



# Ellingsworth Commons

## **Ellingsworth Commons**

A Planned Development

by



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**Exhibit A**

**TRADITIONAL LOTS**

**SECTION 1.1:**

In accordance with the Preliminary Plat, Lots Numbered: 1-41, 57-64, 76-85, 131-135, 162, 163, 168-177, 196-298, 409-425, 488-496, which are, thus far, more specifically identified: as to Section One, as Lots Numbered 101-120; and as to Section 1-B, as Lots Numbered 157-167; and as to Section 2-A, as Lots Numbered 201-210 and 213-220; and as to Section 2-B, as Lots Numbered 240-262, and 264-279; and as to Section 3, as Lots Numbered 314-317, and 344-345, and 350-353 and 383-399; and as to Section 4, as Lots Numbered 430-469.

**NOTE:** The Traditional Lots 454-469, in Section 4, are lots which were, on the Preliminary Plat, Lots Numbered 329-350, identified as "Cottage Lots".

**NOTE:** Lot numbers in additional sections will change on final plat of such section to meet City of Jeffersonville requirements. The final Plat for each section will specify the type of Lot and thus their setbacks based on the new Lot numbers at the time of final plat.

**Minimum Lot Area:** 6200 square feet

**Minimum Lot Width:** 60 feet

**Maximum Lot Depth:** 170 feet

**Minimum Lot Frontage:** 40 feet on a public street with access from said Public Street

**Sewer and Water:** Requires municipal water and sewer hookup

**Maximum Lot Coverage:** Square footage of all Primary and Accessory Structures, and impervious surface cannot exceed 60% of the Lot Area

**Building Materials and Roof Pitch.**

> The exterior building material of all Primary Structures and garages shall extend to within Six inches of ground level and shall be either: brick, stone, brick veneer, stone veneer, hardy board, cement siding, vinyl siding, or other material, or a combination of the same.

> The roof pitch of any Primary Structures and garage shall not be less than Five inches vertical of every Twelve inches horizontal.

**Floor Areas.**

All floor areas are calculated exclusive of porches, garages, and finished basements.

> The ground level living area of a One story Primary Structure shall be between 1100 and 2200 square feet.

> The total living area of a One and One-half story Primary Structure shall be between 1300 and 2500 square feet.

> The total living area of a Two story or Bi-level Primary Structure shall be between 1600 and 3000 square feet.

**Garages.**

> All Primary Structures shall have an attached Two car garage.

> Building materials, exterior finish materials and roof slope shall be in keeping with the Primary Structure on the Lot.

> The Garage shall be located no closer to the front Lot line than the building set back identified on the final plat.

**Driveways.**

> Driveways shorter than Forty feet shall be double width, and a minimum of Sixteen feet wide at its narrowest point. A turnaround or parking area may be substituted for the double width restrictions.

> Driveways shall be of sufficient length or width to accommodate the parking of Two vehicles outside of the garage.

**Sidewalks.**

> The builder or owner of each Lot shall be responsible for installation of the initially improved sidewalk on their Lot.

**Minium Setbacks:**

**Primary Structure:**

**Accessory Structure:**

> Front Yard Setback

20 feet

the rear of the rear line of the Primary Structure

> Side Yard Setback

5 feet

5 feet

> Rear Yard Setback

20 feet

5 feet

**Exhibit B**  
**COTTAGE LOTS**

**SECTION 1.3:**

In accordance with the Preliminary Plat, Lots Numbered: 86-97, 119-130, 329-350, 380-408, 445-456, 483-487, 497-512, which are, thus far, more specifically identified: as to Section 1-B, as Lots Numbered 168-178; and as to Section 2-A, as Lots Numbered 239 and 221-232; and as to Section 3, as Lots Numbered 354-382.

**NOTE:** Lots Numbered 329-350, on the Preliminary Plat are, in Section 4, Traditional Lots.

**NOTE:** Lot numbers in additional sections will change on final plat of such section to meet City of Jeffersonville requirements. The final Plat for each section will specify the type of Lot and thus their setbacks based on the new Lot numbers at the time of final plat.

**Minimum Lot Area:** 4000 square feet

**Minimum Lot Width:** 40 feet

**Maximum Lot Depth:** 150 feet

**Minimum Lot Frontage:** 40 feet on a public street with access from rear alley

**Sewer and Water:** Requires municipal water and sewer hookup

**Maximum Lot Coverage:** Square footage of all Primary and Accessory Structures, and impervious surface cannot exceed 75% of the Lot Area

**Building Materials and Roof Pitch.**

> The exterior building material of all Primary Structures and garages shall extend to within Six inches of ground level and shall be either: brick, stone, brick veneer, stone veneer, hardy board, cement siding, vinyl siding, or other material, or a combination of the same.

> The roof pitch of any Primary Structure and garage shall not be less than Five inches vertical of every Twelve inches horizontal.

**Floor Areas.**

All floor areas are calculated exclusive of porches, garages, and finished basements.

> The ground level living area of a One story Primary Structure shall be between 1100 and 2200 square feet.

> The total living area of a One and One-half story Primary Structure shall be between 1300 and 2500 square feet.

> The total living area of a Two story or Bi-level Primary Structure shall be between 1600 and 3000 square feet.

**Garages.**

> May have an attached or detached One or Two car garage, which shall be accessed from the alley at the rear of the Lot.

> Building materials, exterior finish materials and roof slope shall be in keeping with the Primary Structure on the Lot.

> Detached garages shall be no closer to a side Lot line than that allowed for Primary Structures and shall be set back from the rear Lot line at least Twenty feet and shall be located behind the Primary Structure.

**Driveways.**

> Driveways shorter than Forty feet shall be double width, and a minimum of Sixteen feet wide at its narrowest point. A turnaround or parking area may be substituted for the double width restrictions.

> Driveways shall be of sufficient length or width to accommodate the parking of Two vehicles outside of the garage.

> Driveway shall not come off of the boulevard or front street but shall come off of the designated alley.

