded document shall be available in the Lapel Town Hall.
2. Any alterations to the approved building plan or site plan, other than those required by the Board of Zoning Appeals (BZA), shall be submitted to the Planning Department prior to the alterations being made, and if necessary, a BZA hearing shall be held to review such changes.

BZA-2025-03c

DENY the requested Variances of Development Standards based upon the following findings of fact:

- The approval **will not** be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value of the area adjacent to the property included in the variance **will not** be affected in a substantially adverse manner;

- The strict application of the terms of this Ordinance **will not** result in a practical difficulty in the use of the property.

BZA-2025-03d

DENY the requested Variances of Development Standards based upon the following findings of fact:

- The approval **will** be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value of the area adjacent to the property included in the variance **will not** be affected in a substantially adverse manner;
- The strict application of the terms of this Ordinance **will not** result in a practical difficulty in the use of the property.

BZA-2025-03e

DENY the requested Variances of Development Standards based upon the following findings of fact:

- The approval **will** be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value of the area adjacent to the property included in the variance **will not** be affected in a substantially adverse manner;
- The strict application of the terms of this Ordinance **will not** result in a practical difficulty in the use of the property.

MOTION OPTIONS

BZA-2025-03a

- Motion to **approve** the Variance of Development Standards to permit an accessory structure closer to the front property line than the setback established by the primary structure for the subject real estate as per submitted application BZA-2025-03a based upon the findings of fact listed by the applicant, and/or presented by staff, and/or any other findings of fact added during the BZA discussion with specific conditions proposed by staff.
- Motion to **deny** the Variance of Development Standards for the subject real estate as per submitted application BZA-2025-03a because... (List reasons, findings of fact)
- Motion to **continue** the review of the application BZA-2025-03a until the next regular meeting on *May 1, 2025*, because ... (list reasons).

BZA-2025-03b

- Motion to **approve** the Variance of Development Standards to permit an accessory structure closer to the front property line than the setback established by the primary structure for the subject real estate as per submitted application BZA-2025-03b based upon the findings of fact listed by the applicant, and/or presented by staff, and/or any other findings of fact added during the BZA discussion with specific conditions proposed by staff.

- Motion to **deny** the Variance of Development Standards for the subject real estate as per submitted application BZA-2025-03b because... (List reasons, findings of fact)
- Motion to **continue** the review of the application BZA-2025-03b until the next regular meeting on *May 1, 2025*, because ... (list reasons).

BZA-2025-03c

- Motion to **approve** the Variance of Development Standards to permit an accessory structure closer to the front property line than the setback established by the primary structure for the subject real estate as per submitted application BZA-2025-03c based upon the findings of fact listed by the applicant, and/or presented by staff, and/or any other findings of fact added during the BZA discussion with specific conditions proposed by staff.
- Motion to **deny** the Variance of Development Standards for the subject real estate as per submitted application BZA-2025-03c because... (List reasons, findings of fact)
- Motion to **continue** the review of the application BZA-2025-03c until the next regular meeting on *May 1, 2025*, because ... (list reasons).

BZA-2025-03d

- Motion to **approve** the Variance of Development Standards to permit an accessory structure closer to the front property line than the setback established by the primary structure for the subject real estate as per submitted application BZA-2025-03d based upon the findings of fact listed by the applicant, and/or presented by staff, and/or any other findings of fact added during the BZA discussion with specific conditions proposed by staff.
- Motion to **deny** the Variance of Development Standards for the subject real estate as per submitted application BZA-2025-03d because... (List reasons, findings of fact)
- Motion to **continue** the review of the application BZA-2025-03d until the next regular meeting on *May 1, 2025*, because ... (list reasons).

