

Staff Report – Board of Zoning Appeals

Docket #:	BZA2024-041 Development Standard Variance	Hearing Date:	October 28, 2024
Applicant:	Taylor Morrison of Indiana, LLC, 630 3 rd Avenue SW, Suite 200, Carmel, IN 46032		
Owner:	Kenneth & Cathy Jo Linzie, 25 N. Middle Street, Greenwood, IN 46143 Greenwood Industrial Air-Park Inc., 1746 Pathway Drive N, Greenwood, IN 46143		
Subject Property:	108 acres, west of the Indy South Greenwood Airport, south of Airport Parkway		
Staff Contact:	Gabe Nelson, nelsong@greenwood.in.gov, 317-887-5230		

Request:

Petitioner is requesting relief from the following sections of the Unified Development Ordinance:

1. Section 10-02-15 (A) Development Standards, Lot Width, to reduce the minimum lot width from 24 feet 20 feet for the Townhomes
2. Section 10-02-15 (A) Development Standards, Lot Size, to reduce the minimum lot size from 5,400 square feet to 4,200 square feet for the Cornerstone and Edge Series
3. Section 10-02-15 (A) Development Standards, Side Yard Setback, to reduce the minimum setback from eight (8) feet to five (5) feet for the Simplicity and Edge Series
4. Section 10-02-15 (A) Development Standards, Side Yard Setback, to reduce the minimum setback from eight (8) feet to one (1) foot for the Cornerstone Series
5. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Non-Monotony (B), to allow single family homes to have the same front setback for the Townhomes and the Cornerstone and Edge Series
6. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Non-Monotony (D), to waive requirement for no blank exterior walls for the Townhomes and the Cornerstone and Edge Series
7. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, General Design (A), to increase the total percentage of garage door width to overall building width from 60% to 67% for the Simplicity Series (two-story)
8. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, General Design (A), to increase the total percentage of garage door width to overall building width from 50% to 61% for the Simplicity Series (ranch)
9. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, General Design (A), To increase the total percentage of garage door width to overall building width from 60% to 93% for the Townhomes
10. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, General Design (H), to increase the amount a garage can extend forward of the house from eight (8) feet to ten (10) feet for the Simplicity Series
11. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, General Design (C), to allow a primary front entrance on a side elevation for the Cornerstone Series
12. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Exterior Materials, Path 1, to reduce the minimum gauge vinyl siding allowed from 0.046 to 0.044
13. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Exterior Materials, Path 1, to reduce the amount of mortared masonry required from 50% to the bottom of the first-floor window on all facades in which mortared masonry is required
14. Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Exterior Materials, Path 1 (D), to allow vinyl siding on an enclosed porch

Location:

The subject property is located west of the Indy South Greenwood Airport, south of Airport Parkway, and east of Northeast Elementary and the Northern Park subdivision.

Parcel Numbers 41-02-28-033-001.000-026, 41-02-28-024-037.000-026, 41-02-28-031-027.010-026, 41-02-28-031-027.014-026 & 41-02-28-034-027.009-026

Exhibit A – Aerial Map and Exhibit E – Legal Description

Existing & Surrounding Zones/Land Uses:

Existing: Residential Medium (RM)/Airport Commerce (AC), Agriculture/Undeveloped
North: Airport Commerce (AC)/Open Space (OS), Mixed Commercial/Northeast Elementary
South: Old Town Residential (OTR)/ Agriculture (AG), Single Family Residential /Agriculture
East: Airport Commerce (AC)/Agriculture (AG), Greenwood Airport/Agriculture
West: Residential Medium (RM), Single Family Residential (Northern Park)

Exhibit B – Existing Zoning Map

Indiana Code Reference(s): Section 36-7-4-918.5 (Development Standards Variances)

Statutory Criteria:

- Indiana Code Section 36-7-4-918.5 Dimensional/Development Standard Variances may be approved only upon a determination in writing that:
 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 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;
 3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property.
- Indiana Code Section 8-21-10-3 No Hazard to Air Navigation: **If applicable**, the structure is regulated under Indiana Code 8-21-10-3 and the Board of Zoning Appeals has received a copy of the Determination of No Hazard to Air Navigation issued by the Federal Aviation Administration and the Board of Aviation Commissioners has been delivered notice in accordance with Indiana Code 8-21-10-3 not less than sixty days before the proposal is considered.

VARIANCE #1: To reduce the minimum lot width from 24 feet 20 feet for the Townhomes

Greenwood Code References: Unified Development Ordinance, Section 10-02-15 (A) Development Standards, Lot Width, Minimum 24 feet for units attached on both sides.