**Sidewalks.**

> The builder or owner of each Lot shall be responsible for installation of the initially improved sidewalk on their Lot.

**Minimum Setbacks: Primary Structure:**

> Front Yard Setback 15 feet

> Side Yard Setback 0 feet on one side,  
10 feet on opposite side

> Rear Yard Setback 20 feet

**Accessory Structure:**

the rear of the rear line of the Primary Structure

0 feet on one side,  
10 feet on opposite side

20 feet

## **EXHIBIT C**

### **ELLINGSWORTH COMMONS DEVELOPMENT STANDARDS**

**Amended and Restated 10-15-2022**

#### **Planned Development – Residential**

**Ellingsworth Commons residential development is intended to provide a development of multiple lot sizes and various-sized single family detached homes.**

**The conscientious development of Ellingsworth Commons will promote this residential community, enhance the surrounding area and provide for future housing needs within the Jeffersonville, Indiana (the “City of Jeffersonville”) area.**

#### **SECTION 1: Residential Lot Standards**

A. All Residential Lots shall be used for a single family dwelling.

B. There are Five different types of Lots in Ellingsworth Commons: Traditional Lots, Boulevard Lots, Cottage Lots, Park Estate Lots and Estate View Lots. The standards for each type of lot are as identified in Sections 1.1, 1.2, 1.3, 1.4, and 1.5.

C. The Lot sizes and setbacks, minimums and maximums stated herein are intended to reflect the data shown on the preliminary plat of Ellingsworth Commons. Should it be determined that there is a Lot or setback shown on a final plat which is in conflict with the provisions herein, the final plat shall be the controlling document and these Development Standards shall be thereby amended by the approval of a final plat by the City of Jeffersonville. Any changes in these Development Standards resulting from the approval of a final plat shall relate only to those Lots designated on such final plat.

D. In the development of Ellingsworth Commons, should certain standards not be addressed in this document, the standards of the City of Jeffersonville, for an R1 development shall be applicable.

**SECTION 1.1:**

**TRADITIONAL LOTS**

In accordance with the Preliminary Plat, Lots Numbered: 1-41, 57-64, 76-85, 131-135, 162, 163, 168-177, 196-298, 409-425, 488-496, which are, thus far, more specifically identified: as to Section One, as Lots Numbered 101-120; and as to Section 1-B, as Lots Numbered 157-167; and as to Section 2-A, as Lots Numbered 201-210 and 213-220; and as to Section 2-B, as Lots Numbered 240-262, and 264-279; and as to Section 3, as Lots Numbered 314-317, and 344-345, and 350-353 and 383-399; and as to Section 4, as Lots Numbered 430-469.

**NOTE:** The Traditional Lots 454-469, in Section 4, are lots which were, on the Preliminary Plat, Lots Numbered 329-350, identified as “Cottage Lots”.

**NOTE:** Lot numbers in additional sections will change on final plat of such section to meet City of Jeffersonville requirements. The final Plat for each section will specify the type of Lot and thus their setbacks based on the new Lot numbers at the time of final plat.

**Minimum Lot Area:** 6200 square feet

**Minimum Lot Width:** 60 feet

**Maximum Lot Depth:** 170 feet

**Minimum Lot Frontage:** 40 feet on a public street with access from said Public Street

**Sewer and Water:** Requires municipal water and sewer hookup

**Maximum Lot Coverage:** Square footage of all Primary and Accessory Structures, and impervious surface cannot exceed 60% of the Lot Area

**Building Materials and Roof Pitch.**

> The exterior building material of all Primary Structures and garages shall extend to within Six inches of ground level and shall be either: brick, stone, brick veneer, stone veneer, hardy board, cement siding, vinyl siding, or other material, or a combination of the same.

> The roof pitch of any Primary Structures and garage shall not be less than Five inches vertical of every Twelve inches horizontal.

**Floor Areas.**

All floor areas are calculated exclusive of porches, garages, and finished basements.

> The ground level living area of a One story Primary Structure shall be between 1100 and 2200 square feet.

> The total living area of a One and One-half story Primary Structure shall be between 1300 and 2500 square feet.

> The total living area of a Two story or Bi-level Primary Structure shall be between 1600 and 3000 square feet.

**Garages.**

> All Primary Structures shall have an attached Two car garage.

> Building materials, exterior finish materials and roof slope shall be in keeping with the Primary Structure on the Lot.

> The Garage shall be located no closer to the front Lot line than the building set back identified on the final plat.

**Driveways.**

> Driveways shorter than Forty feet shall be double width, and a minimum of Sixteen feet wide at its narrowest point. A turnaround or parking area may be substituted for the double width restrictions.

> Driveways shall be of sufficient length or width to accommodate the parking of Two vehicles outside of the garage.

**Sidewalks.**

> The builder or owner of each Lot shall be responsible for installation of the initially improved sidewalk on their Lot.

**Minimum Setbacks: Primary Structure:**

> Front Yard Setback 20 feet

> Side Yard Setback 5 feet

> Rear Yard Setback 20 feet

**Accessory Structure:**

the rear of the rear line of the Primary Structure

5 feet

5 feet

**SECTION 1.2:**

**BOULEVARD LOTS**

In accordance with the Preliminary Plat, Lots Numbered: 98-118, 299-328, 351-379, 426-444, 457-482

NOTE: Lot numbers to change on final plat to meet City of Jeffersonville requirements such that the Lots will be renumbered starting at 101 in Section 1, starting at 201 in section 2, etc. Restrictions for each section will specify the type of Lot and thus their setbacks based on the new Lot numbers at the time of final plat.

