

ARCHITECTURAL REVIEW GUIDELINES & PROCEDURES



**Homeowners Association
Architectural Review Committee**

**Last Updated
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**ARBOR GROVE of NOBLESVILLE
HOMEOWNER'S ASSOCIATION
ARCHITECTURAL REVIEW GUIDELINES
AND PROCEDURES**

OBJECTIVES

The overall objective of this document is to serve as a uniform guide to the Arbor Grove of Noblesville HOA Board in maintaining and enhancing our carefully designed community. These guidelines and standards address improvements for which homeowners will most often submit applications for architectural review.

These guidelines are not intended to be all-inclusive or exclusive, but rather serve as a guide to identifying improvements permissible in the community. In the case of any contradiction between these guidelines and the Declaration of Covenants for Arbor Grove of Noblesville recorded in Hamilton County, Indiana, the Declaration shall control.

The specific objectives of this document are:

- To provide uniform guidelines to be used by the Board in reviewing applications in light of the goals set forth in the Declaration of Covenants, Conditions, Restrictions, and Reservations of Easements for Arbor Grove of Noblesville recorded in Hamilton County, Indiana (hereinafter referred to as "Declaration").
- To assist homeowners in preparing an acceptable application for architectural review.
- To increase homeowners awareness and understanding of the Declaration.
- To describe the procedures involved during architectural review.
- To illustrate basic design principles, which will aid homeowners in developing exterior improvements and structural changes that are in harmony with the immediate neighborhood and community as a whole.
- To assist homeowners in maintaining a well-kept community in order to protect and enhance the economic property and aesthetic values, and the overall desirability of the homes within our community.

SECTION I

A. INTRODUCTION

All homeowners and residents benefit from the planning and design that have been an important part of the development of our community. Design control affords members of the community assurance that the standards of quality to which the community was built will be properly maintained. Quality of life for all residents is improved when a civil and fair design review process is implemented. Additionally, a structured approach to architectural modification within the community ultimately preserves a positive reputation of the neighborhood within the real estate marketplace which, in turn, directly affects property values and your ability to sell your home at the highest possible price.

This document is designed to address exterior alterations or structural changes made by homeowners to their property (land and structures) as set forth in the Declaration. The authority given to the Board for maintaining the quality of design in the community is found in the Declaration and By-Laws and are a part of the deed to every property.

As a homeowner, by initial or subsequent resale settlement, you should have received copies of the Declaration, the Articles of Incorporation, and By-Laws. This collection of documents establishes the Arbor Grove of Noblesville Homeowner's Association, explains the restrictions each owner must abide by while a resident of the community, and explains the processes for which the Board will conduct HOA business. These covenants and restrictions "run with the land" and are binding on all homeowners. As a result, homeowners should read and fully understand each of these documents.

If you need a copy of the Declaration, Articles of Incorporation, or the By-Laws, please contact your HOA.

B. ASSOCIATION REVIEW CRITERIA

The Architecture Review Committee evaluates all submissions on the individual merits of each application. The characteristics of the house type and the individual site are taken into account when evaluating the particular design proposal. What may be an acceptable structural change or design of an exterior in one instance may not be for another.

The following criteria represent in more specific terms the general standards that will be used in reviewing and evaluating an application for structural or design change.

- a. Validity of Concept: The basic idea must be sound and appropriate to its surroundings.
- b. Design Compatibility and Continuity: The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details. Continuity is established by use of the same or compatible materials as were used in the original house.
- c. Location and Impact on the Community: The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood.

SECTION II

A. ASSOCIATION APPROVAL

When you contemplate making an exterior alteration to your property, you should first consult the guidelines contained within this document. They will help you in finalizing your plans and will assist you in the preparation of the Architectural Improvement Application.

Generally, all exterior alterations require the approval of the Association as stated in Article VII of the Declaration of Covenants:

- No Improvement shall be placed, erected or installed on the Property, no construction (which term shall include in its definition staking, clearing, excavation, grading and other site work) and no fences or removal of decorative fencing, plantings or removal of plants, trees or shrubs shall be permitted without, until and unless the Owner first obtains the written approval thereof of the Architectural Review Committee and otherwise complies with the provisions of this Declaration.

This paragraph explicitly states than any change, permanent or temporary, to the exterior appearance of one's property be approved by the Association. Further, once a plan is approved it must be followed. Subsequent modifications require additional Association approval. Each application is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in these guidelines. For example, a homeowner who wishes to construct a deck identical to one already approved by the Association is still required to submit an application. The one exception involves structures, such as decks, which are offered as builder options and are shown on original site plans. These builder-provided structures, if built to exact option specifications, have already been approved by the Association and therefore do not require an application.