BZA-2025-03e

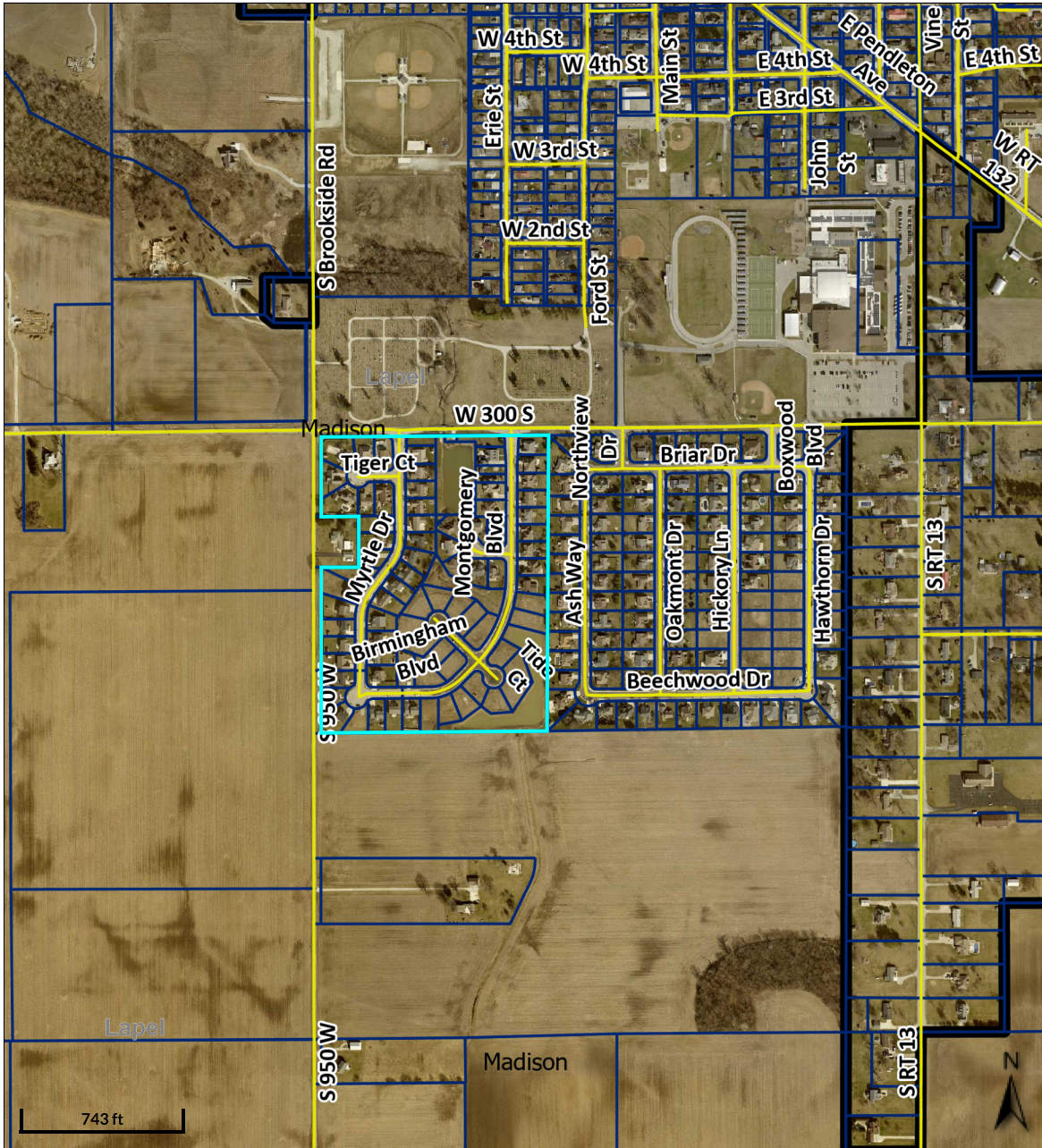
- Motion to **approve** the Variance of Development Standards to permit an accessory structure closer to the front property line than the setback established by the primary structure for the subject real estate as per submitted application BZA-2025-03e based upon the findings of fact listed by the applicant, and/or presented by staff, and/or any other findings of fact added during the BZA discussion with specific conditions proposed by staff.
- Motion to **deny** the Variance of Development Standards for the subject real estate as per submitted application BZA-2025-03e because... (List reasons, findings of fact)
- Motion to **continue** the review of the application BZA-2025-03e until the next regular meeting on *May 1, 2025*, because ... (list reasons).