- Minimum Lot Area:** 4000 square feet
- Minimum Lot Width:** 40 feet
- Maximum Lot Depth:** 150 feet
- Minimum Lot Frontage:** 40 feet on a public street or Commons Area for trail adjacent to public street with access from rear alley

**Sewer and Water:** Requires municipal water and sewer hookup

**Maximum Lot Coverage:** Square footage of all Primary and Accessory Structures, and impervious surface cannot exceed 75% of the Lot Area

**Building Materials and Roof Pitch.**

- > The exterior building material of all Primary Structures and garages shall extend to within Six inches of ground level and shall be either: brick, stone, brick veneer, stone veneer, hardy board, cement siding, vinyl siding, or other material, or a combination of the same.
- > The roof pitch of any Primary Structure and garage shall not be less than Five inches vertical of every Twelve inches horizontal.

**Floor Areas.**

All floor areas are calculated exclusive of porches, garages, and finished basements.

- > The ground level living area of a One story Primary Structure shall be between 1100 and 2200 square feet.
- > The total living area of a One and One-half story Primary Structure shall be between 1300 and 2500 square feet.
- > The total living area of a Two story or Bi-level Primary Structure shall be between 1600 and 3000 square feet.

**Garages.**

- > May have an attached or detached One or Two car garage, which shall be accessed from the alley at the rear of the Lot.
- > Building materials, exterior finish materials and roof slope shall be in keeping with the Primary Structure on the Lot.
- > Detached garages shall be no closer to a side Lot line than that allowed for Primary Structures and shall be set back from the rear Lot line at least Twenty feet and shall be located behind the Primary Structure.

**Driveways.**

- > Driveways shorter than Forty feet shall be double width, and a minimum of Sixteen feet wide at its narrowest point. A turnaround or parking area may be substituted for the double width restrictions.
- > Driveways shall be of sufficient length or width to accommodate the parking of Two vehicles outside of the garage.
- > Driveway shall not come off of the boulevard or front street but shall come off of the designated alley.

**Sidewalks.**

- > The builder or owner of each Lot shall be responsible for installation of the initially improved sidewalk on their Lot.

<b>Minium Setbacks:</b>	<b>Primary Structure:</b>	<b>Accessory Structure:</b>
> Front Yard Setback	10 feet	the rear of the rear line of the Primary Structure
> Side Yard Setback	0 feet on one side, 10 feet on opposite side	0 feet on one side, 10 feet on opposite side
> Rear Yard Setback	20 feet	20 feet

**SECTION 1.3:**

**COTTAGE LOTS**

In accordance with the Preliminary Plat, Lots Numbered: 86-97, 119-130, 329-350, 380-408, 445-456, 483-487, 497-512, which are, thus far, more specifically identified: as to Section 1-B, as Lots Numbered 168-178; and as to Section 2-A, as Lots Numbered 239 and 221-232; and as to Section 3, as Lots Numbered 354-382. **NOTE:** Lots Numbered 329-350, on the Preliminary Plat are, in Section 4, Traditional Lots.

**NOTE:** Lot numbers in additional sections will change on final plat of such section to meet City of Jeffersonville requirements. The final Plat for each section will specify the type of Lot and thus their setbacks based on the new Lot numbers at the time of final plat.

**Minimum Lot Area:** 4000 square feet

**Minimum Lot Width:** 40 feet

**Maximum Lot Depth:** 150 feet

**Minimum Lot Frontage:** 40 feet on a public street with access from rear alley

**Sewer and Water:** Requires municipal water and sewer hookup

**Maximum Lot Coverage:** Square footage of all Primary and Accessory Structures, and impervious surface cannot exceed 75% of the Lot Area

**Building Materials and Roof Pitch.**

> The exterior building material of all Primary Structures and garages shall extend to within Six inches of ground level and shall be either: brick, stone, brick veneer, stone veneer, hardy board, cement siding, vinyl siding, or other material, or a combination of the same.

> The roof pitch of any Primary Structure and garage shall not be less than Five inches vertical of every Twelve inches horizontal.

**Floor Areas.**

All floor areas are calculated exclusive of porches, garages, and finished basements.

> The ground level living area of a One story Primary Structure shall be between 1100 and 2200 square feet.

> The total living area of a One and One-half story Primary Structure shall be between 1300 and 2500 square feet.

> The total living area of a Two story or Bi-level Primary Structure shall be between 1600 and 3000 square feet.

**Garages.**

> May have an attached or detached One or Two car garage, which shall be accessed from the alley at the rear of the Lot.

> Building materials, exterior finish materials and roof slope shall be in keeping with the Primary Structure on the Lot.

> Detached garages shall be no closer to a side Lot line than that allowed for Primary Structures and shall be set back from the rear Lot line at least Twenty feet and shall be located behind the Primary Structure.

**Driveways.**

> Driveways shorter than Forty feet shall be double width, and a minimum of Sixteen feet wide at its narrowest point. A turnaround or parking area may be substituted for the double width restrictions.

> Driveways shall be of sufficient length or width to accommodate the parking of Two vehicles outside of the garage.

> Driveway shall not come off of the boulevard or front street but shall come off of the designated alley.

**Sidewalks.**

> The builder or owner of each Lot shall be responsible for installation of the initially improved sidewalk on their Lot.

<b>Minimum Setbacks:</b>	<b>Primary Structure:</b>	<b>Accessory Structure:</b>
> Front Yard Setback	15 feet	the rear of the rear line of the Primary Structure
> Side Yard Setback	0 feet on one side, 10 feet on opposite side	0 feet on one side, 10 feet on opposite side
> Rear Yard Setback	20 feet	20 feet



**SECTION 1.4:**

**PARK ESTATE LOTS**

In accordance with the Preliminary Plat, Lots Numbered: 42-56, 65-75

NOTE: Lot numbers to change on final plat to meet City of Jeffersonville requirements such that the Lots will be renumbered starting at 101 in Section 1, starting at 201 in section 2, etc. Restrictions for each section will specify the type of Lot and thus their setbacks based on the new Lot numbers at the time of final plat.