Staff Comment: Answers provided under Variance #1 for Criteria 2, 3 and 4 apply to all 14 variance requests. Answers to Criteria 1 are different for most variances, unless otherwise noted.

Petitioner's Detailed Statements of Reasons and Staff Comments:**1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:**

The approval of the request to decrease the required Minimum Lot Width from 24 feet to 20 feet will not affect the public health, safety, morals and general welfare of the community because the proposed deviation is relatively small and will not create any adverse visual impairments as the home to be constructed will be in harmony with the overall community and consistent with residential development in the area.

Staff Comment: Staff agrees with the petitioner's statement. There are currently other townhomes in Greenwood that are 20 feet wide (Reserve at Royal Oak) and 21 feet wide (Madison), so this reduction should not cause any issues with livability.

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 because:

The use of the adjacent properties would not be substantially affected because approval of this petition is consistent with the residential development in the area. The variance requested is relatively small and will be visually insignificant. The value of the adjacent properties will not be adversely affected as approval of this petition and resulting variance will allow for new home construction that will be in harmony with the overall community.

Staff Comment: Staff agrees with the petitioner's statement. The variances requested will be generally minimal and barely, if at all, noticeable from outside this development. The development is surrounded by an airport, mixed commercial uses and an older subdivision. None of these should be impacted in any negative way by the variances requested.

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

The conditions and dimensions of the Real Estate, in conjunction with the location of Pleasant Creek and its floodway and flood zone, make it impractical for the Petitioner to develop the Real Estate for residential use without approval of the requested Variance. Petitioner will have to construct at least two bridges and provide space for a trail along the creek. The remaining developable ground is challenging and oddly shaped.

Staff Comment: Staff agrees with the petitioner's statement. The variances requested are necessary in some cases to develop the types of residential the City prefers. In other cases, these variances will allow the developer to build a more economical product, which is virtually impossible to accomplish with the UDO. "The majority (62.2%) of Greenwood housing units are single-family detached dwellings. Multi-family apartment and condominium structures (10 or more units) make up the next largest share of housing (14.7%). All other housing types make up 23.1% of the total, duplexes (1.6%) and mobile homes (2.6%) the lowest. The low percentage of duplexes, fourplexes, and townhomes supports the concept of "missing middle housing." These middle building types often represent housing options at more attainable price points and help to generate the intensity needed to support neighborhood commercial businesses and amenities." - Page 28 of the Conditional Approved 2024 Comprehensive Plan.

Exhibit E – Plat Map

4. The structure is/is not regulated under Indiana Code 8-21-10-3 for hazard air navigation.

A letter of no hazard to air navigation has been requested and expected to be approved.

Staff Comment: Staff will request that this is a condition for all fourteen variances.

VARIANCE #2: To reduce the minimum lot size from 5,400 square feet to 4,200 square feet for the Cornerstone and Edge Series

Greenwood Code References: Unified Development Ordinance, Section 10-02-15 (A) Development Standards, Lot Size, Minimum 5,400 square feet.

Petitioner's Detailed Statements of Reasons and Staff Comments:

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

The approval of the request to decrease the required Minimum Lot Size from 5400 square feet to 4200 square feet will not affect the public health, safety, morals and general welfare of the community because the proposed deviation is relatively small and will not create any adverse visual impairments as the homes to be constructed will be in harmony with the overall community and consistent with residential development in the area.

Staff Comment: Staff agrees with the petitioner's statement. These smaller lots only comprise a portion of the overall development and enable a range of lot sizes for potential buyers to choose. Page 164 of the Conditional Approved 2024 Comprehensive Plan states that for the Aviation Acres focus area Design Principle: "Diverse Housing Options: Scale up residential intensity to the north and east to include smaller lot single-family homes, townhomes, and other medium density residential dwelling types that act as a buffer between existing single-family neighborhoods and more intensive land uses."

VARIANCE #3: To reduce the minimum setback from eight (8) feet to five (5) feet for the Simplicity and Edge Series

VARIANCE #4: To reduce the minimum setback from eight (8) feet to one (1) foot for the Cornerstone Series

Greenwood Code References: Unified Development Ordinance, Section 10-02-15 (A) Development Standards, Side Yard Setback, eight (8) for each side yard.

Staff Comment: Answer provided for Criteria 1 applies to Variance requests 3 and 4.

Petitioner's Detailed Statements of Reasons and Staff Comments:

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

The approval of the request to decrease the required side yard setback will not affect the public health, safety, morals and general welfare of the community because the proposed deviation is relatively small and will not create any adverse visual impairments as the home to be constructed will be in harmony with the overall community and consistent with residential development in the area.