EXHIBIT 1. LOCATION MAP

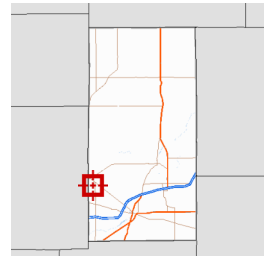


Beacon™

Madison County, IN | Assessor Larry D. Davis



Overview



Legend

- Parcels
- Roads
- County Boundary

Date created: 3/27/2025
Last Data Uploaded: 3/27/2025 12:46:36 AM

Developed by  SCHNEIDER
GEOSPATIAL

EXHIBIT 2. ZONING MAP

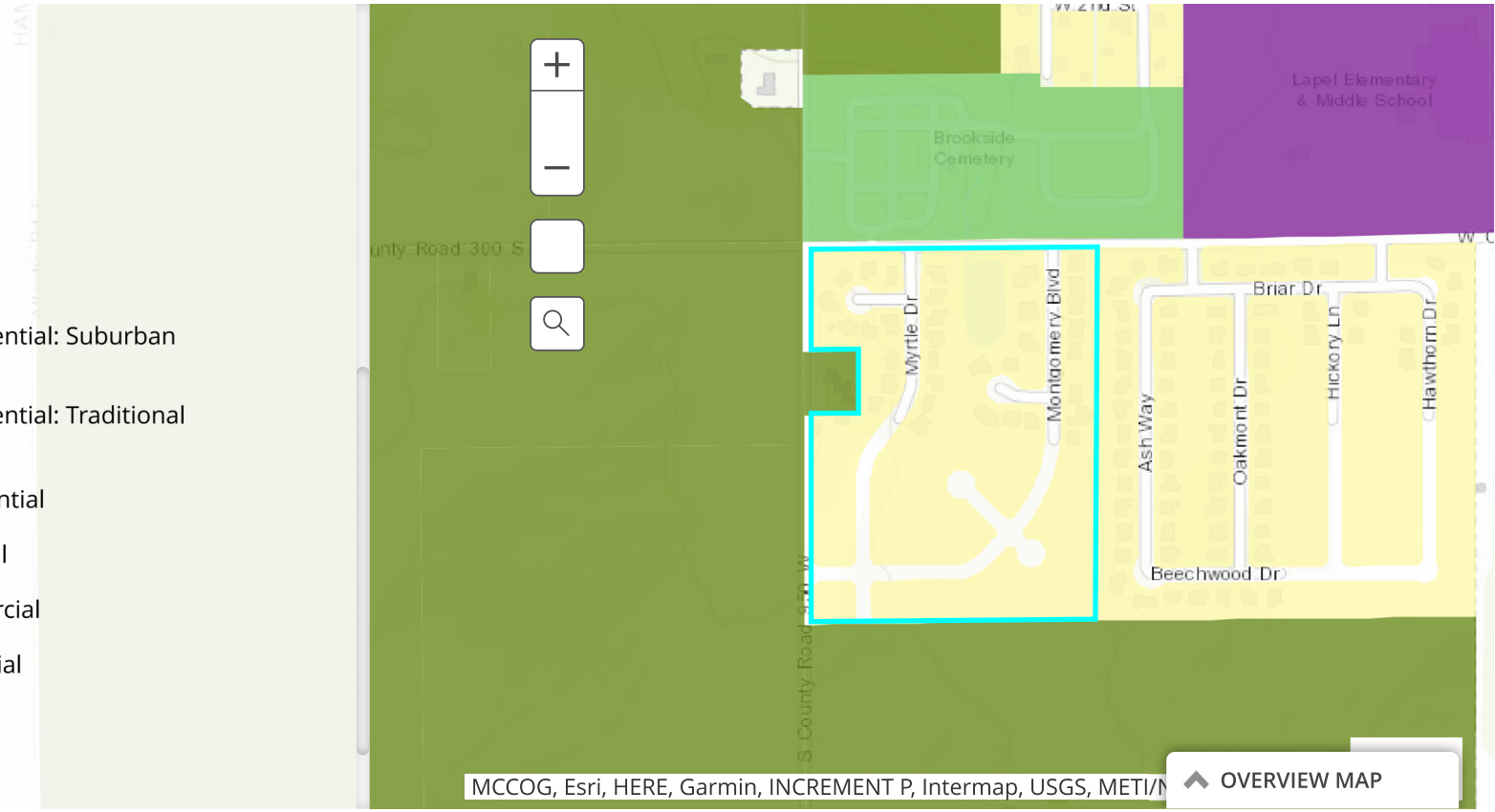
Lapel Interactive Zoning Map

Overview AG R1 R2 R3 C1 C2 IS IL IG PO

C2 - Downtown Commercial
Is - Institutional and Social
Il - Light Industrial
Ig - General Industrial
Po - Parks and Open Space

Town of Lapel Zoning

-  Ag - Agriculture
-  R1 - Single Family Residential: Suburban Neighborhood
-  R2 - Single Family Residential: Traditional Neighborhood
-  R3 - Multi-Family Residential
-  C1 - General Commercial
-  C2 - Downtown Commercial
-  Is - Institutional and Social
-  Il - Light Industrial
-  Ig - General Industrial



 OVERVIEW MAP



BZA APPLICATION

**Required sections to fill out*

Application type*:

- Variance of Development Standard(s)
- Special Use
- Administrative Appeal

For office use only:

App No: _____
 Date received: _____
 App fee: _____
 Fee paid by: Cash Check
 Check #: _____

PROPERTY INFORMATION*

Address/Location: Montgomery Farms Subdivision: Norwest Quarter of Northeast Quarter Section 33, Township
 Parcel(s)' ID(s): Many
 Current use: Residential Current zoning: R1
 Request code reference: See attached narrative Project total size: 30.00 Acres
 Request description: Subdivision has had historical architectural standards in place. Town has begun enforcing 2016 standards on remaining 9 lots. Applicant would like variances so standards can match existing homes in subdivision.

PROPERTY OWNER INFORMATION*

Name: BPD Montgomery Farms, LLC
 Mailing address: 1155 Parkway Dr. Suite 300
