

AMBERLEIGH VILLAGE

Architectural Standards

And Approval

Process

VERSION 1.3
February 21, 2019

TABLE OF CONTENTS

PURPOSE AND POLICY.....	1
RESPONSIBILITIES.....	1
BOARD OF DIRECTORS.....	1
ARCHITECTURAL COMMITTEE.....	1
HOMEOWNERS.....	2
PROPERTY MANAGEMENT ORGANIZATION.....	2
OVERVIEW.....	2
Changes which REQUIRE an Architectural Approval Form.....	3
Specific Changes which DO NOT Require a Submittal.....	3
Specific Changes which are Prohibited.....	3
DESCRIPTIONS.....	4
Storage.....	4
Exterior Antennas or Satellite Dishes.....	4
Structures.....	5
Signs.....	5
Landscaping.....	5
Swimming Pools.....	6
FENCES.....	7
Proposal Requirements.....	7
Other requirements.....	8
ARCHITECTURAL APPROVAL PROCESS.....	8
Planning and Preparation of Submittal.....	9
Committee Review Process.....	9
Appeals / Resubmission.....	10
Time Frame for Construction.....	10
Details for Submittals.....	11
Violations.....	11

1 PURPOSE AND POLICY

The Architectural Standards and Approval Process (hereafter referred to as the Standards) are based upon Articles VI and VII of the Amended Declaration of Covenants, Conditions and Restrictions of Amberleigh Village; #01012432; as recorded May 23, 2001 in Tippecanoe County. The intent of the Standards is to inform you of restrictions set out in the Amberleigh Village Covenants and provide each homeowner with a “handbook” for the architectural approval process. The purpose of the Standards is to aid in the enjoyment of your property and maintain the natural beauty of the development. The Architectural Committee has been delegated approval authority by the Board of Directors according to Article VI, Section 6.2 Architectural Control, of the Amberleigh Village Covenants.

It is part of the charter of the Architectural Committee to maintain consistency while remaining flexible and open-minded to changes in our community and our lifestyles. The Standard is intended to be a document that allows for individual creativity of design, with each request being reviewed on its own merits.

The Committee is made up of at least three members appointed by the Board of Directors. The Architectural Committee will meet as required to process current architectural requests. Our primary purpose during the meeting will be to review all architectural requests received and respond to the Homeowner, in writing, of our decision. The committee also attends to other relevant business, such as writing or revising this document and considering requests to modify architectural restrictions outlined in the Covenants.

2 RESPONSIBILITIES

THESE ARE THE RESPONSIBILITIES OF ALL PARTIES AS THEY RELATE TO THE ARCHITECTURAL STANDARDS AND GUIDELINES.

BOARD OF DIRECTORS

The Board of Directors is responsible for the final interpretation of the Covenants and Restrictions for Amberleigh Village including the enforcement of violations of the Architectural Controls.

ARCHITECTURAL COMMITTEE

The Architectural Committee is responsible for reviewing requests, making any necessary inspections, and providing recommendations to the Homeowners on any specific items that need modification to satisfy the requirements for approval. It is also the responsibility of the Architectural Committee to keep this document updated on a periodic basis. The Architectural Committee will also be responsible for completing the approval process (including notifying the homeowner) on all Architectural Request Forms received by the Chairperson of the Committee within 30 days. Interpretation of the Architectural Covenants and approval or disapproval are handled by the Architectural Committee.

HOMEOWNERS

Each Homeowner has the responsibility to properly complete and submit an Architectural Request Form to the Chairperson of the Architectural Committee as instructed in the Architectural Standards. Each homeowner is also responsible for adherence to the Architectural Standards in order to maintain a neat, clean appearance within Amberleigh Village. Report any problems or violations to the Chairperson of the Architectural Committee.

PROPERTY MANAGEMENT ORGANIZATION

Amberleigh Village employs the Tim Shriner Agency Inc. for management services. Mr. Shriner provides professional and technical assistance to the Board of Directors and the Architectural Committee related to the administration of the Architectural Control provision of the Covenants. However, the architectural approval process is managed and administered by the volunteer members of the Architectural Committee and the Board of Directors.

3 OVERVIEW

It is the interpretation of the Board of Directors and the Architectural Committee that the provisions of Articles VI and VII, apply to a wide variety of architectural considerations in the community. Every attempt has been made to include in the Standards those considerations which have the potential to impact the community both positively and negatively. Suggestions for improvement of this document should be submitted to the Chairperson of the Architectural Committee.

