

# SPRINGMILL CROSSING DEVELOPMENT CONTROL COMMITTEE

## GUIDELINES FOR ARCHITECTURAL CONTROL

### INTRODUCTION:

Pursuant to the Declaration of Restrictions of Springmill Crossing, the Springmill Crossing Development Control Committee ("Committee") is charged with the responsibility of preserving and enhancing the integrity of the development within the legal limits set out in these Restrictions. The Restrictions generally, provide that the Committee has the right to promulgate and enforce reasonable rules to regulate the external design, appearance, use, location, and maintenance of the lots and improvements subject to the restrictions in such a manner as to preserve and enhance values and to maintain a harmonious relationship among structures. Furthermore, the Committee as noted in the Restrictions is charged with preserving the interest, welfare or rights of all or any part of other owners' and its decisions should be to preserve the natural quality and aesthetic appearance of the existing geographic areas within the development. In order to satisfy this responsibility, the Committee shall:

- a. Approve or disapprove plans and specifications for all new construction in writing.
- b. Approve or disapprove plans and specifications for all exterior improvements on the subject lots including but not limited to fences, swing sets, playhouses, additions, swimming pools, and solar panels. However, fences require not only Committee approval but also final approval from the Board of Directors of the Homeowners Association. Out-buildings or storage sheds will not be approved.

### Plans and specifications to be submitted

Before the Committee decides whether or not an improvement will be approved, the Committee has established the following procedures which must be followed before the proposed improvement is even considered:

- a. All plans, drawings, or blueprints for room or porch additions and solar panels will be of professional quality and drawn to scale. Plans must include all exterior elevations, floor plans, and foundation plan.
- b. Plans for any improvements, including repainting projects, must include information noting major building materials, i.e. brick, stone, siding, and proposed colors (exterior colors should be consistent with the majority of homes in the neighborhood, which is loosely defined as "muted earth tones.") Roofing shingle replacements also shall be consistent with the majority of homes in the neighborhood and require prior approval.
- c. A plot plan which identifies the following: location of house and driveway, location of any easements, location of proposed improvement, and location of any relevant factors such as neighboring homes, significant landscape barriers (existing or proposed). Plot plan shall include the distance of all improvements from property lines.
- d. All documents must be submitted in duplicate.

e. Ten (10) days written notice must be given to all neighbors whose property abut the property where the improvement will be located prior to submission to the Committee. Copies of the written notice must be provided to the Committee in advance of consideration.

f. All documents must be submitted at least thirty (30) days in advance before a decision can be expected from the Committee (as to fences or out-buildings, the Committee will then make its recommendation at the next board meeting following the Committee's decision).

## ARCHITECTURAL GUIDELINES

As noted previously, any new building or improvement or any addition to an existing building must have prior written approval of the Committee before any work is undertaken. The Committee has established the following guidelines for specific types of construction and improvements on lots in Springmill Crossing. Any addition, exterior alteration, or change to an existing building shall be compatible with the design and character of the original structures.

### FENCES

Fences will be approved in backyards only. "Backyard" is described as not forward of the rear foundation line of a home. The Committee will consider the desire of the Springmill Crossing community, which favors the preservation of the natural quality and aesthetic appearance of the existing geographic areas. In addition, when considering the type of fence to be approved, the Committee will give consideration to existing fences on adjoining properties.

Before a proposed fence will be even be considered by the Committee, the following factors must exist in the plans submitted.

1. The fence can be no higher than 48 inches.
2. Taller wood fences will only be considered for homes on the perimeter lots in the development or pool enclosures. Pool fence height must comply with the requirements of applicable local ordinances.
3. Six-foot privacy fences will be approved only for small patio areas.
4. Ten (10) days written notice must be given to all neighbors whose properties abut the property in which the proposed fence will be located prior to Submission to the Committee. Copies of the written notice must be provided to the Committee in advance of consideration. The notice must contain the style of fence being installed, materials to be used, along with the proposed height of the fence.
5. Unless the fence falls within one of the exceptions listed above, it must be open in nature (open shadowbox, open picket).

6. Stockade and chain link fences will not be approved.
7. A scale drawing of a typical section of the proposed fence or a photograph of a typical section if the fence is professionally done must be submitted in advance to the Committee.
8. Replacement fences must be submitted to the Committee. Repairs to an existing fence do not need approvals, provided that the fence repair matches the existing fence in style and color.