 City/Town: Zionsville Zip code: 46077
 Email: snoel@braunpd.com Phone #: (317) 509-3482

APPLICANT INFORMATION* Same as owner

Name: _____ Title: _____
 Company name: _____
 Mailing address: _____
 City/Town: _____ Zip code: _____
 Email: _____ Phone #: _____

NOTE: The person listed as **applicant** will be contacted regarding all applications steps and payments, including being contacted by the newspaper publisher for Legal Notice payment.

COMPLIANCE WITH VARIANCE OF DEVELOPMENT STANDARDS CRITERIA*

The Lapel Board of Zoning Appeals (BZA) is authorized to approve or deny Variances of Development Standards from the terms of the Unified Development Ordinance. The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standards may be approved only upon a determination in writing that the following three (3) statements are true (see Indiana Code § 36-7-4-918.5):

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:

Correct, Agree

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner by the approval of this variance request because:

Yes, correct

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property because:

No

APPLICANT AFFIDAVIT

STATE OF INDIANA
COUNTY OF MADISON S.S.

The undersigned, having been duly sworn on oath, states that the information in the Application is true and correct as they are informed and believe.

Applicant printed name: BPD Montgomery Farms, LLC (Scott Noel, Manager)

Applicant signature: *Scott Noel*

Subscribed and sworn to before me this 27th day of MARCH, 2025



Notary printed name: CONSTANCE TOLEA HERRING

Notary signature: *Constance Tolea Herring*

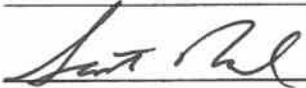
My commission expires: July 27, 2031

OWNER AFFIDAVIT

STATE OF INDIANA
COUNTY OF MADISON S.S.