The following are some **examples** of the types of changes, additions, or deletions that would either (1) require submittal of an Architectural Approval Form, (2) not require a submittal, or (3) are prohibited.

While every effort has been made to identify a variety of examples, any homeowner who has doubt if his or her situation is adequately addressed should contact the Chairperson of the Committee for recommendations.

NOTE: It must be recognized that the submittal/approval process is administered by volunteers on their own time (nights and weekends) and is inherently lengthy. Therefore, it is imperative that each **homeowner plan in advance** and allow for the processing time required.

Throughout this document, the term “changes” shall include additions, alterations, and deletions.

A. Changes which REQUIRE an Architectural Approval Form

1. Changes to the exterior of the home.
2. Other changes such as
 - a. structures
 - i. fences
 - ii. walls
 - iii. decks and patios
 - iv. patio cover/awning
 - v. walkways
 - vi. mailboxes
 - vii. driveway/sidewalk improvements
 - viii. signs
 - c. major landscaping
 - d. large gardens

B. Specific Changes which DO NOT Require a Submittal

1. Minor landscaping
2. Temporary wading pools
3. Small garden plots
4. Non-permanent children’s play equipment
5. Small portable outdoor storage closets

C. Specific Changes which are Prohibited

1. Any fence not specified in the covenants
2. Storage sheds
3. Swimming pools
4. Unclean, unsightly, unkempt, unhealthy or unsafe conditions which tend to substantially decrease beauty or safety

4 DESCRIPTIONS

The descriptions/details listed on the following pages apply to both changes requiring submittal and not requiring submittal. The Committee desired to assemble some of the issues from the Covenants into this document for easier reference. For items detailed which do not require submittal, the expectation is that this minimal detail will be met.

A. Storage

The following is taken from Article VI of the Covenants:

Section 6.5 Outside Storage. No storage sheds or outbuildings will be permitted on any lot. All clotheslines, equipment, garbage cans, service yards, woodpiles or storage piles shall be kept from view of neighboring homes and streets. All rubbish, trash or garbage shall be regularly removed from the premises, and shall not be allowed to accumulate thereon. Trash must be stored in enclosed containers.

The Board has chosen to permit one small portable plastic or vinyl storage closet per lot without prior approval provided it meets the following requirements:

1. 4 feet deep and 8 feet wide, maximum
2. placed against the back wall of the house or against a side wall that does not face a street, and as far from the street as possible
3. neutral colors

B. Exterior Antennas or Satellite Dishes

Satellite dishes should be placed in an unobtrusive location. Ideally they should not be visible from the street. These are the preferred locations for installing satellite dishes, in decreasing order of preference:

1. adjacent to the rear wall of the house
2. adjacent to a side wall, as far from the street as possible
3. the most out of sight location where you can still receive a signal

A satellite dish should never be placed beyond the front wall of the house.

Conventional TV antennas should be mounted where they cannot be seen from the street.

An antenna that is not used to receive a TV signal is considered an "other structure" and must be approved.

C. Structures

The items listed on page 3 of this document under Section A.2.c. are examples of types of structures that would require an Architectural Approval Request. Not all of these items are specifically listed in the Covenants, but they are examples of “other structures.” Refer to Article VI, Section 6.2 of the Covenants for more information. Other structures would also include screened porches and sun rooms.

NOTE: Particular attention should be paid to structure placement, setbacks and encroachments when preparing your request.

D. Signs

Real Estate signs do not require submittal.

Decorative flags that do not advertise for business purposes are permitted.

Garage/yard sale signs do not require submittal. Please remove when sale is over. Please note that you are required to get a garage sale permit from the city.

Political campaign signs do not require approval. Please be prompt in removing signs after the election.

Any other signs not described above will need to have an Architectural Approval Form submitted.

E. Landscaping

The following is taken from Article VI of the Covenants:

Section 6.21 Outside Use of Lots. Except in an individual patio area appurtenant to a Dwelling Unit, no planting or gardening shall be done, and no fences, hedges, walls or other improvements shall be erected or maintained upon the Property except such as installed in accordance with the initial construction of the buildings located thereon or as approved by the Board of Directors. Above ground swimming pools are prohibited on the Property

1. Minor Landscaping

Do-it-yourself landscaping projects that do **not** involve any of the following criteria are considered “minor landscaping” and do not require approval.