Staff Comment: Staff agrees with the petitioner's statement. The five-foot setback will still allow for ten feet between structures. The petitioner will also ensure a minimum of ten feet between structures where a one-foot setback is permitted, due to the unique layout of the properties. State Building and Fire Codes regarding building separation will still apply.

VARIANCE #5: To allow single family homes to have the same front setback for the Townhomes and the Cornerstone and Edge Series

Greenwood Code References: Unified Development Ordinance, Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Non-Monotony (B), Adjacent new structures may not have the exact same front setback measurement; the setback must vary by at least two (2) feet and not more than five (5) feet between the two structures.

VARIANCE #6: To waive requirement for no blank exterior walls for the Townhomes and the Cornerstone and Edge Series

Greenwood Code References: Unified Development Ordinance, Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Non-Monotony (D), On individual structures, there shall be no blank exterior walls. Each wall shall have a minimum of eight square feet of windows and an architectural feature or a change in building material or finish.

Staff Comment: Answer provided for Criteria 1 applies to Variance requests 5 and 6.

Petitioner's Detailed Statements of Reasons and Staff Comments:

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

The approval of this request will not affect the public health, safety, morals and general welfare of the community because the proposed deviation will not create any adverse visual impairments. For the Cornerstone Series, there is a natural variation and movement in the streetscape. The Edge Series utilizes rear loaded garages which do not face the public ways. The homes to be constructed will be in harmony with the overall community and consistent with residential development in the area.

Staff Comment: Staff agrees with the petitioner's statement. The petitioner has agreed to an additional twenty square feet of windows in lieu of an architectural feature.

VARIANCE #7: To increase the total percentage of garage door width to overall building width from 60% to 67% for the Simplicity Series (two-story)

VARIANCE #8: To increase the total percentage of garage door width to overall building width from 50% to 61% for the Simplicity Series (ranch)

VARIANCE #9: To increase the total percentage of garage door width to overall building width from 60% to 93% for the Townhomes

Greenwood Code References: Unified Development Ordinance, Section 10-03-14 (B) Single Family Residential Building Design Standards, General Design (A), A front building elevation may contain an attached garage and visible garage door(s); provided that the portion of the front building elevation of the single-family structure devoted to the attached garage shall not be greater than 60% of the width of the front building elevation (50% for ranch-style homes). The garage façade shall not constitute more than 50% of the overall façade (60% for ranch-style homes).

VARIANCE #10: To increase the amount a garage can extend forward of the house from eight (8) feet to ten (10) feet for the Simplicity Series

Greenwood Code References: Unified Development Ordinance, Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, General Design (H), Garages facing the public right-of-way may not extend more than eight (8) feet from the body of the structure.

Staff Comment: Answer provided for Criteria 1 applies to Variance requests 7, 8, 9, and 10.

Petitioner's Detailed Statements of Reasons and Staff Comments:

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

The approval of this request will not affect the public health, safety, morals and general welfare of the community because the proposed deviation will not create any adverse visual impairments. The homes to be constructed will be in harmony with the overall community and consistent with residential development in the area.

Staff Comment: Staff does have some concerns on the prominence of garages with a few of the housing types. These variances will not have an effect on public health or general welfare.

VARIANCE #11 To allow a primary front entrance on a side elevation for the Cornerstone Series

Greenwood Code References: Unified Development Ordinance, Section 10-03-14 (B)(1) Single Family

Residential Building Design Standards, General Design (C), The primary front entrance to a residential dwelling structure shall not be located on a side or rear elevation.

Petitioner's Detailed Statements of Reasons and Staff Comments:

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

The approval of this request will not affect the public health, safety, morals and general welfare of the community because the proposed deviation will not create any adverse visual impairments. The homes to be constructed will be in harmony with the overall community and consistent with residential development in the area. Petitioner estimates that 14 homes would be constructed utilizing a side entrance.

Staff Comment: Staff agrees with the petitioner's statement. The home layout will still essentially be fronting the proper direction, with the door tucked into the corner. The homes with this design will still meet the intent of the UDO.

VARIANCE #12: To reduce the minimum gauge vinyl siding allowed from 0.046 to 0.044

Greenwood Code References: Unified Development Ordinance, Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Exterior Materials, Path 1, The front elevation shall be comprised of any one or any combination of the following materials: stone, brick, heavy-gauge vinyl (minimum of 0.046 inch gauge), fiber cement siding, engineered wood siding, or stucco, provided that a minimum of 50% of the front elevation shall be clad in mortared masonry and fiber cement siding shall not count toward this minimum requirement.