B. FORMAT FOR ASSOCIATION APPROVAL SUBMISSIONS

1. A sample Architectural Improvement Application Form is included. This form can be obtained from the Arbor Grove of Noblesville HOA. Generally, the following items should be a part of every application.
 - a. Site Plan: A site plan is most easily prepared by submitting a copy of the property plat. Indicate proposed changes, including dimensions and distances from adjacent property and houses.
 - b. Material and Color: Provide a description of the existing materials and colors and the proposed colors and materials. Where materials and/or colors are compatible but different from those of the existing structures, samples of color chips should be submitted for clarity.
 - c. Drawings and Photographs: A graphic description should be provided, and may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal. Relationships of major architectural features such as existing and proposed roof lines, window sizes and alignment, building heights, roof slopes, exterior elevations for proposed structure, and if appropriate, plans or provisions for landscaping or grading, etc., should be shown as they affect the applicant's house, and in the case of attached houses, as they relate to adjacent houses. In any case, the sketch or photograph should be

accompanied by a written description.

SECTION II CONT.

2. **Review Procedures:** All applications should be submitted to the Architectural Review Committee. The application will be reviewed for completeness. If the application is complete, the review process may begin. If not, the application will be returned to the homeowner for additional information. The Association has thirty (30) days to review an application. The decision of the Association will be sent in writing to the applicant's home address and/or supplied email address. Failure of the Association to act upon any request submitted to it within thirty (30) days of submission shall be deemed to have been approved as submitted. In any event, the Architectural Review Committee will send a written response to all requests.
3. **Appeal:** An appeal may be made to the Board of Directors if it appears that the following situations occurred:
 - Proper procedures were not followed during the administration and review process, or
 - The Association's decision was arbitrary and had no rational basis.

To initiate the appeals procedure, the applicant must submit a written request for an appeal within ten (10) days of receiving the decision. Within ten (10) days of receiving the request for a hearing, the applicant will be allowed a hearing before the Board to present why an appeal should be granted. The Board's decision following the hearing will be final.

C. ARCHITECTURAL STANDARDS AND GUIDELINES

The guidelines and standards that follow address a broad range of exterior structural and/or design alterations for which homeowners frequently submit an application to the Association. While it would be impossible to address each specific design condition, these guidelines present the principle factors which should be considered when developing a design. More specifically, these guidelines define the limits to size, quality of construction, location, materials and color based on the intended use and relationship to adjoining properties rather than focusing on a particular construction detail or a specific design alternative. The individual merits of each application will always be considered by the Association. The use of these guidelines should assist the homeowner in gaining timely approval. The applicant who follows the guidelines should expect approval or rationale as to why the application was not approved.

D. AMENDMENTS TO THE GUIDELINES

The Association will conduct an annual evaluation to determine if the guidelines need to be amended. It is anticipated that any changes would be primarily additive and would not involve substantive changes of the existing guidelines.

E. COUNTY AND CITY APPROVALS

Many structural changes require city and/or county review and permits. ***It is the homeowner's responsibility to obtain all city and/or county approvals and permits.*** These authorities should be contacted prior to submitting an improvement application to the Architectural Review Committee or beginning any work in order to verify what procedures must be followed to obtain required permits. City

and/or county permits do not preclude the need for Architectural Review Committee approval and vice versa.

F. VIOLATIONS

If approval of the work is not granted prior to commencement, the Association has the right to demand that further work be ceased until the request has been submitted and approved. The Architectural Review Committee also has the right to demand removal of any enhancement that is not approved. Fines may be placed on properties found in violation of the Architectural Guidelines. Unpaid fines will result in liens being placed on the property.

SECTION II CONT.

G. VARIANCES

To avoid unnecessary hardship and/or to overcome practical difficulties in the application of the provisions of this Declaration, the Architectural Review Committee shall have the authority to grant reasonable variances from the provisions of Article VII, provided that the activity or condition is not prohibited by applicable law; and provided further that, in their judgment, the variance is in the best interest of the community and is within the spirit of the standards of the Architectural Review Committee.