**Minimum Lot Area:** 7700 square feet

**Minimum Lot Width:** 70 feet

**Maximum Lot Depth:** 260 feet

**Minimum Lot Frontage:** 50 feet on a public street with access from said Public Street

**Sewer and Water:** Requires municipal water and sewer hookup

**Maximum Lot Coverage:** Square footage of all Primary and Accessory Structures, and impervious surface cannot exceed 50% of the Lot Area

**Building Materials and Roof Pitch.**

> The exterior building material of all Primary Structures and garages shall extend to within Six inches of ground level and shall be either: brick, stone, brick veneer, stone veneer, hardy board, cement siding, vinyl siding, or other material, or a combination of the same.

> The roof pitch of any Primary Structure and garage shall not be less than Five inches vertical of every Twelve inches horizontal.

**Floor Areas.**

All floor areas are calculated exclusive of porches, garages, and finished basements.

> The ground level living area of a One story Primary Structure shall be between 1500 and 2800 square feet.

> The total living area of a One and One-half story Primary Structure shall be between 1800 and 3000 square feet.

> The total living area of a Two story or Bi-level Primary Structure shall be between 2000 and 3200 square feet.

**Garages.**

> All Primary Structures shall have an attached Two car garage.

> Building materials, exterior finish materials and roof slope shall be in keeping with the Primary Structure on the Lot.

> The Garage shall be located no closer to the front Lot line than the building set back identified on the final plat.

> Driveways shorter than Forty feet shall be double width, and a minimum of Sixteen feet wide at its narrowest point. A turnaround or parking area may be substituted for the double width restrictions.

> Driveways shall be of sufficient length or width to accommodate the parking of Two vehicles outside of the garage.

**Sidewalks.**

> The builder or owner of each Lot shall be responsible for installation of the initially improved sidewalk on their Lot.

**Minium Setbacks: Primary Structure:**

> Front Yard Setback 20 feet

> Side Yard Setback 5 feet

> Rear Yard Setback 20 feet

**Accessory Structure:**

the rear of the rear line of the Primary Structure

5 feet

5 feet

**SECTION 1.5:**

**ESTATE VIEW LOTS**

In accordance with the Preliminary Plat, Lots Numbered: 136-161, 164-167, 178-195

NOTE: Lot numbers to change on final plat to meet City of Jeffersonville requirements such that the Lots will be renumbered starting at 101 in Section 1, starting at 201 in section 2, etc. Restrictions for each section will specify the type of Lot and thus their setbacks based on the new Lot numbers at the time of final plat.

**Minimum Lot Area:** 7200 square feet

**Minimum Lot Width:** 60 feet

**Maximum Lot Depth:** 200 feet

**Minimum Lot Frontage:** 50 feet on a public street with access from said Public Street

**Sewer and Water:** Requires municipal water and sewer hookup

**Maximum Lot Coverage:** Square footage of all Primary and Accessory Structures, and impervious surface cannot exceed 50% of the Lot Area

**Building Materials and Roof Pitch.**

> The exterior building material of all Primary Structures and garages shall extend to within Six inches of ground level and shall be either: brick, stone, brick veneer, stone veneer, hardy board, cement siding, vinyl siding, or other material, or a combination of the same.

> The roof pitch of any Primary Structure and garage shall not be less than Five inches vertical of every Twelve inches horizontal.

**Floor Areas.**

All floor areas are calculated exclusive of porches, garages, and finished basements.

> The ground level living area of a One story Primary Structure shall be between 1400 and 2700 square feet.

> The total living area of a One and One-half story Primary Structure shall be between 1700 and 2900 square feet.

> The total living area of a Two story or Bi-level Primary Structure shall be between 1900 and 3100 square feet.

**Garages.**

> All Primary Structures shall have an attached Two car garage.

> Building materials, exterior finish materials and roof slope shall be in keeping with the Primary Structure on the Lot.

> The Garage shall be located no closer to the front Lot line than the building set back identified on the final plat.

> Driveways shorter than Forty feet shall be double width, and a minimum of Sixteen feet wide at its narrowest point. A turnaround or parking area may be substituted for the double width restrictions.

> Driveways shall be of sufficient length or width to accommodate the parking of Two vehicles outside of the garage.

**Sidewalks.**

> The builder or owner of each Lot shall be responsible for installation of the initially improved sidewalk on their Lot.

**Minium Setbacks: Primary Structure:**

> Front Yard Setback 20 feet

> Side Yard Setback 5 feet

> Rear Yard Setback 20 feet

**Accessory Structure:**

the rear of the rear line of the Primary Structure

5 feet

5 feet

**Section 1.6:**

**Setbacks Table**

**Traditional Lots:**

<b>Minium Setbacks:</b>	<b>Primary Structure:</b>	<b>Accessory Structure:</b>
> Front Yard Setback	20 feet	the rear of the rear line of the Primary Structure
> Side Yard Setback	5 feet	5 feet
> Rear Yard Setback	20 feet	5 feet

**Boulevard Lots:**

<b>Minium Setbacks:</b>	<b>Primary Structure:</b>	<b>Accessory Structure:</b>
> Front Yard Setback	10 feet	the rear of the rear line of the Primary Structure
> Side Yard Setback	0 feet on one side, 10 feet on opposite side	0 feet on one side, 10 feet on opposite side
> Rear Yard Setback	20 feet	20 feet

**Cottage Lots:**

<b>Minium Setbacks:</b>	<b>Primary Structure:</b>	<b>Accessory Structure:</b>
> Front Yard Setback	10 feet	the rear of the rear line of the Primary Structure
> Side Yard Setback	0 feet on one side, 10 feet on opposite side	0 feet on one side, 10 feet on opposite side
> Rear Yard Setback	20 feet	20 feet

**Park Estate Lots:**

<b>Minium Setbacks:</b>	<b>Primary Structure:</b>	<b>Accessory Structure:</b>
> Front Yard Setback	20 feet	the rear of the rear line of the Primary Structure
> Side Yard Setback	5 feet	5 feet
> Rear Yard Setback	20 feet	5 feet

**Estate View Lots:**

<b>Minium Setbacks:</b>	<b>Primary Structure:</b>	<b>Accessory Structure:</b>
> Front Yard Setback	20 feet	the rear of the rear line of the Primary Structure
> Side Yard Setback	5 feet	5 feet
> Rear Yard Setback	20 feet	5 feet

**Clubhouse Lot:**

<b>Minium Setbacks:</b>	
> Front Yard Setback	20 feet
> Side Yard Setback	5 feet
> Rear Yard Setback	20 feet

**SECTION 2: Facilities/Features**

**Section 2.1: Clubhouse Lot:**

Ellingsworth Commons shall have a Clubhouse Lot upon which shall be constructed by the developer a Clubhouse and swimming pool and other recreational facilities. There is no minimum square footage on the Clubhouse or any other structure on the Clubhouse Lot. The Clubhouse and pool will be, at completion of construction, the responsibility of the homeowner's association.