Before considering plan approval for fences, the committee needs a brief description of height, materials, and a site plan of your lot with the location of the proposed fence. The fact that similar fences have been allowed on other properties in Springmill Crossing does not automatically mean it will be approved by the Committee.

Following its decision, the Committee will make a recommendation at the next Board meeting and the Board will then make a decision to either accept or reject the recommendation from the Committee.

All fences shall be maintained in a reasonable state of condition. Owners must replace any missing or broken pickets or posts within a reasonable time of damage.

#### LANDSCAPING AND PLANTINGS

Landscaping work and plantings that do not require the approval of the Committee, include replacement or planting flowers, bushes or shrubs in existing beds, and laying mulch or landscaping rocks in existing beds. However, trees, hedges and shrubs which restrict sight lines for vehicular traffic shall be cut back or removed. Special landscaping beyond that normally associated with a single-family residence must be approved. All vegetable gardens are restricted to backyards only and must be adequately maintained and of reasonable size. If you are uncertain, please contact the Committee.

#### EXTERIOR ANTENNAS

Owner of a lot in the development may install or maintain an exposed antenna or satellite dish or other device for the transmission or reception of radio, television, or other communication signals unless:

- a. the device is visible from the front elevation of the dwelling;
- b. the device is more than 24 inches in diameter;
- c. the device, if attached to the dwelling, is installed above the roof line on the dwelling;  
and/or
- d. if the device is not attached to the dwelling, reasonable efforts are not made to screen or shield such device from view.

Any device not meeting the foregoing restrictions may be installed only with the prior approval of the Committee. If an owner must install a dish or antenna in a position that is not in accordance with the terms of this rule to obtain a proper signal, then the owner must provide the Committee with verification from the installer that the suggested location is required to obtain the proper signal.

### SWIMMING POOLS

Permanent in-ground pools must have the approval of the Committee before any work is undertaken. Above-ground pools will not be approved by the Committee. Temporary pools having a depth of two feet or less require no approval.

An application for the construction of a swimming pool will not be considered unless the application is accompanied by an acceptable fence design. The design shall conform to county or municipal regulations as well as the guidelines for fences contained in this document. Use of plantings in the vicinity of the pool is recommended to soften the effect of noise and activity on adjacent properties.

### PLAY EQUIPMENT

Play equipment such as sandboxes, temporary pools having a depth of two feet or less, swing and slide sets, playhouses, trampolines, and tents shall not require approval, provided such equipment is not more than six feet high, in good repair (including painting) and every reasonable effort has been made to screen or shield such equipment from view. Equipment higher than six feet requires the approval of the Committee with regard to design, location, color, material, and use.

Equipment including, but not limited to, swing and slide sets and playhouses which are higher than six feet must have prior approval of the Committee before being installed. Prior to consideration, the Committee needs a brief description of height, materials, etc. and a site plan of your lot with the location of the equipment. In addition, ten (10) days advance written notice must be given to neighbors whose properties abut the property where the equipment will be located, and copies of the written notice must be provided to the Committee in advance of consideration. The fact that similar equipment is located on other properties in Springmill Crossing does not automatically mean it will be approved by the Committee.

### MISCELLANEOUS

Exterior lighting shall not be directed in such a manner as to create an annoyance to adjacent properties.

Trash and garbage containers shall not be permitted to remain conspicuous except on days of trash collection.

Collapsible and removable clothes lines will be permitted by the Committee, but permanent clothes lines will not be approved by the Committee.

**IN WITNESS WHEREOF**, we, the undersigned, hereby execute this Amendment to the Code of By-Laws of Springmill Crossing Property Owners' Association, Inc. and certify the truth of the facts herein stated, this 14 day of February, 2023.

**Springmill Crossing Property Owners' Association, Inc., by:**



\_\_\_\_\_  
Signature of President

Jeremy J. Glowacki

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Printed

**ATTEST:**



\_\_\_\_\_  
Signature of Secretary

Keian Roudebush

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Printed

**Instrument Prepared By:** Kimberly M. Sutter, Eads, Murray & Pugh, P.C., 9515 E. 59<sup>th</sup> Street, Suite B, Indianapolis, IN 46216. (317)536-2565. kim@indianahoalaw.com