SECTION III

A. GUIDELINES FOR CHANGES AND MODIFICATIONS

Accessory buildings

Installation of an accessory building requires approval of an Architectural Improvement Application. Mini barns, storage sheds or other outbuildings shall not exceed a maximum size of 150 square feet, shall utilize a shingled roof to match the roof of the residence, shall be painted or stained to match the residence, and the exterior shall not be constructed of metal, tin, aluminum or the like. All such structures shall be approved by the Architectural Review Committee prior to the initiation of any construction.

Additions and Room Alterations

Installation of additional rooms requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the city and/or county approved design and layout and show the location of the addition in reference to the house and property lines. Each application shall be considered on a case by case basis but in no case shall a garage be transformed into a living space nor shall the room addition be constructed such that the exterior does not integrate with the architectural style of the existing structure and roof.

Air Conditioning Units

No Architectural Improvement Application is required for the installation of an air conditioning unit as long as the following guidelines are followed. Air conditioning units shall be located on side and rear of the home only and preferably screened from view of the roadway.

Arbors and Gazebos

Installation of arbors and gazebos requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the city and/or county approved design and layout and show the location of the arbor or gazebo in reference to the house and property lines. Arbors and gazebos may be built from a variety of different materials in a variety of different shapes and sizes, but shall not be built closer than twenty (20) feet of the rear property line. Arbors and gazebos shall not be built forward of the rear foundation wall.

Animals

Dog houses and other animal shelters must be movable temporary structures. Installation of permanent dog houses and other animal shelters requires approval of an Architectural Improvement Application. The design, materials, color, and size must be approved prior to commencement of construction.

Awnings

Installation of awnings requires approval of an Architectural Improvement Application. Awnings are to be installed in the rear of the home only. Design and color must be compatible with home and surrounding neighbors.

Bird Feeders and Bird Baths

No Architectural Improvement Application is required for bird feeders and bird baths as long as the following guidelines are followed. Bird feeders and bird baths must be installed no closer than five (5) feet from property line and only on the rear or sides of the home.

Doors and Windows

Installation of doors and windows requires approval of an Architectural Improvement Application. For replacement purposes, windows and doors (including garage doors) should be of matching design as the original equipment installed on the house. If there is a paint color change to the trim around the windows or doors, this must be specified on the application as well.

Decks

Installation of decks requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the city and/or county approved design and layout and show the location of the deck in reference to the house and property lines. Decks may be constructed of a variety of different materials. Decks more than thirty inches (30") off the ground must have a railing that stands between three feet (3'0") and three feet six inches (3'6") above the upper surface of the deck floor. Deck railings may be construction in a variety of styles, provided that all the railings on the same deck are of the same style. Decks may not be built forward of the rear foundation wall and stairs may not extend past the side foundation wall. Decks must be attached to the home. No free-standing decks are allowed. Decks may be built in variety of shapes but shall not be built closer than twenty (20) feet from the rear of the property line. Color of the deck stain or paint must be neutral and complement the original color of the home.

Driveways

General maintenance and cleaning of existing driveways does not require the submittal of an Architectural Improvement Application. Extensions to or replacement of existing driveways requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit to extend or replace a driveway. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the

city and/or county approved design and layout and show the location of the driveway in reference to the house and property lines. All driveways shall be constructed of concrete.

Exterior Painting

The Arbor Grove of Noblesville Covenants stipulate that a homeowner maintain their lot and home in good repair. Therefore, when a homeowner intends to repaint or repair an original or previously approved and applied color scheme or repair a damaged or deteriorated portion of the existing structure or lot to its original condition, the work may proceed without an application to the Architectural Review Committee. All other painting, repair or refurbishing work must be submitted and no work begun until approved. The exterior paint color must conform to the general color tone of the community

Fireplaces, Grills, and Firepits

No Architectural Improvement Application is required for use of non- permanent fireplaces, grills, or firepits. Installation of permanent or built-in fireplaces, grills, and firepits requires approval of an Architectural Improvement Application. In either case, these items may be used to hold open flames as long as they are equipped with fire screens to eliminate the discharge of ashes or embers.

Fences

Installation of fences requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the city and/or county approved design and layout and show the location of the fence in reference to the house and property lines. Fences may be constructed of rustic rail, split rail, decorative PVC, ornamental iron, decorative wood, decorative metal, or chain link. Non-reflective metal may be used as an integral part of the fence to provide a secure enclosure. Barbed wire or similar fences are prohibited. Fences may not be erected forward of the rear foundation wall. Fences shall not be in excess of six (6) feet in height.