**Section 2.2: Pocket Parks:**

Ellingsworth Commons shall have interspersed Pocket Parks, which shall, after establishment, be for the enjoyment of the general public and the residents of Ellingsworth Commons. The maintenance of the Pocket Parks shall, after establishment be the responsibility of the homeowner's association.

**Section 2.3: Grassed Small Commons Areas:**

Ellingsworth Commons shall have interspersed small Commons Areas, which shall, after establishment, be for the enjoyment of the general public and the residents of Ellingsworth Commons. These areas shall be planted in grass. The maintenance of the grassed Commons Areas shall, after establishment, be the responsibility of the homeowner's association.

**Section 2.4: Large Park Areas and Lakes:**

Ellingsworth Commons shall have Two large park areas and Three lakes, which, after the construction of the lakes by the developer, are proposed to be dedicated to the City of Jeffersonville, for the use as City Parks, but in the alternative used as a neighborhood park which after establishment, shall be maintained by the homeowner's association.

**Section 2.5: Trail and Greenspace:**

A. Ellingsworth Commons shall have Trails and Greenspace areas, as identified on the preliminary plat, which shall include a bike and walking pathway and which after installation of the pathway and the establishment of grass and landscaping are proposed to be dedicated to the City of Jeffersonville, for the use as City Parks, but if such areas do not become used as City Parks, they shall become neighborhood parks, which after establishment, shall be maintained by the homeowner's association.

B. All paved trails, but not sidewalks, shall be a minimum of Eight feet in width.

**Section 2.6: Linear Parks/Commons Trail and Greenspace:**

Ellingsworth Commons shall have linear parks, identified on the preliminary plat as Commons Trail & Greenspace, which shall, after establishment, be for the enjoyment of the general public and the

residents of Ellingsworth Commons. The maintenance of the linear parks and Commons Trail and Greenspace shall, after establishment, be the responsibility of the homeowner's association.

**Section 2.7:**

**Maintenance**

A. The Clubhouse Lot, the Pocket Parks, Linear Parks, and the median of the boulevard entrance shall be landscaped by the developer in accordance with the landscaping standards herein and, after establishment, maintenance shall be the responsibility of the homeowner's association.

B. If any area becomes a City Park, the developer shall warrant all new tree plantings located therein for a period of Two years from the date of the installation.

## **SECTION 3:**

## **Development Standards**

### **Section 3.1:**

### **Height**

A. No structure may be erected or changed so as to make its height greater than as stated below:

#### **Maximum Structure Height:**

> 35 feet for the Primary Structure and garage if detached,

> 18 feet for Accessory Structure.

B. The height measurement shall be from the ground level to the highest point of the roof of the structure with chimneys and mechanicals excluded from the measurement.

### **Section 3.2:**

### **Accessory Structures**

A. Accessory Structures must relate to the Primary Structure and its uses.

B. Accessory Structures may not encroach on any platted easement unless the owner of the easement gives written consent.

C. All Accessory Structure, except decks or covered porches attached to the Primary Structure, shall be located behind the Primary Structure, except in the case of corner Lots; in that instance, the Accessory Structures may be placed on the side of the Primary Structure.

D. Antennas or satellite dishes are only permitted to the rear of the Primary Structure.

E. No mobile home or manufactured home may be used as a Primary Structure or Accessory Structure within Ellingsworth Commons.

F. Accessory Structures are not permitted on a Residential Lot prior to any Primary Structure being constructed.

G. The following Accessory Structures are permitted, but must abide by all applicable City standards:

- antennas or satellite dishes
- bath houses or saunas
- decks, not attached to the Primary Structure
- garages, which are detached and only on Boulevard and Cottage Lots
- gazebos
- greenhouses, private
- hot tubs
- sport courts

- in ground swimming pools (swimming pools must abide by 675 IAC 20) – above ground pools excluded.

H. Accessory Structures are not deemed to include swing sets, doghouses, tree houses, playhouses, and other such incidentals.

I. No more than Four Accessory Structures are permitted on a Lot.

J. No Accessory Structure can exceed 500 square feet, except detached garages on Boulevard and Cottage Lots which shall not exceed 1,000 square feet.

K. The use of an Accessory Structures shall not create a nuisance.

L. Building materials used in the construction of bath houses, saunas, storage sheds and garages, must match the building materials used in the Primary Structure on the Lot.

M. Prior to the issuance of any permit for the construction of an Accessory Structure, the Lot owner must present to the City of Jeffersonville the written approval of the developer or an architectural control committee of the homeowner's association for Ellingsworth Commons.

**Section 3.3: Fences and Walls**

A. No fence or wall of any nature may be extended toward the front or street side property lines beyond the rear or sidewall of the Primary Structure, except Boulevard Lots may have a decorative aluminum - wrought iron style - fence along their front property line separating the Lot from the trail along the parkland trail, not to exceed Three feet in height.

B. All fences shall be properly maintained so as not to detract from any Primary Structure.

C. No wood fences are allowed to be constructed on any Residential Lot.

D. Chain link fences are allowed but must be black vinyl coated. Wrought iron style fences are allowed but must be black aluminum.