Petitioner's Detailed Statements of Reasons and Staff Comments:

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

The approval of this request will not affect the public health, safety, morals and general welfare of the community because the proposed deviation will not create any adverse visual impairments. The homes to be constructed will be in harmony with the overall community and consistent with residential development in the area. 0.044-gauge premium vinyl is available in the same colors and provides the same benefits as the 0.046-gauge vinyl.

Staff Comment: Staff agrees with the petitioner's statement. Homes in surrounding subdivisions have a significant amount of vinyl and some aluminum siding. The allowance of a slightly lower gauge of vinyl would fit with the surrounding areas.

VARIANCE #13: To reduce the amount of mortared masonry required from 50% to the bottom of the first-floor window on all facades in which mortared masonry is required

Greenwood Code References: Unified Development Ordinance, Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Exterior Materials, Path 1, The front elevation shall be comprised of any one or any combination of the following materials: stone, brick, heavy-gauge vinyl (minimum of 0.046 inch gauge), fiber cement siding, engineered wood siding, or stucco, provided that a minimum of 50% of the front elevation shall be clad in mortared masonry and fiber cement siding shall not count toward this minimum requirement.

VARIANCE #14: To allow vinyl siding on enclosed porch

Greenwood Code References: Unified Development Ordinance, Section 10-03-14 (B)(1) Single Family Residential Building Design Standards, Exterior Materials, Path 1 (D), Enclosed porches or porticos

attached to or within five (5) feet of the residential dwelling structure shall be clad in the same materials as the majority portion of the rear elevation and shall not be clad in metal or vinyl siding or cladding.

Staff Comment: Answer provided for Criteria 1 applies to Variance requests 13 and 14.

Petitioner's Detailed Statements of Reasons and Staff Comments:

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

The approval of this request will not affect the public health, safety, morals and general welfare of the community because the proposed deviation will not create any adverse visual impairments. The homes to be constructed will be in harmony with the overall community and consistent with residential development in the area.

Staff Comment: Staff agrees with the petitioner's statement. Although the amount of masonry will fall under the 50% mark, the amount is still sufficient to provide some aesthetic deviations to the homes.

Recommendation and Proposed Conditions:

VARIANCE #1: To reduce the minimum lot width from 24 feet 20 feet for the Townhomes

Staff recommends approval of this variance. The primary purpose of this requirement is to allow townhomes to have sufficient width to be livable. Many townhomes, include those in higher price ranges are around 20 feet in width and does not have any ill effects.

VARIANCE #2: To reduce the minimum lot size from 5,400 square feet to 4,200 square feet for the Cornerstone and Edge Series

Staff recommends approval of this variance. As with the first variance, this requirement is to ensure that lots are large enough to be built upon. The reduced lot size, in combination with the requested setback reductions (Variances #3 & #4), still provide for sufficient space to build a home.

VARIANCE #3: To reduce the minimum setback from eight (8) feet to five (5) feet for the Simplicity and Edge Series

Staff recommends approval of this variance. This variance is needed as the reduced lot size from Variance #2 will also narrow the lot. The overall reduction in lot size and/or setback will create a different, more efficient type of neighborhood than the typical single family ¼ acre lots that, while popular, are generally poor planning practice and increase sprawl.

VARIANCE #4: To reduce the minimum setback from eight (8) feet to one (1) foot for the Cornerstone Series

Staff recommends approval of this variance. In addition to the items mentioned for Variance #3, this particular variance will only apply to select housing styles, that when fully developed, will essentially create a courtyard. To accomplish correctly, the one-foot setback should have the following condition:

1. A minimum of ten (10) feet between buildings

VARIANCE #5: To allow single family homes to have the same front setback for the Townhomes and the Cornerstone and Edge Series

Staff recommends approval of this variance. The individual homes will contain a significant amount of variation that setback variation will be unnecessary to achieve the result of a diverse front line of homes. For the townhomes, there will be a decent amount of articulation with the individual units that will also achieve this result.

VARIANCE #6: To waive requirement for no blank exterior walls for the Townhomes and the Cornerstone and Edge Series

Staff recommends approval of this variance. The petitioner has committed to an additional twenty square feet of windows on each floor to achieve the goal of not having a blank wall. Staff recommends the following condition for this variance:

1. An additional 20 square feet of windows per floor of otherwise blank walls

VARIANCE #7: To increase the total percentage of garage door width to overall building width from 60% to 67% for the Simplicity Series (two-story)

VARIANCE #8: To increase the total percentage of garage door width to overall building width from 50% to 61% for the Simplicity Series (ranch)

Staff hesitantly recommends approval of these variances. The aesthetics of single-family housing are important, and part of this is not having the garage door as the focal point of the home. However, with reduced lot size and the reality that we are in car centric city, accommodations are necessary to allow for car storage, which in this case, requires a garage door that occupies a wider percentage of the front façade.