- a. work performed by a contractor
- b. fencing, hedges, or walls
- c. other structural elements
- d. hardscape materials such as concrete, patio blocks, pavers, etc.
- e. large trees with a trunk diameter of 6 inches or more

2. Major Landscaping

Any type of landscaping that represents a more significant project, that may be structural, will have an impact on adjacent property, requires strong aesthetic consideration, requires a retaining wall, or includes any of the items listed under Minor Landscaping above, will require prior approval. An architectural request form must be submitted for these types of projects.

3. Small Garden Plots

A small vegetable garden plot measuring not more than 200 square feet (e.g. 10 feet by 20 feet) does not require approval. Any poles or supports used in the garden must not be more than 5 feet tall, the same as our maximum fence height. Please recognize that this is a residential area with very small lot sizes. Large gardens are not appropriate in this setting.

F. Swimming Pools

The following is taken from Article VI of the Covenants:

Section 6.22 Swimming Pools. Neither in ground nor above ground swimming pools shall be permitted in the Development.

1. Temporary Wading Pools

Temporary wading pools, consisting of only an enclosure **capable of holding less than 2’ of water throughout** shall not be considered swimming pools, and do not require approval.

2. Prohibited Swimming Pools

Any pool that has a filter and/or pumping equipment and/or is capable of holding at least 2' of water at any point meets the definition of a swimming pool under the West Lafayette zoning ordinance (UZO, 2nd Ed., p.44) and is therefore prohibited by Section 6.22 of the Covenants. This includes hot tubs, spas, lap pools, etc. if located outdoors.

5 FENCES

This section has been included to provide clarification on the subject of fences. The following is taken from Article VI of the Covenants:

Section 6.3 Fences. All fences will be similar in design to that attached as Exhibit B, except privacy fences, walls, or screening constructed directly adjacent to the dwellings rear patio, in which case they shall be no greater than 6 feet in height. The Architectural Committee shall review all such requests pursuant to the standards and procedures set forth in Section 6.2. The Owner shall maintain all fences in top quality condition, including replacement of damaged or rotten fence posts or panels. The Homeowners Association may enforce this provision by requiring either appropriate maintenance by the Owner or removal of the fence by the Owner. All courtyard homes must use a white vinyl decorative fence (approved by the Architectural Committee) constructed directly adjacent to the dwelling's rear patio.

The Committee will review the location and details of each proposed fence. The Committee also retains the right to grant variances, particularly as to fence height in certain limited situations. Each case shall be reviewed on an individual basis. Quality materials and construction methods shall be employed. Maintenance of the fence in "like new" condition is the responsibility of the property owner. Property owner is responsible for the maintenance of any property that remains outside the fence.

The following steps will assist the Committee and expedite the approval process.

A. Proposal Requirements

1. Complete and sign an Application for Approval form.
2. If the proposed fence is different from the design specified in Exhibit B of the Covenants, the application shall be submitted with a photograph, picture, or drawing with detailed section and elevations, or rendering of the proposed fence.
3. State all proposed materials.

4. Attach a site plan of the lot showing all existing buildings, drives, and walks together with the proposed location of the fence or fences with exact dimensions to property lines or right-of-ways. All easements and setbacks shall be shown on this plan.
5. Complete and sign the Fence Requirements Form.

B. Other requirements

1. No fence shall be constructed closer to the street than the front corner of any residence.
2. Fence placement, intent and purpose shall be important factors when approving a fence.
3. Property owners are strongly cautioned that building a fence that infringes on easements or access right-of-ways may result in removal or destruction of the fence. Such construction is done entirely at the risk and expense of the property owner.
4. A fence may not be erected in a landscape easement. This applies to lots on the east side of Cinnabar Street that border the park. These lots are subject to a 20 foot landscape easement.
5. Fence cannot obstruct the flow of water in any drainage easement.
6. Property pin markers should be found and the location of property lines established before construction begins.
7. Fences must be placed as close to the property lines as practical and shared with adjacent owners.
8. Maintenance of homeowner's property outside the fence (i.e. easements) is the responsibility of the homeowner.

6 ARCHITECTURAL APPROVAL PROCESS

Changes, additions, or deletions that have not been specifically exempted from requiring submittal in Section 3.B of this document, shall follow the process described in this section. The process will be the same for all submittals with the required details varying, depending upon the type of change.