E. No privacy fences shall be allowed on any Residential Lot except on the rear property line of the following Lots as such Lots are identified on the preliminary plat: Lots Numbered: 4-6, 11, 12, 17, 23 - 41, 43 - 51, 201-212, (NOTE: Lot numbers will change on final plat of each section or phase of Ellingsworth Commons to meet City of Jeffersonville requirements such that the Lots will be renumbered starting at 101 in Section 1, starting at 201 in section 2, etc.) and except on all Boulevard Lots and Cottage Lots in Ellingsworth Commons where privacy fences shall be allowed, with written approval of the Developer as to location, height, type, material and style, along the zero set-back lot line and shall be located only between the Primary Structure on any Boulevard Lot and any Cottage Lot and the garage located on such Lot.

F. The location, height, type, material and style of all fences must be in keeping with the overall plan for the Ellingsworth Commons.

G. All fences placed on a Lot must present the non-structural face outward or away from the Primary Structure on such Lot.

H. Where fences are permitted to be placed on a Lot such fences may be placed up to the property line, except for fences on corner lots which may not extend beyond the sidewall of the Primary Structure.

I. No fence may be greater in height than Six feet on the side yard and rear yard or greater than Three feet in height in the front yard, where such fences are allowed in the front yard.

J. No fence shall incorporate security wire or include sharpened top spikes.

**Section 3.4: Public Improvement**

The developer of Ellingsworth Commons has made diligent effort to confirm with the appropriate City departments and utility providers that the public improvement in the development meet the standards of such department.

**Section 3.5: Environmental**

A. Ellingsworth Commons is planned so as to preserve certain landmarks through a harmonious and careful design and uses existing topography in order to minimize storm water runoff, and conserve the natural cover and soil.

B. If the natural cover over any portion of the land within Ellingsworth Commons is removed, unless construction is planned on a Residential Lot or the Clubhouse Lot or other recreational areas, such land shall be appropriately graded and seeded within Thirty days after the removal or destruction of said natural cover to prevent erosion.

C. During the development a portion of the land in Ellingsworth Commons may be used for agricultural purposes and normal farming activities may be conducted on such land.

D. Ellingsworth Commons contains no regulated drains.

**Section 3.6: Floodplain**

No portion of the Ellingsworth Commons residential area is currently in a designated floodplain.



**Section 3.7:****Lighting**

The following lighting standards apply:

- A. All lighting on a Primary or Accessory Structure must be shielded with opaque material to prevent direct lighting on streets, alleys, and adjacent properties.
- B. Lighting for parking areas must all be consistent in color, size, height, and design. Further, all parking area lights must have cutoff luminaires with less than a Ninety-degree angle (down lighting) and may be no more than Twenty feet in height.
- C. All freestanding lights and lights mounted on walls or facades must have cutoff luminaires with less than a Ninety-degree angle.
- D. All lights on Primary or Accessory Structures within Ellingsworth Commons must be consistent in style, design, height, size and color.
- E. The style, placement and spacing of street lights shall meet the requirements of City of Jeffersonville Ordinances 2006-OR-25 and 2011-OR-22, or amendments thereto which are in affect as of the time of the installation of the street lights.

**Section 3.8:****Signs**

- A. Permanent ground entrance signs at primary entrances which display the name Ellingsworth Commons must be wrapped in a contiguous boundary of plantings around their base. All plantings must be within Four feet of the sign base and should consist of shrubs, ornamental shrubs, ornamental plants, flowering plants or other ornamental ground covers.
- B. No ground entrance sign at primary entrances shall exceed Eight feet in height and shall be no wider than is appropriate to include the name Ellingsworth Commons.
- C. Permanent ground entrance signs at adjacent neighborhood entrances shall not exceed Six feet in height and shall be no wider than Three feet in width.
- D. The building material used in the construction of all entrance sign shall be masonry or other long durable material.
- E. After installation by the developer, the maintenance of all entrance signs shall be the responsibility of the homeowner's association of Ellingsworth Commons.

**Section 3.9:****Parking**

Two off-street paved parking spaces are required per each Residential Lot. Neither of the off-street parking spaces required may include spaces within car ports or garages. Further, off-street parking spaces may not fully or partially be in a public right-of-way or utility easement. Each space must be at least Eight feet wide and Eighteen feet long.

**Section 3.10:****Telecommunication Facilities**

No commercial telecommunication or other electronic transmission facility shall be allowed in Ellingsworth Commons.

**Section 3.11:****Home Numbering and Mail Boxes**

All Primary Structures shall display a home number in an appropriately placed position and all Primary Structures having a mail box shall maintain it in the same state of repair as that of the Primary Structure and that it shall, if lettered, be lettered in a professional manner or have attached thereto, an appropriate name plate. All mail boxes shall be of the same style/type.

**Section 3.12:****Landscaping**

Landscaping is an essential part of the design and development of a site. Landscape plantings are a benefit to the environment, public health, air quality, safety, comfort, convenience and general welfare of the community. These standards will result in the reduction of storm water runoff, glare, and heat buildup. They may reduce energy costs in structures and will improve the aesthetics of the community. The following general standards apply.

**A. Minimum Plantings Required:**

> Each Residential Lot of less than 10,000 square feet shall have a minimum of Three deciduous trees or Two deciduous and One Evergreen trees and a minimum of Six shrubs. All Six shrubs shall be planted along the front of the Primary Structure in an ornamental fashion. Additional shrubs are encouraged to be place around the other sides of the Primary Structures foundation.

> Any Residential Lot in excess of 10,000 square feet shall have a minimum of Four deciduous or Three deciduous and Two Evergreen trees and Six shrubs. A minimum of One tree shall be planted, in front of the Primary Structure on the Residential Lot after construction of Primary Structure. All Six shrubs shall be planted along the front of the Primary Structure in an ornamental fashion. Additional shrubs are encouraged to be place around the other sides of the Primary Structures foundation.

> The Clubhouse Lot shall have a minimum of Six deciduous or Four deciduous and Two Evergreen trees and Eight shrubs. A minimum of Two trees shall be planted, in front of the Clubhouse after construction.