VARIANCE #9: To increase the total percentage of garage door width to overall building width from 60% to 93% for the Townhomes

Staff recommends approval of this variance. As with the previous two variances, there is a concern over the prominence of the garage door. However, for a front load garage on a townhome, this is a necessary variance. The developer is proposing a portion of the townhomes with alley loaded garages as well, but this option is not practical for all of the townhomes. In addition, the petitioner has proposed a revised elevation for front loaded townhomes that should reduce the percentage of garage door to building width. Staff recommends the following conditions for Variances #7, #8, and #9:

1. Garage doors in the Simplicity Series shall have a minimum of 5% transparency or other architectural style
2. A minimum of 50% of the garage door space in the Townhomes shall have a minimum of 5% transparency or other architectural style

VARIANCE #10: To increase the amount a garage can extend forward of the house from eight (8) feet to ten (10) feet for the Simplicity Series

Staff recommends denial of this variance. There does not appear to be a practical difficulty in meeting this requirement. The forward extension of the garage does not enhance the aesthetics or help to lower the cost of building.

VARIANCE #11 To allow a primary front entrance on a side elevation for the Cornerstone Series

Staff recommends approval of this variance. The purpose of having a house “face” the street is important aesthetically, but is not an absolute. The elevation for this particular style of house meets the spirit of facing the street, even if the “front” door is tucked around the corner.

VARIANCE #12: To reduce the minimum gauge vinyl siding allowed from 0.046 to 0.044

Staff recommends approval of this variance. The primary purpose of this requirement is to prohibit flimsy siding that can deteriorate quickly causing the home value to decrease. However, the 0.044 gauge vinyl is still a higher quality siding than would typically be allowed in the past and should remain in good repair for years.

VARIANCE #13: To reduce the amount of mortared masonry required from 50% to the bottom of the first-floor window on all facades in which mortared masonry is required

Staff recommends approval of this variance. The primary purpose of this requirement is aesthetics, and

the petitioner is proposing to have essentially a masonry wainscoting. While this is permitted under Path 2 of the residential building standards, Path 2 also does not allow vinyl siding. The addition of a masonry wainscoting to a heavy gauge vinyl siding allows for an aesthetically pleasing product at what should be a lower price point for a homebuyer.

VARIANCE #14: To allow vinyl siding on enclosed porch

Staff recommends approval of this variance. The allowance of vinyl siding on the rest of the house would make an attached porch stick out like a sore thumb if it were not permitted to use vinyl. The following condition is recommended:

1. Only applicable to homes with vinyl siding.

In consideration of the above findings, Staff recommends **approval** of Variances 1-9, and 11-14 with the following conditions (in addition to the specific conditions in Variance #4, #6, #7, #8, #9 and #14):

1. The final plans shall substantially conform to the site plan depicted in Exhibit C and building elevations depicted in Exhibit D.
2. Variances are conditional upon the successful rezoning of this property to Residential Attached (RA).