The undersigned, having been duly sworn on oath, states that they are the Owner of the Property involved in this application and that they hereby acknowledge and consent to the forgoing Application.


Owner printed name**: BPD Montgomery Farms, LLC (Scott Noel, Manager)

Owner signature**: 

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

Subscribed and sworn to before me this 27th day of MARCH, 20 25.

Notary printed name: CONSTANCE TOLEA HERRING

Notary signature: 

My commission expires: July 27, 2031

*** A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.*

BEFORE THE TOWN OF LAPEL, INDIANA

PETITIONER: Braun Property Development

RESPONDENT: Town of Lapel, Indiana

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS:

Braun Property Development ("Petitioner") submits this variance request related to Building Design and Architectural Standards enforced within the Montgomery Farms Subdivision in the Town of Lapel, Indiana ("Town"). This petition seeks to align future construction with the established character of the subdivision while maintaining consistency with prior approvals.

Narrative Intent

The intent behind this Variance is to address the Building Design and Architectural Standards adopted in 2015, which have been enforced in Montgomery Farms Subdivision. The subdivision, containing seventy-seven (77) lots, was originally platted in 1996. The goal is for any remaining lots and newly constructed homes to conform with the architectural integrity of the existing residences.

Scope

This request applies to the remaining future homes to be built in Montgomery Farms. If necessary, it needs to apply to any homes that have been constructed since the standards changed in 2018. Homes approved, permitted, and issued certificates of occupancy by the Town of Lapel prior to December 31, 2024, shall not be subject to retroactive enforcement of the standards outlined below.

Architectural Standards

As stated in the Narrative Intent, the primary focus of this amendment pertains to V4.2.11 - Building Design and Architectural Standards. Montgomery Farms has an architectural review board in place, and the following minimum architectural standards are proposed to ensure continuity within the subdivision without exceeding existing requirements:

1. The front elevation must include some masonry.
2. Approved siding materials include cement fiber, engineered wood/composite, masonry. Vinyl siding shall be permitted with a minimum thickness of .044".
3. Architectural (dimensional) shingles must be used.
4. All primary roof pitches shall be a minimum of 6/12.
5. Overhangs must be a minimum of 9" finished on all sides of the home and garage.
6. Driveway width must be a minimum of 18' and constructed of concrete only; asphalt or gravel driveways are not permitted. All sidewalks shall be of concrete material.

7. Side elevations of all residences abutting a street shall include some masonry on the visible elevation.

The following specific variances are requested:

V3.2.11.D.iii: At least 50 percent (50%) of the front elevation of all residential buildings greater than 1,500 square feet, exclusive of windows, doorways (other than garage doors), and bays, shall be masonry. **Variance request: 50% masonry on the front elevation does not apply, however, a minimum of 36 inches (3 feet) of masonry material shall be required on all front elevations.**

V3.2.11.D.iv: The side and rear elevations of all residences greater than 1,500 square feet that abut a street, open space, trail, or park, shall have at least 50 percent (50%) masonry as the exterior building material on all visible elevations. **Variance request: 50% masonry on the all elevations does not apply, however, a minimum of 36 inches (3 feet) of masonry material shall be required on all visible elevations for applicable residences.**

V3.2.11.E.ii: The exterior wall surface of the first floor of any multi-story residence shall have a minimum of one (1), two (2) foot step back on both the front and rear elevation. **Variance request: Step forwards or backs only apply to the front elevation.**

V3.2.11.E.iii: There shall be no windowless elevations. **Variance request: there must be a minimum of three (3) elevations with a window.**

V3.2.11.F: Architectural, conservation and indoor air quality standards: **Variance request: minimum point sections do NOT apply.**

The Petitioner appreciates the Town's consideration of this request and looks forward to working collaboratively to maintain the architectural consistency of Montgomery Farms Subdivision.

Respectfully submitted,

Braun Property Development

Scott Noel

CFO – Manager

February 25, 2025