Reminders

- No construction shall begin without Architectural Committee's approval of the submittal
- Application for a City of West Lafayette Building Permit, if one is required, is the responsibility of the homeowner. Application for a building permit should be done after receiving approval from the Association. A copy of the permit should be forwarded to the committee.
- Allow enough time for processing and approval in planning for construction.
- The Committee has up to 30 days in which to respond.

A. Planning and Preparation of Submittal

1. If you have determined by reviewing Section 3, Overview, that a submittal is required, continue.
2. Complete the Architectural Approval Form (additional copies are available on the website) and attach any drawings, sketches and supplemental documents as required for the Committee's review. A complete submittal should fully describe/depict the change(s) and stand on its own without need for further explanation.
3. Sign the form.

Make a copy of all documents for your records and mail all originals to:

**Main Street Management, LLC
PO Box 745
Lafayette, IN 47902**

Fax: 765-742-6401

Email: info@mainstreetmanagmentllc.com

The Chairperson will perform an initial review of the submittal for completeness and legibility. Incomplete or illegible submittals will be returned to the homeowner.

B. Committee Review Process

1. Representatives of the Committee may attempt to make a site visit with the homeowner prior to their meeting if deemed necessary.
2. The Committee will review the submittal including any observations from the site visit.
3. If the homeowner wishes to meet with the Committee, a mutually agreed upon time and date will be designated.
4. The Committee will vote on the submittal and record it on file.
5. A response letter indicating the Committee's decision will be mailed within five (5) working days after approval or disapproval is made.

6. Approval of any submittal or portion thereof does not ensure approval of similar submittals, as each submittal will be considered on its own merits.
7. A proper submittal approved by the Committee is like a contract to comply with the specific details. Alteration or deviations of a significant nature will require resubmission.

C. Appeals / Resubmission

1. To appeal a disapproved submittal, the homeowner should submit a written response including specific detailed information that clarifies why the submittal should be reconsidered. The homeowner may also request a meeting with the Committee to further discuss the submittal.
2. The committee recommendation may be forwarded to the board of directors for review if requested by the homeowner. Note: The board of directors meets quarterly, so there may be a lengthy delay before the board reviews the committee's decision.
3. Should the submittal have been disapproved on a technicality (i.e., the location or height of a fence), and the homeowner is willing to comply with the remedy proposed in the committee's response letter, the homeowner need only pencil in the required change(s), and initial and date the change(s), and return the revised application to the Chairman. The revised submittal will then be reconsidered by the Committee via a telephone or e-mail vote. The homeowner will be notified by telephone or email of the decision and receive a written approval letter citing the change(s).

D. Time Frame for Construction

1. Construction should begin at the indicated start date or within three months after the date of the written approval by the Committee.

Work must be completed within six months of the requested start date, unless an extension is requested and granted.
2. If a project has not begun within the time frame specified above, the project will have lapsed and the applicant must resubmit the proposal or a written request for extension to the Committee.

E. Details for Submittals

In some cases, many attributes or details of a proposed change, addition, or deletion are required for the committee to make sound responsible decisions. In other cases, the nature of the change will be simple and straightforward, as will be the submittal. The following items should be used as a method of describing or visually depicting the requested change.

1. Pictures, magazine cutouts, etc. (if applicable).
2. Color chips (if applicable).
3. Site plans – top down drawing showing location of existing structure (s), property boundaries in relation to adjoining property(s), and location of the proposed change(s).
4. Elevation drawings – a side view that will show height, topography of land, and visual image of the change(s).
5. Written description of the types of materials to be used or a contractor's bill of materials.
6. Written and/or visual depiction of construction details.
7. Location for building material storage during construction, soil disposal plan, drainage plan, and landscaping or revegetation plan (as applicable).
8. Any other aids that will assist the Committee in their review.

Drawings need to show relationship to location, height, etc. with the dimensions clearly marked on all drawings. For major construction projects such as additions, sun rooms, dormers, etc. for which a hired contractor is used, the design drawing should suffice.

F. Violations

After all attempts to resolve a violation have been exhausted by the Architectural Committee, the Board of Directors will determine an appropriate remedy and notify the property owner of such action.

Violations may be handled as described in Article X, Section 10.1 Right of Enforcement, of the Amberleigh Village Covenants, or the matter may be referred to the West Lafayette City Engineering Department for enforcement.