

**WATERFORD LAKES HOMEOWNER ASSOCIATION**  
**ARCHITECTURAL AND LANDSCAPING GUIDELINES**

**PURPOSE**

These Architectural and Landscaping Guidelines are designed with the goal of maintaining the aesthetic beauty and preserving the safety, value and visual harmony of the property. The purpose of these Architectural and Landscaping Guidelines is not to restrict individual creativity or personal preference, but rather to assure and preserve the value, desirability and architectural integrity of the community for all homeowners present and future.

Any change or modification of any kind that has been done without the approval of the Architectural and Landscaping Committee but allowed to stand, and any change or modification of any kind that has been done with approval of the Architectural and Landscaping Committee, does not establish a precedent of any kind on future requests for change or modification to any of the condominiums in Waterford Lakes.

**ARCHITECTURAL AND LANDSCAPING COMMITTEE**

The Architectural and Landscaping Committee shall consist of no less than three (3) members, one (1) of whom will be a Board member, appointed by the Board of Directors and will be designated as the Committee Chairperson. The other members shall be non-board members selected by the Chairperson. No two members on the committee shall be from the same household or a spouse of an active Board member. The members of the Architectural and Landscaping Committee shall receive no compensation for services rendered but are entitled to reimbursement by the Association for approved expenditures incurred in the course of their duties.

**POLICY and PROCEDURE**

Prior to making a proposed change or modification, a property owner must first submit a completed, signed **Architectural and Landscaping Change Request Form** to the property management office. A copy will be placed in the property owner's unit file and a copy will be forwarded to the Architectural and Landscaping Committee Chairperson. This request form may be obtained at the management office or from their web site. The request form should be fully filled out and include the following information:

- Detailed description and/or specifications showing location, nature, kind, shape, height and materials, including the color.
- Material samples or product brochures, if applicable
- A proposed construction schedule including start and completion dates.
- Any and all necessary permits and licenses, if applicable.
- Names of any contractors used and insurance information, if applicable
- Other requirements:

- It is recommended as a courtesy that the property owner contact adjoining neighbors to make them aware of the proposal, if applicable. However, the final decision will remain with the Board, based on the Committee's recommendation.

### **REVIEW PROCESS**

The Committee will review the request form and information submitted and may ask for additional information or clarification during the review process. The Committee Chairperson will submit their findings to the Board of Directors, who will make the final determination and direct the property management office to send a letter of approval or disapproval to the applicant.

In the event the Architectural and Landscaping Committee fails to approve, modify or disapprove in writing a request form within thirty (30) days after such application (and all plans, drawings, specifications and other items required to be submitted to it in accordance with such rules as it may adopt) was received by it, approval will be deemed granted by the Architectural and Landscaping Committee.

After receiving written approval from the property management office the property owner may proceed with the improvement or undertake the approved action. The Architectural and Landscaping Committee is not responsible for ensuring structural integrity or compliance with state and local building codes. Property owners must obtain all necessary building permits and other government or utility approval that may be required for the proposed modification or addition.

### **INSPECTION**

At anytime during construction of an approved improvement, the Architectural and Landscaping Committee or any other party authorized by the committee shall have the right to inspect the work in progress. The committee will notify the property owner prior to inspecting. Review will include, but not be limited to:

- Consideration of material,
- Quality of workmanship,
- Matching of color with existing or neighboring structures,
- Consistency with the external design,
- Location of the improvement with respect to topography and finished grade elevation.

### **NOTICE OF COMPLETION**

Upon completion of any work for which approval has been given, the property owner shall submit written notice of completion to the property management office. Within thirty (30) days thereafter, a representative of the Committee may inspect such improvements. If the Committee finds that such work was not done in

substantial compliance with the approved plans, the owner will be notified in writing of such noncompliance within a thirty (30) day period following the receipt of Written Notice of Completion and require the property owner to correct the matter.

If work is not completed within the time frame indicated on the request form, property owner must contact the property management office for an extension. The property management office will notify the Architectural and Landscaping Committee of the request for an extension.

### **ENFORCEMENT**

Improvements that are installed without the necessary approval from the Architectural and Landscaping Committee will be constituted as noncompliant, and modification or removal of work may be required at the expense of the owner. Remedies will be pursued to the fullest extent permitted by the law.

Owners shall be responsible for any damages caused to the HOA or other homeowner property during the construction of their improvement.