Flags

No Architectural Improvement Application is required for installation of flags as long as the following guidelines are followed. This section of the guidelines helps define the display of temporary or permanent flags and is not an attempt to regulate words or images printed on the flags flown within the property. Flags or banners may be attached to the home using a device designed for this purpose. Free- standing poles are permitted provided the height of the pole does not exceed fifteen (15) feet and the pole is placed no closer than five (5) feet from the nearest property line. When a flag is displayed in any location becomes torn or tattered it must be removed and properly repaired or destroyed.

Gutters and Downspouts

Gutter coloring that is white does not require approval from the Architectural Review Committee. Requests to the Architectural Review Committee for other colors must include color samples. Colors need to match the house/attachment if other than white, i.e., gutter should be color of trim/soffit and downspout the color of base. Plastic gutter material is prohibited. Any other rain handling systems or devices shall be submitted for review.

Holiday Lights

No Architectural Improvement Application is required for installation of holiday lights as long as the following guidelines are followed. Holiday lights may be installed no sooner than four (4) weeks prior to and removed no later than four (4) weeks after the holiday, *weather permitting*.

Hot Tubs

Installation of a hot tub requires approval of an Architectural Improvement Application. Hot Tubs shall be

defined as any and all types of containers of water where a filter and heating element are self-contained to the unit that people use for either therapeutic or recreational purposes. Hot Tubs may be installed only on rear decks or patios and must be commercially built, professionally installed, and adhere to all state, county, and township electrical, plumbing, and building codes. Fences and gates for hot tubs must be installed in accordance with county and township buildings codes.

Invisible Dog Fence

Installation of an invisible dog fence requires approval of an Architectural Improvement Application. Invisible dog fences may not be installed closer than two (2) feet of any property line.

Irrigation Systems

Installation of permanent irrigation systems requires approval of an Architectural Improvement Application. No irrigation outlets shall be located in the public right of way. Temporary yard sprinkling systems may be used as long as the material is stored out of view after use.

Lawns and Lawn Care

No Architectural Improvement Application is required for lawn installation or lawn care as long as the following guidelines are followed. Owner shall maintain all lawn and yard areas such that weeds, underbrush, or unsightly growths are removed. All lawn areas shall be mowed and maintained on a regular basis so that the height of the grass does not exceed six (6) inches. Lawn mowers and other yard equipment must be stored in the garage, shed, or rear of the home.

Landscaping

No Architectural Improvement Application is required for replacement of existing landscaping in existing landscape beds. An Architectural Improvement Application is required for installation of new landscape beds or the installation of any landscape that affects the grade of the yard or affects the current drainage of the yard. Any permanent border such as terracing or a retaining wall must be approved prior to installation. Non-permanent borders may be installed, such as landscape blocks, railroad ties, etc. Homeowners must remove weeds and other unsightly material from landscape beds. Planting of seasonal flowers in existing beds or around mailboxes does not require approval.

Lighting

Installation of new free-standing light fixtures requires approval of an Architectural Improvement Application. Mercury vapor yard lights are prohibited except for street lights installed by the utility company. Lighting may not be directed outside the boundaries of the lot.

Mailboxes

No Architectural Improvement Application is required for the replacement of existing mailboxes as long as the following guidelines are followed. Mailboxes must be of the initial design as established by the Builder or Developer. Mailboxes must be maintained so that no deterioration is noticeable and such that house numbers are easily visible. If a mailbox requires replacement then one can be obtained from *Ottos Streetscapes Solutions (317-882-8933)*. The mailbox is a powder coat finish, thus there is no good way to touch up. If you'd like to help extend the longevity of the paint color staying fresh, wax your mailbox once a year for added protection. If the post needs to be re-stained, it must be re-stained with the *color Emerson Crème by Sherwin Williams*.

Patios

Installation of a new patio or extension of existing patios requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the city and/or county approved design and layout and show the location of the patio in reference to the house and property lines. Patios may be built in various shapes and

sizes with a variety of different materials but must not come closer than twenty (20) feet from the rear property line.

Recreational Equipment

Installation of swing sets, play sets, basketball hoops, trampolines, and other sporting equipment requires approval of an Architectural Improvement Application. All permanent or temporary swing sets, play sets, basketball hoops, trampolines, and other sporting equipment must be installed no closer than three (3) feet from all property lines and in accordance with applicable manufacturer's safety guidelines. All recreational equipment as defined in this guideline must be maintained so that no deterioration is noticeable.