> The interspersed Pocket Parks and recreational areas of less than 0.5 of an acre shall have a minimum of Four deciduous or Three deciduous and Two Evergreen trees and Six shrubs. An interspersed Pocket Park or recreational area of greater than 0.5 of an acre shall have, at a minimum, perimeter trees planted on Forty foot centers.

> The plantings made during development of Ellingsworth Commons along streets and boulevards may not be counted toward this minimum landscaping requirement for a Residential Lot.

> All public streets are required to have street trees. All trees planted along streets and boulevards shall be no more than 40 feet on center and, along the boulevard walkway, may be located on alternate sides of such walkway.

B. Deciduous trees planted on a Residential Lot shall have a minimum Two inch caliper at DBH, and all Evergreen trees planted on a Residential Lot shall be at least Six feet tall.

C. Trees, vegetation, irrigation systems, fences, walls and other landscape elements are considered elements of Ellingsworth Commons. All landscaping shall be maintained free from disease, pests, weeds and litter. All landscape structures, such as fences and walls, shall be repaired and replaced periodically to maintain a structurally and aesthetically sound condition.

D. Nothing in these standards shall preclude the use and enjoyment of a wildlife area that is certified by a state or nationally recognized organization. Plantings within a certified wildlife area may be counted toward the minimum landscaping requirements if they meet or exceed the above size requirements.

E. All foundation plantings must be within Ten feet of the Primary or Accessory Structure's foundation and should consist of shrubs, ornamental shrubs, ornamental plants, or flowering plants.

F. Any landscape element required hereby that dies, or is otherwise removed, must be replaced within Sixty days of death or removal.

I. Under no circumstances may the species identified below as Pest Plants or any artificial plant or any plant identified by the State of Indiana as noxious be installed and/or counted as part of the minimum plantings required.

## **SECTION 4.**

## **Maintenance Easements**

### **Section 4.1**

### **Establishment of Easement**

Each Boulevard Lot and Cottage Lot shall have a Five (5) foot easement over and across the adjoining lot along and adjacent to the side zero building set-back lot line on each Boulevard Lot and Cottage Lot, as shown on the plat of such Lot, for the maintenance and repair of the Primary Structure, garage and any privacy fence on such Boulevard Lot or Cottage Lot, which easement shall be appurtenant to and for the benefit of the respective Boulevard Lot or Cottage Lot and the owner of such Lot.

### **Section 4.2**

### **Repair of Damage**

Should a Boulevard Lot owner or Cottage Lot owner, or such owner's contractor, cause any damage to the Five (5) foot easement area, such owner shall repair such damage and put the easement area into the condition it was in immediately prior to such damage occurring.

### **Section 4.3**

### **Notice**

The owner of a Boulevard Lot or a Cottage Lot shall provide the adjoining lot owner with reasonable notice before entering onto the easement area on the adjoining lot.

### **Pest Plants Include:**

<b>Scientific Name</b>	<b>Common Name</b>
Acer ginnala	Amur maple
Acer platanoides	Norway maple
Ailanthus altissima	Tree-of-heaven
Albizia julibrissin	Mimosa
Euonymus alata	Winged wahoo-burning bush
Euonymus fortunei	Winter creeper
Ligustrum spp.	Privets
Ligustrum vulgare	Privet
Lonicera japonica	Japanese honeysuckle
Lythrum salicaria	Purple loosestrife
Pinus nigra	Austrian pine
Polygonum cuspidatum	Japanese knotweed
Pueraria lobata	Kudzu vine
Rhamnus cathartica	Common buckthorn
Rhamnus davurica	Dahurian buckthorn
Rhamnus frangula	Alder buckthorn
Pyrus calleryana	Callery Pear
Pyrus calleryana 'Bradford'	Bradford Pear

J. The use of species included on Plantings Table are encouraged. The Table is provided to allow for the selection of appropriate species for planting in a variety of conditions and is broadly inclusive to encourage increased genetic diversity in the subdivision's urban forest. To make tree selection easier on those who prefer a shorter list, the most commonly planted tree species are listed in enlarged and bold typeface.

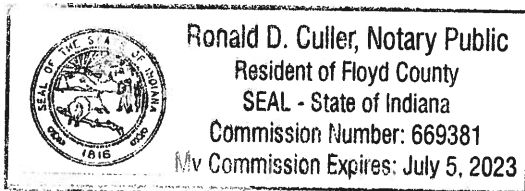
IN WITNESS WHEREOF, Ellings Property Development, LLC, by its duly authorized representative has subscribed its name this 12<sup>th</sup> day of OCTOBER, 2020 JD

Ellings Property Development, LLC

By: *Jeffery Corbett*  
Jeffery Corbett, sole member

STATE OF INDIANA COUNTY OF CLARK )

Before me, a Notary Public in and for said County and State, this 12<sup>th</sup> day of OCTOBER, 2020, personally appeared Jeffery Corbett, sole member of Ellings Property Development, LLC, an Indiana limited liability company, Developer of Ellingsworth Commons Subdivision, who swore to the truth of the representations contained herein and who acknowledged the free and voluntary execution hereof on behalf of said entity.