### **APPEALS**

The property owner may request an appeal. The appeal must be filed within thirty (30) days of the decision by the Board and must be filed in writing to the Board, through the property management company. The Board will set a time for the meeting where the applicant can make their case to the Board. All decisions made by the Board of Directors after the appeal shall be final. Please refer to page 16 of the *Declaration of Covenants and Restrictions of Waterford Lakes Property Ownership* document.

### **GENERAL ARCHITECTURAL AND LANDSCAPING STANDARDS**

#### **COLOR CONSISTENCY**

- Colors shall stay consistent throughout the community and shall not be changed in anyway unless authorized by the Architectural and Landscaping Committee. This includes, but is not limited to:
  - Painted building surfaces
  - Doors
  - Garage doors
  - Windows
  - Patio doors
  - Screen doors
  - Privacy fences
  - Lighting and light posts
  - Mailboxes

## **ANTENNAS AND SATELLITE DISHES**

Homeowners who wish to have an antenna or satellite dish must submit an Architectural and Landscaping Change Request Form prior to installation. An antenna or satellite dish may be placed within the confines of a homeowner's lot in a flowerbed on the side or rear of the property (3 feet from the building surface). Generally a satellite dish on a mounting pole that is 5 - 6 feet tall receives clear signals. It is suggested that all exposed wires be in conduit and / or painted to match the property. Installation on a pole on the roof or in the front of a property is never approved.

## **AWNINGS/SHUTTERS**

Awnings and shutters are not permitted on the exterior of a homeowner's property.

## **CIGARETTE BUTTS AND OTHER DEBRIS**

Each homeowner is responsible for keeping their lot in good, clean, and sanitary conditions. This includes keeping your yard free of trash, discarded butts, animal messes, and other debris.

## **COMMON AREAS**

Common areas include all the areas designated as such on the recorded final plat of Waterford Lakes, or any part thereof, including but not limited to:

- Lakes
- Yards
- Gardens
- Driveways
- Sidewalks
- Parking areas
- Club house
- Recreational areas (if any)

All lots and dedicated streets are not considered common areas.

Any alteration to the common area is prohibited.

All common areas shall be used and enjoyed only for the purposes for which they were designated and intended, and shall, from time-to-time, be used subject to the rules and regulations adopted by the Board.

Maintenance, repairs, replacement, and upkeep of the common areas shall be furnished by the association, as part of its duties, and the cost thereof shall be a common expense. (See *Declaration of Covenants and Restrictions of Waterford Lakes*)

*Property Ownership, Article IV – page 4, Article VII – page 14, and Article XIV – page 30 for further details on Common Areas.)*

### **DECORATIVE ITEMS AND SEASONAL DECORATIONS**

All front exterior decorative items shall be limited to the flowerbed. Any decorative enhancements must blend with the landscape and not be offensive to neighboring properties or common areas. Holiday decorative items do not require approval. However, holiday decorative items shall not be displayed more than 30 days prior to the actual holiday or more than 30 days after the actual holiday.

The Architectural and Landscaping Committee retains the authority to determine if decorative items are a nuisance to the surrounding neighbors and properties.

### **DECKS, PATIOS AND PERGOLAS**

No property owner shall install a deck, patio, or pergola without permission from the Architectural and Landscaping Committee.

Free-standing canvas tents or patio covers are not permitted.

### **DOORS AND SCREEN DOORS**

The homeowner is responsible for replacing and installing exterior doors and storm doors. The Architectural and Landscaping Committee must approve all exterior doors prior to installation. A homeowner is required to submit an Architectural and Landscaping Request Form if he/she wants to replace original exterior doors and storm doors.

New front entrance door specifications:

- Door must be a steel 6-panel door
- Door must be white in color

New front entrance storm door specifications:

- Door must be full view plain glass or full view ventilating or self-storing screen
- Door must not have any decorative designs such as beveled, frosted, tinted or etched glass
- Door must be trimmed in white
- Door windowpane must be glass, not plastic, and trim should be made of aluminum, fiberglass, vinyl or steel

All new doors must be made of quality material that allows for energy conservation, ease of cleaning and safety. All doors purchased must be designed to maintain the harmonious appearance, desirability and architectural integrity of the community.