Retaining Walls

Installation of retaining walls for decorative or other purposes requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the city and/or county approved design and layout and show the location of the retaining wall in reference to the house and property lines. Retaining walls may be constructed in a variety of shapes and sizes with a variety of materials.

Roofs

Roof replacement with shingle color the same as the original color does not require submittal of an Architectural Improvement Application. Installation of roof shingles a different color than the original shingles requires approval of an Architectural Improvement Application. When material and/or color changes are requested, the Homeowner will provide material and color samples with the Architectural Improvement Application for review and approval.

Satellite Dishes

Installation of antennas or satellite dishes requires approval of an Architectural Improvement Application. FCC Guideline 47 C.F.R. Section 1.4000, amended October 2000, prohibits restrictions that impair the installation, maintenance or use of antennas (including satellite dishes) used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter (39.37") in diameter, TV antennas, and wireless cable antennas. The rule prohibits most restrictions that: (1) unreasonably delay or prevent installation, maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable quality signal. The following restrictions apply to satellite dishes and are in compliance with this FCC Guideline:

- The satellite dish must not exceed eighteen inches (18") in diameter
- The satellite dish must be placed in a location that is as inconspicuous as possible.
- The color of the satellite dish must be gray and contain no advertisement.
- All external wiring must be property secured and concealed, whenever possible.

Sidewalks

No Architectural Improvement Application is required for general maintenance or cleaning of existing sidewalks. Installation of new sidewalks, or extensions or replacement of existing sidewalks, requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the city and/or county approved design and layout and show the location of the sidewalk in reference to the house and property lines. Sidewalks may be constructed of a variety of different materials and in a variety of shapes and sizes. The application must include the county and township approved design and layout and show the location of the sidewalk in reference to the house and property lines.

Signs

No Architectural Improvement Application is required for signs as long as the following guidelines are followed. No sign shall be installed or permitted to remain on any lot except a “For Sale” or “For Rent” sign of typical size to the industry.

Sun Rooms and Screened in Porches

Installation of sunrooms and screened in porches requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the city and/or county approved design and layout and show the location of the sun room (screened porch) in reference to the house and property lines. Color and style of the sun room or screened in porch must complement the color of the home.

Swimming Pools

Installation of a swimming pool requires approval of an Architectural Improvement Application. The city and/or county may require a homeowner to conduct a survey of the property and may also require a building permit. Homeowners must obtain all necessary permits prior to commencement of construction. The application must include the city and/or county approved design and layout and show the location of the pool in reference to the house and property lines. Pools shall not be installed forward of the rear foundation line. No above-ground pools, temporary or permanent, are permitted except that portable wading pools used by small children not more than two (2) feet in height may be used. Diving boards, slides, and other equipment are allowed per this guideline.

Architectural Improvement Application

Dear Neighbors:

The following information should be used to submit any proposed construction or improvements to the exterior of properties in Arbor Grove including, but not limited to, fencing, storage buildings, play sets, etc. Refer to Section VII of your homeowner’s covenant for all restrictions and requirements for property improvements.

All requests must be submitted in written form with all plans and specifications pertaining to the project in question. Submissions should include, but not be limited to the following...

- Address and lot number where work will be performed
- Contact information of property owner, (email and/or phone number)
- Written description of the work to be performed
- Drawing of proposed work, complete with dimensional information
 - Hand drawing is fine as long as it shows proper boundary relations.
- Picture of proposed improvement (i.e. Picture of barn, fencing, etc.)
- Picture, swatch of paint, stain color to be utilized
- Name of contractor to be performing the work

- Any additional information pertinent to the proposed improvement.

All requests will be reviewed and responded to in writing within 30 days from the time the requests are received. No improvement shall be started without the written consent of the Design Review Board.

Requests should be mailed to: Arbor Grove HOA, Architectural Review Committee
P.O. Box 1241
Noblesville, IN 46060

OR

Emailed to: board@arborgrovehoa.org

All approvals or denials will come in writing from the Design Review Board. If there are any questions that arise from the above process, please call the Arbor Grove voice mailbox and leave a message at 317-221-1301 or send an email to board@arborgrovehoa.org. Both are checked daily. Someone from the Board will contact you promptly to address your questions.

Be sure to submit your requests as early as possible prior to your requested start date for all proposed projects. May thru September are busy times of year for construction and improvements and we will likely have a lot of requests to review. So to allow us time to give them our full attention, we will need all requests to be submitted with ample lead time.

Sincerely,

Architectural Review Committee
Arbor Grove of Noblesville HOA