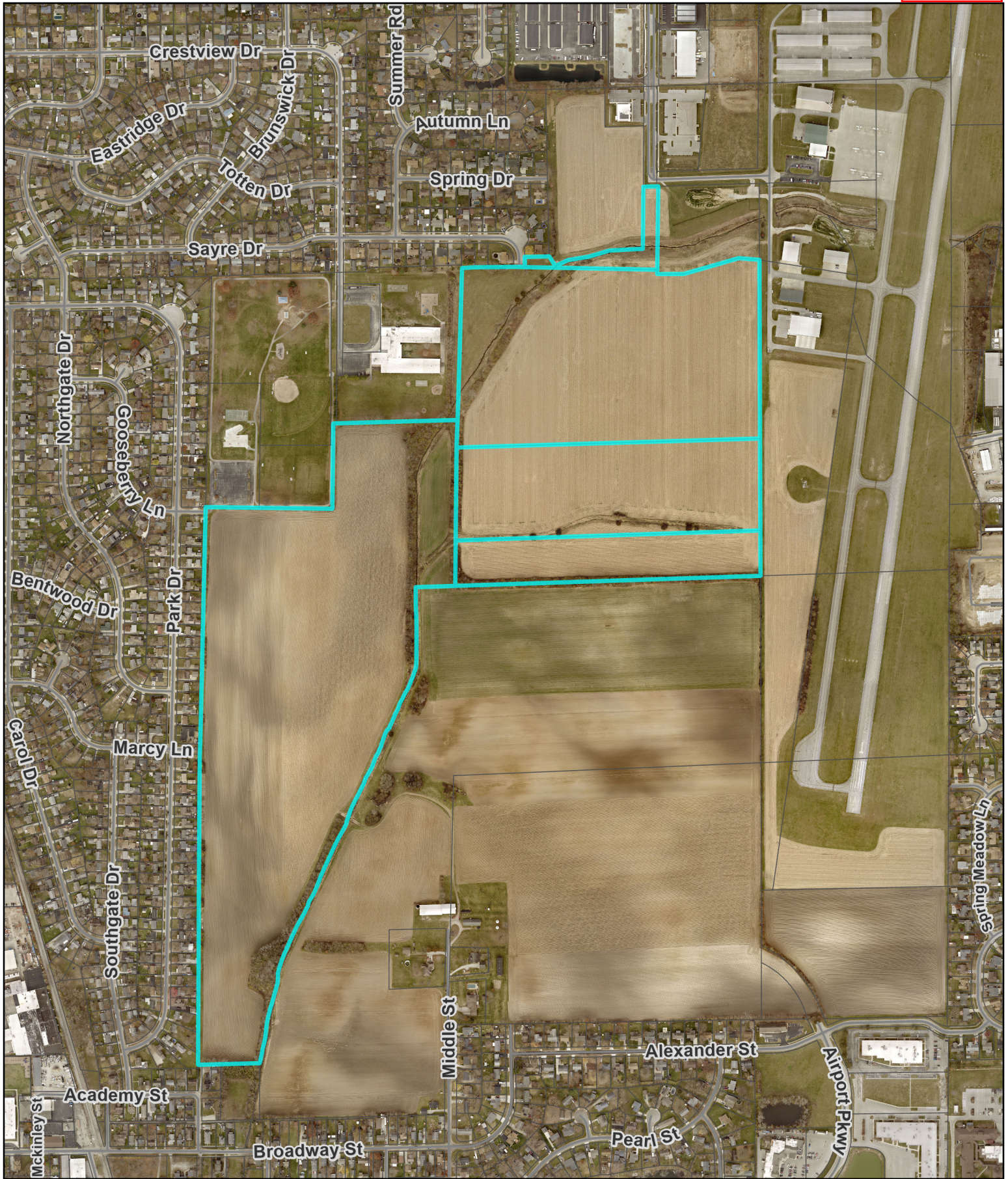
Staff recommends **denial** of Variance #10.

Attachments:

Exhibit A – Aerial Map
Exhibit B – Zoning Map
Exhibit C – Site Plan
Exhibit D – Building Elevations
Exhibit E – Legal Description