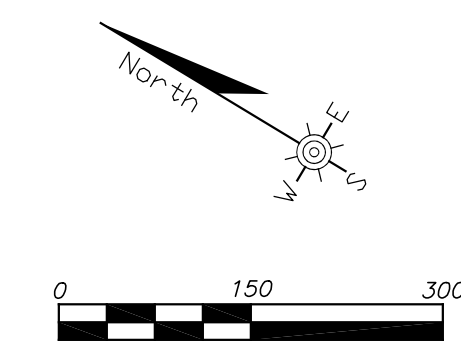
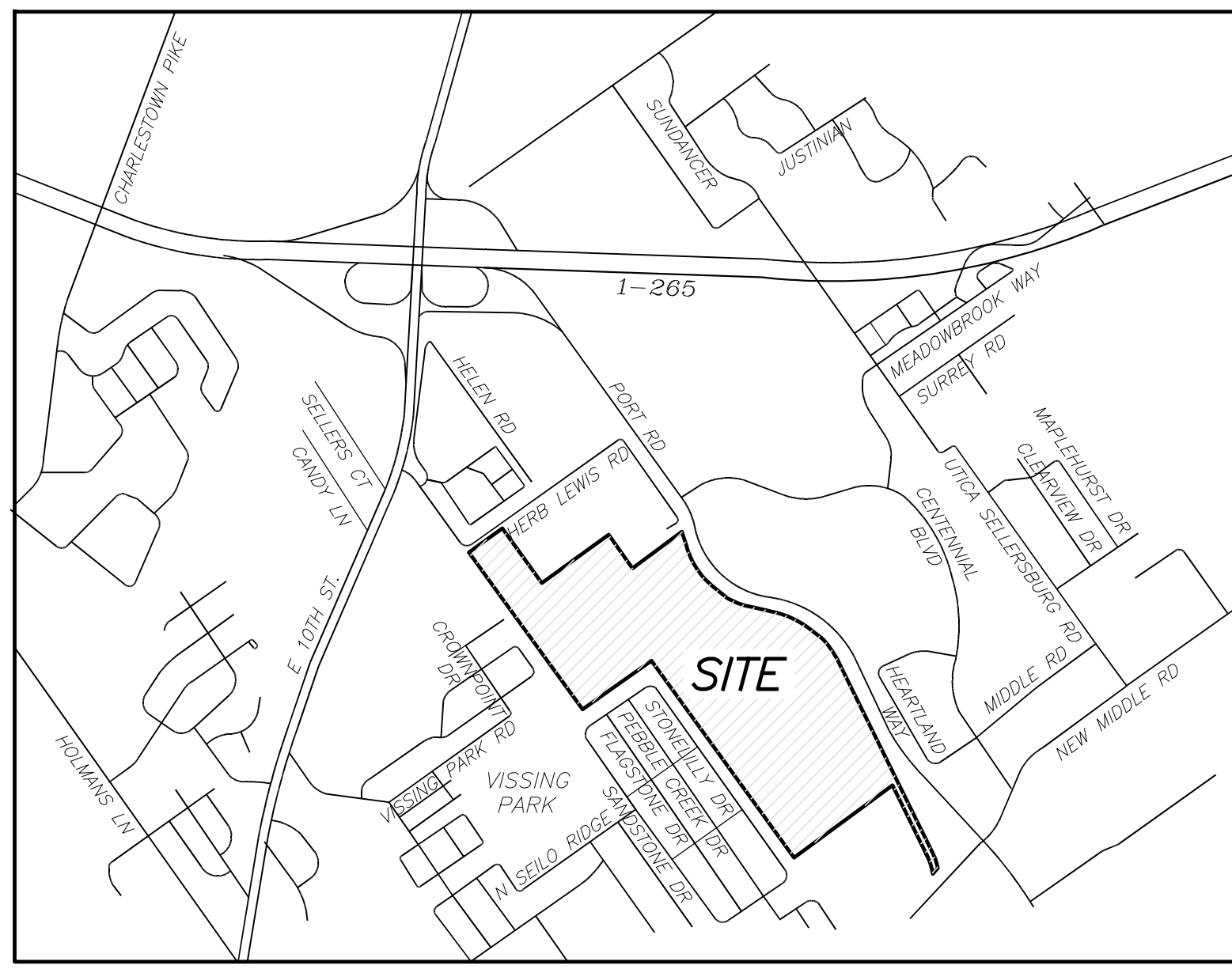


*R-D Culler*  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Resident of \_\_\_\_\_ County, Indiana  
Commission Number: \_\_\_\_\_

Prepared by Culler Law Office, LLC, Ronald D. Culler, Attorney, 2123 Veterans Parkway, Jeffersonville, Indiana 47130, phone 812-284-2685.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, \_\_\_\_\_.  
Person's name presenting for recording

# LOT MAP OF ELLINGSWORTH COMMONS, A PLANNED DEVELOPMENT



**LEGEND**

- DENOTES PROPOSED CITY PARK LAND
- DENOTES COMMONS AREA FOR PUBLIC AND PRIVATE USE, MAINTAINED BY H.O.A.

FUTURE CITY PARK  
36.74 ACRES  
PROPOSED DEDICATED TO CITY  
(SEE ARCHITECTS PLAN FOR DETAILS)



**LOT TABLE**

LOT TYPE	LOT NUMBER	FRONT SETBACK	SIDE SETBACKS	REAR SETBACK	SIDE/ CORNER LOTS	ACCESSORY BUILDINGS	COLOR
TRADITIONAL LOTS	1-41, 57-64, 70-85, 131-135, 162, 163, 168-172, 196-208, 409-425, 468-496, 454-54 - 469-54	25'	5'	20'	15'	5' SIDE/REAR	Orange
BOULEVARD LOTS	98-116, 299-326, 351-379, 420-444, 457-482	10'	0 MIN. ONE SIDE 10 MIN. OPPOSITE SIDE	20'	10'	5' SIDE/REAR	Pink
COTTAGE LOTS	86-97, 119-130, 380-408, 445-456, 483-487, 497-512	15'	0 MIN. ONE SIDE 10 MIN. OPPOSITE SIDE	20'	10'	5' SIDE/REAR	Light Blue
PARK ESTATE LOTS	42-56, 65-75	25'	5'	20'	15'	5' SIDE/REAR	Light Green
ESTATE VIEW LOTS	136-161, 164-167, 178-195	25'	5'	20'	15'	5' SIDE/REAR	Light Orange

1,100'± TO STOPLIGHT @ HIGHWAY 62/10TH ST.  
ROLLING RIDGE SUBDIVISION, SEC. 2 PLAT BOOK 14, PAGE 29  
ROLLING RIDGE SUBDIVISION, SEC. 1, PLAT BOOK 13, PAGE 35  
VISSING PARK