The property management company is responsible for the painting and staining of the outside surface of exterior doors. (See *Declaration of Covenants and Restrictions of Waterford Lakes Property Ownership, Article VII, Section 2.*)

### **DRIVEWAYS, SIDEWALKS, PATHWAYS, FRONT DOOR STOOPS**

The Architectural and Landscaping Committee must approve all construction, modification, or repair of driveways, sidewalks, pathways, and front door stoops. Driveways and front door stoops are maintained by the HOA. Every effort must be made to maintain the visual harmony of the neighborhood.

Sidewalks and Pathways:

- A site plan with a scaled drawing showing exact location of the sidewalk/pathway must be submitted, including materials to be used, size, location, color, grading change required (if any) and resulting impact on the neighbors.
- The exact measurements of the proposed surface must be stated in the plan.
- If using colored pavers, brick, or stones, please submit a sample color photo or brochure of the style and color to be used.
- It is the homeowner's responsibility to obtain the required public utilities approval.
- Include a color photo(s) of the area that the sidewalk/extension/pathway will be built on.
- Walkways must not impede property lines, building lines, utility easements or drainage ditch easements.
- An added walkway/extension must be flush with the ground level.
- The homeowner must maintain approved walkway/extension.
- Careful consideration must be given to ease of mowing.
- Stepping stones must be flush with the ground for ease of mowing.

Driveways, and Front Door Stoops:

- As previously mentioned, driveways and front door stoops are maintained by the HOA.
- Driveways, front door stoops, and sidewalks shall not be increased in size unless authorized by the Architectural and Landscaping Committee.
- Concrete must be 3000 PSI after 28 days of cure time.
- Concrete must be at least 4 inches thick.
- Concrete must be of fiber reinforcement virility or have metal mesh or rebar.
- Concrete must be edged, with an adequate slope to drain, with tooled expansion joints.
- Concrete surfaces shall be "broom finished".
- Concrete should be a natural color and not stained.

## **EXTERIOR LIGHTING**

Low voltage ground landscaping lights are pre-approved provided they are conservative in design, use white lights and are directed towards the unit, tree or ground. High voltage lighting (greater than 24 volts DC/AC) requires Architectural and Landscaping Committee approval and must be located within the flowerbeds.

Outdoor light fixtures shall not exceed illumination intensity of more than three (3) feet of candlepower as measured from the lot line. They shall blend with the décor and color of the property and the neighborhood. Low-pressure sodium bulbs, Mercury and Metal Halide fixtures are not permitted. Colored light bulbs, lenses or reflectors are not permitted except as decorative items during special holidays. Seasonal lighting is permitted 30 days prior to the actual holiday and no more than 30 days after the actual holiday.

Security lighting and motion sensors may be installed with prior approval from the Architectural and Landscaping Committee. Security lighting shall be directed so that the light shines primarily on the owner's property and minimizes glare visible from other lots (not directed at adjacent property).

## **FENCING**

The Architectural and Landscaping Committee must approve all fencing, including decorative fencing, prior to erection. Fences shall not be allowed on the sides or front of the buildings. Chain fences are not allowed. There shall be no dog or animal pins allowed of any kind.

- Privacy fences shall be of shadow box design and:
  - Be made of treated or cedar material with dog ear tops
  - Be painted the color of the buildings
- No plastic or PVC fences shall be allowed
- Fences shall be no more than 6ft high

## **FIREPITS**

Permanent fire pits are not permitted. Portable fire pits are permitted in the back of a dwelling and must be at least 15 feet from the building.

According to the Avon Fire Marshall, if a neighbor complains of a fire pit generating smoke, the fire department can require the owner to shut it down.

Property owners should consult with their insurance provider regarding coverage on portable fire pits.

## **FLAGPOLES/FLAGS**

Freestanding flagpoles must be approved by the Architectural and Landscaping Committee for placement, size and lighting. The maximum height of flagpoles is 25 feet. Flags must be maintained in good condition and shall not be displayed if mildewed, tattered or faded. The American Legion provides guidelines for the flying and care of flags.

The flagpole in the shade garden is the property of, and maintained by, David B. Jones (as approved by the Board of Directors in 2009).

No condominium owner will be permitted to hang or display a flag on the outside of the windows or placed/affixed to the exterior walls or roof of any dwelling without prior written approval of the Architectural and Landscaping Committee.

## **FUEL TANKS, OUTSIDE EQUIPMENT AND LANDSCAPING MATERIALS**

Storage of any outside equipment and material (such as lawnmowers, lumber, and above ground fuel storage tanks, and similar items) outside an enclosed structure is not permitted. Cooking grills must be placed in the rear of the property and be well maintained.