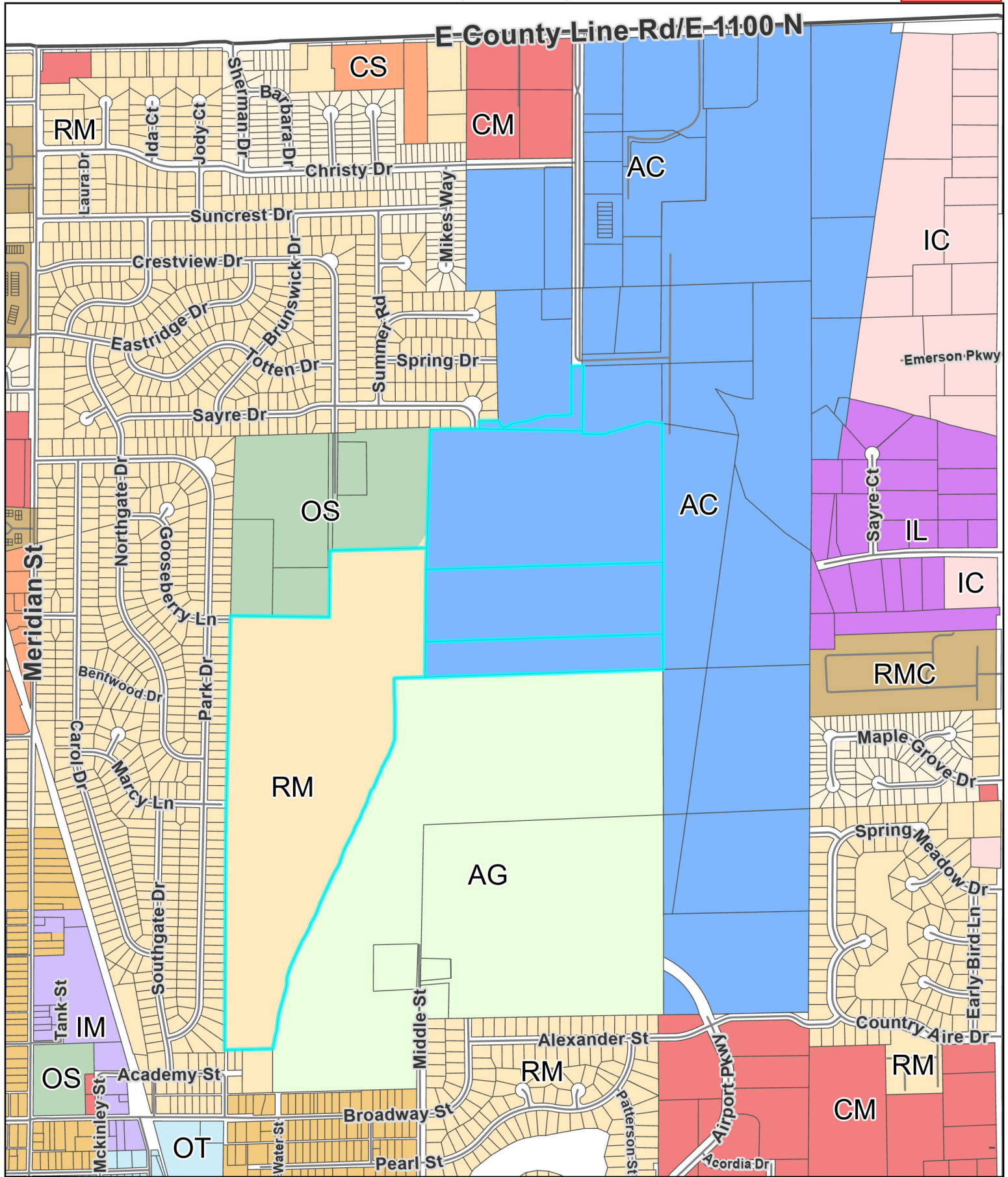
Aerial Map

Exhibit A



Existing Zoning Map

Exhibit B



- | | | | |
|------------------------|----------------------------|---|--------------------------------------|
| AC - Airport | IC - Interstate Commercial | OS - Open Space | RMC - Residential Multi-Unit Complex |
| AG - Agriculture | IL - Industrial Large | PUD - Planned Unit Development | RMH - Residential Mobile Home |
| CL - Commercial Large | IM - Industrial Medium | RL - Residential Large Lot | |
| CM - Commercial Medium | OT - Old Town | RM - Residential Medium Lot | |
| CS - Commercial Small | OTR - Old Town Residential | RA - Residential Attached Single-Family | |



Cornerstone Series

Exhibit D



Soho



Colonial Elevation

Chelsea



Craftsman Elevation

Sonoma



Farmhouse Elevation



Cornerstone Back Exterior Elevations



Cornerstone Outdoor Lifestyle

Simplicity Series

Exhibit D



Edge Series

Exhibit D



Cobalt



Cottage Elevation

Monel



Farmhouse Elevation

Palladium



Modern Elevation

Titanium



Modern Prairie Elevation

Babbitt



Modern Elevation

Town Series

Exhibit D



LEGAL DESCRIPTION

Part of the Northwest and Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 14 North, Range 4 East of the Second Principal Meridian, Johnson County, Indiana described as follows:

Commencing at the Northwest Corner of the Northwest Quarter of said Section 28; thence along the North line thereof North 87 degrees 53 minutes 05 seconds East (bearing based on State Plane Coordinates) 1598.21 feet; thence along the northerly prolongation of the West line of the plat of Indiana-American Office Park Section One recorded in Plat Book "D", Page 381 A&B in the Office of the Recorder of Johnson County, Indiana, said West line and the West line of Instrument Number 2016-030033 as recorded in the Office of said Recorder South 00 degrees 05 minutes 29 seconds West 1756.29 feet to the Southwest Corner of said Instrument Number 2016-030033; thence along the South line of said Instrument Number North 88 degrees 03 minutes 53 seconds East 520.24 feet to the Northwest Corner of the plat of Laser & Light Surgery Center recorded as Instrument Number 2020-025364 in the Office of said Recorder. The next two (2) courses are along the West and South lines thereof; 1) thence South 00 degrees 01 minutes 22 seconds East 208.00 feet; 2) thence North 88 degrees 03 minutes 54 seconds East 208.00 feet to the West line of Dedication of Public Right-of-Way recorded in Book 267, Page 395 in the Office of said Recorder. The next two (2) courses are along said West line and the southerly extension thereof; 1) thence South 00 degrees 01 minute 23 seconds East 328.75 feet to the Point of Beginning of this described tract; 2) thence continuing South 00 degrees 01 minute 23 seconds East 327.37 feet to the center of the Lee Park Open Ditch. The next four (4) courses are along said centerline; 1) thence South 87 degrees 18 minutes 04 seconds West 177.51 feet; 2) thence South 73 degrees 40 minutes 43 seconds West 116.21 feet; 3) thence South 80 degrees 34 minutes 47 seconds West 112.47 feet; 4) thence South 64 degrees 51 minutes 13 seconds West 74.64 feet; thence North 32 degrees 32 minutes 04 seconds West 60.63 feet to the Southeast Corner of Colonial Springs Second Section the plat of which is recorded in Plat Book 8, Page 31 in the Office of said Recorder. The next four (4) courses are along the South line thereof; 1) thence South 89 degrees 47 minutes 54 seconds West 130.00 feet; 2) thence South 01 degree 26 minutes 05 seconds East 58.00 feet; 3) thence South 89 degrees 47 minutes 54 seconds West 337.00 feet; 4) thence North 00 degrees 12 minutes 06 seconds West 13.21 feet to the Southeast Corner of Colonial Springs First Section the plat of which is recorder in Plat Book 7, Page 31 in the Office of said Recorder; thence along the South line thereof South 88 degrees 08 minutes 39 seconds West 53.65 feet to the northerly extension of the West Line of the of the East Half of the Southwest Quarter of said Section 28; thence along said northerly extension and said West line South 00 degrees 25 minutes 43 seconds West 819.45 feet; thence South 87 degrees 48 minutes 57 seconds West 634.72 feet; thence South 00 degrees 33 minutes 19 seconds West 454.53 feet; thence North 89 degrees 18 minutes 02 seconds West 676.23 feet to the East line of Northern Park Section 2 the plat of which is recorded in Plat Book 4, Page 81 in the Office of said Recorder; thence along the East line thereof South 01 degree 17 minutes 32 seconds West 1369.44 feet; thence continuing along said East line and the East line of Northern Park Section 3 the plat of which is recorded in Plat Book 4, Page 86 on the Office of said Recorder South 00 degrees 16 minutes 46 seconds West 1606.22 feet to the Northwest Corner of John A. Polk Addition to the Town of Greenwood recorded in Plat Cabinet "A", Page 344 and 345 in the Office of said Recorder; thence North 88 degrees 28 minutes 23 seconds East 340.43 feet along the North line of said John A. Polk Addition to the Town of Greenwood and the North line of Instrument Number 2020-005006 in the Office of said Recorder to the center of Lee Park Open Ditch. The next sixteen (16) courses are along said centerline; 1) thence North 10 degrees 39 minutes 29 seconds East 237.32 feet; 2) thence North 10 degrees 12 minutes 56 seconds East 297.62 feet; 3) thence North 22 degrees 58 minutes 27 seconds East 110.45 feet; 4) thence North 23 degrees 27 minutes 26 seconds East 154.85 feet; 5) thence North 29 degrees 25 minutes 36 seconds East 158.37 feet; 6) thence North 22 degrees 28 minutes 24 seconds East 82.50 feet; 7) North 24 degrees 45 minutes 37 seconds East 148.62 feet; 8) thence North 24 degrees 37 minutes 08 seconds East 111.00 feet; 9) thence North 24 degrees 47 minutes 36 seconds East 236.59 feet; 10) thence North 25 degrees 15 minutes 55 seconds East 162.54 feet; 11) thence North 23 degrees 28 minutes 55 seconds East 116.92 feet; 12) thence North 24 degrees 44 minutes 38 seconds East 119.39 feet; 13) thence North 24 degrees 43 minutes 08 seconds East 163.75 feet; 14) thence North 24 degrees 12 minutes 18 seconds East 156.23 feet; 15) thence North 04 degrees 22 minutes 55 seconds East 146.79 feet; 16) thence North 00 degrees 48 minutes 29 seconds West 308.28 feet; thence North 88 degrees 04 minutes 44 seconds East 189.11 feet; thence North 88 degrees 25 minutes 18 seconds East 1108.72 feet; thence North 00 degrees 09 minutes 28 seconds West 2092.76 feet; thence North 89 degrees 47 minutes 02 seconds West 76.92 feet to the Point of Beginning containing 108.7 acres, more or less, subject to all rights-of-way, easements and restrictions.