## **GARAGE SALES**

Each garage sale may last no longer than 72 hours. Sale items must be kept in the immediate area of the garage area. Advertising signs may be placed at the residence 48 hours in advance and must be removed at the conclusion of the sale. Placement of signs must meet city code.

## **GARBAGE CONTAINERS**

All garbage and recycling containers shall be kept from view of neighboring homes and streets. All rubbish, trash or garbage shall be stored in closed sanitary containers. It is recommended that containers be stored in your garage. Garbage and recycling containers may be placed at the street the evening prior to the next day pickup. Ray's Trash Service provides pickup early Thursday morning. Containers must be returned to the garage for storage by midnight on the day of pickup.

## **LANDSCAPING AND GARDENING**

Landscaping beds must be kept weeded and well maintained. Any vegetable and plant gardens must be located in the back of a residence within the pre-approved or existing plant bed.

Bushes and/or shrubbery originally planted by the HOA, located in the front of a residence, will be trimmed and maintained by the HOA contracted lawn service provider.

Bushes/shrubs or border plantings shall not be planted in common areas unless approved by the Architectural and Landscaping Committee.

Bushes/shrubs, border plantings and flowers may be planted and maintained by a homeowner in the 36" homeowner plant beds without approval.

Trees shall not be planted, maintained or removed in common areas without approval from the Architectural and Landscaping Committee.

The Architectural and Landscaping Committee must approve tree rings or landscape edging surrounding plant beds prior to installation.

- Edging must be an earth tone color (grey, muted red, or brown) and must compliment the exterior of the residence.
- Edging must be constructed of commercially available landscaping blocks, stacked stone, fieldstone, scalloped concrete edging materials, or natural rocks.
- The top surface of a tree ring or edging must not be more than 8 – 12" higher than the adjoining, undisturbed ground or stacked the height of no more than 2 – 3 approved landscaping blocks.
- Tree rings or edging must be installed so that the top surface of all installation materials is flush (same height) with the adjacent "element" (block, edging material, etc.). The top surface of the ring or edging as a whole shall be close to level as practical considering the natural slope of the adjacent ground.

Tree rings and landscape edging shall not interfere with existing swales or water drainage.

Tree rings and edged areas shall be completed by installing stone or mulch within the boundary of the tree ring or edging.

Tree rings and landscaped edging need to be maintained to insure they look attractive and do not fall into a state of disrepair.

### **LAWN MAINTENANCE**

HOA contracted lawn service provider will cut the lawn on a regular basis and fertilizer will be applied periodically throughout the season.

Watering the lawn is recommended. Do not leave hose extended through the yard after watering.

## **MAILBOXES**

Mailboxes and posts are the property of the Home Owners Association, maintained by the property management company, and shall not be altered. Only the original white mailbox is permitted. If replacement or repair is required, contact the property management company. The residence address must be clearly visible on the post. Address numbers shall be uniform.

## **OUTDOOR FURNITURE**

No furniture shall be used, stored or kept on the exterior of any residence except for furniture designed and intended for use outdoors on porches, patios, decks and flowerbeds. Furniture not enclosed in a room shall be limited to such types as designed for outdoor use. This restriction does not apply to furniture used within an enclosed sunroom or screened-in back porch.

## **OUTDOOR HOT TUBS, SPAS, SAUNAS, AND POOLS**

Hot tubs and spas require prior approval using the Architectural and Landscaping Change Request Form prior to installation. These items must be located in the rear of the residence, screened from view from the street and neighboring properties. Owners are required to install safety features such as locks or covers and comply with all applicable state and local codes.

Outdoor saunas and pools are not permitted.

## **PARKING**

Vehicles will not be parked on the grass or sidewalk of any lot. No boats, campers, trailers of any kind, buses, mobile homes, recreational vehicles, trucks (larger than ½ ton), motorcycles, mini-bikes, or mopeds shall be permitted, parked or stored anywhere within a lot or common area except as otherwise specifically permitted by the Board. No repair work shall be done on any lot or common area on any vehicles, including passenger automobiles (see *Declaration of Covenants and Restrictions of Waterford Lakes Property Ownership, Article XIV, Section j*).

Recreational vehicles, campers, boats and trailers must be kept in the garage; however, such vehicles may be parked on the street for a period that does not exceed 24 hours.

Repairs on any vehicle should be done in a garage.

## **PETS**

Please refer to *Declaration of Covenants and Restrictions of Waterford Lakes Property Ownership, Article XIV, Section e*.

The number and type of pets shall be the same as the town ordinance on residential pets except as required by insurance. If there are any species or breed restrictions, because of insurance coverage, these restrictions should be publicized or communicated by the Board of Directors, included in the meeting minutes and mailed to each homeowner. Pet owners should have no less than 45 days to re-home their pets.

All pets outside the dwelling must be on a leash or under other restraint. Invisible fencing and tethering are allowed. However, owners must be present with their animals at all times and must not be left unattended.

Dog pens and runs are not permitted.

Pet owners must clean up any messes from their pets.

### **ROOF ACCESSORIES**

Modifications to the roof are not permitted.

### **SIGNS**

No exterior signs or advertisements may be erected, placed or maintained on any lot or common area without prior approval of the Architectural and Landscaping Committee except:

- Signs required by legal proceedings
- No more than two (2) identification signs (including name plaques and address plaques.)
- Temporary "For Sale," "For Rent," and garage sale signs that may be placed and maintained by the homeowner or realtor for the duration of the sale. In no case will yard or garage sale signs exceed a conservative 48-hour period. They must be removed promptly after the sale or filling the vacancy. Signs on perimeter walls are prohibited.
- A home security alarm sign not to exceed 12 inches by 12 inches and extend more than two (2) feet from the property and maintained in the plant bed.
- Signs advertising landscaping or contractors are allowed during the duration of the work and must be removed within 48 hours of completion of work.

Signs are expressly prohibited anywhere at any of the entrance marquees, on the mailboxes and on traffic signs.

### **SNOW REMOVAL**

During the winter, snow will be removed from the driveway, front stoop, and front door walk by the HOA/property management company after an accumulation of three (3) inches of snow. The Town of Avon is responsible for clearing the streets. As a general rule, snow removal will begin after the snow has stopped falling.

It is highly recommended to use ICE MELT for treatment of walks and driveways. DO NOT use salt. It will damage concrete.

### **SPRINKLER SYSTEMS**

Any irrigation (sprinkler) system must be approved by the Architectural and Landscaping Committee prior to installation.

All irrigation systems must be installed below ground level unless a drip system is used in plant beds. Appropriate drainage shall be installed so as to be directed to the street and to prevent run off to adjacent properties. During installation, there shall be no interference with established drainage pattern over any part of the property. Spray should not be directed onto walkways or building surfaces.

Irrigation systems are required by law to be inspected annually for compliance. This law is not designed by our local water company but rather by the Indiana Department of Environmental Management. Homeowners must comply with annual inspections.

### **STORAGE SHEDS, OUTDOOR ACCESSORY BUILDING**

In an effort to assure and preserve the value, desirability and architectural integrity of the community for all homeowners present and future, outdoor storage structures are not permitted.

### **TEMPORARY MOVING EQUIPMENT**

All moving equipment used for storage and moving is allowed for up to seven (7) days. Any additional time requires prior approval from the Board of Directors.

### **WINDOW BOXES AND PLANTERS**

No condominium owner will be permitted to hang or display a window box or planter on the outside of any window without prior written approval of the Architectural and Landscaping Committee. Any approved window box or planter must be a color and material complimentary to the residence exterior and shall be maintained in a neat and attractive manner. Please refer to *Declaration of Covenants and Restrictions of Waterford Lakes Property Ownership, Article XIV, Section d.*

Statue and figurine planters are not permitted in the front yard.

### **WATER FEATURES, BIRD BATHS, AND FOUNTAINS**

All water features, birdbaths, and fountains are to be located in the rear of a dwelling or within plant beds.

No fountain or water feature may exceed 60 inches in height.

External pumps must be located to minimize noise transmission to adjacent properties.

Electrical wiring for fountains and water features must be buried underground.

Homeowner is responsible for mosquito mitigation if necessary.

### **WINDOW AIR CONDITIONERS, WINDOW FANS, WINDOW COVERS /TREATMENTS**

- Window air conditioning units and window fans are not permitted.
- Nothing can be hung or displayed on the outside of a resident's windows.
- No reflective materials shall be used on any window surface that creates a mirror effect.
- No security bars will be permitted on windows.