

ABERCROMBIE WOODS PROPERTY OWNERS ASSOCIATION, INC

P.O. Box 2921
Chesterton, Indiana 46304

Architecture Committee Guidelines For Property and Home Improvements

July 2012

INTRODUCTION

When you first became a homeowner in this community, you received a copy of the Abercrombie Woods Property Owners Associations Covenants and Bylaws. These documents form the basis by which the community is to be run by an elected Board of Directors and selected committees. One major task of the elected members is to see that the Common Areas in the community are properly maintained, for the good of all the residents. Another essential task is to see that architectural improvements to various homeowners' lots are done in such a way as to preserve the attractiveness and value of the community as a whole. The second task is so important, and so overwhelming that the Covenants provide for the creation of a separate Architectural Committee to oversee the administration of the policies which are set forth in the Covenants and the Bylaws.

The COVENANTS are a binding contract between the developer and all residents, and they "run with the land" (i.e., transfer to future owners). They are part of your deed of ownership, and are intended to assure minimum standards for land use, architectural design, and property maintenance. The Covenants are simply intended to provide basic protection for your property values, and as a practical matter they cannot be changed. However, the Covenants do provide for the establishment of an Architectural Committee, which can interpret those policies so that the residents can obtain the fullest enjoyment of their private property and the commonly owned property which is consistent with their obligations to the other residents.

The purpose of the Architectural Committee is to create and preserve an attractive, harmonious design in the community of Abercrombie Woods. It is widely recognized that discordant architecture, material, colors and styles can detract from the appearance and property values of a neighborhood. But it is also widely known that individual families need to have the ability to use their land as they desire. It is the job of the Architectural Committee to balance the needs of the individual families with the needs of the entire community. We must keep in perspective the desire to have a peaceful neighborhood in a community where there are many young families with children, the desire to have uniformity of style while being relaxed and family oriented, and a concern for maintaining property values.

Because we are all neighbors in relatively close proximity, it is to everyone's benefit to have an Architectural Committee to protect the interests of the entire community. The most equitable way for this committee to function is to require all external modifications with a few basic exceptions be reviewed by the Architectural Committee for approval. In the beginning of any new community's existence, an Architectural Committee is especially important so the general wishes and desires of the whole community will be reflected. Changes to the *Guidelines* can and will be made as time goes on. Contact the Architectural Committee for the latest version.

Article VII of the Covenants gives the Architectural Committee the power to establish policies, standards, and guidelines which can be used to interpret the covenants and allow exceptions to their restrictions. These guidelines are not intended to be a set of all-inclusive regulations, nor are they laws. They are designed to specify what is most likely to be approved in typical circumstances, and to assist all residents in maintaining high standards of design and compatibility. Special circumstances regarding one property may allow the approval of an application which might be denied at another location or the denial of one which might have been approved elsewhere. The fact that your type of plan has been approved at another location does not mean that it is automatically approved for you.

REVIEW CRITERIA

The Architectural Committee will evaluate all submissions on the individual merit of the application. Decisions are not based on personal opinion or tastes. Judgments of acceptable design are based on the following general criteria:

Relation to the Natural Environment

Some structure can affect the feeling of open space, and some projects might change the direction of water run-off, etc.

Conformance with Covenants

All projects will be reviewed first for conformance with the Declaration of Covenants.

Design Compatibility

Projects must be compatible with the applicant's house, adjoining houses, and the neighborhood. Compatibility includes style, quality of workmanship, material, and color.

Location and Impact on Neighbors

Projects should relate favorably to the landscape, existing structures, and the neighborhood. Primary concerns are access, view, sunlight, ventilation, and drainage. When appropriate, discuss the plans with your neighbors and submit their comments with the application.

Scale

The size of the project must relate well to adjacent structures and your property lines.

Color

Since color can do much to lessen or increase the impact of the proposed structure, considerable weight will be given to this detail.

Materials

High quality materials compatible with the original house will be expected in all projects.

Workmanship

The quality of workmanship should be equal to or better than the surrounding structures to ensure that the new structure is not visually objectionable or a safety hazard.

The following pages contain architectural policy guidelines and instructions for the submission of plans for review. Please carefully review these guidelines along with the Covenants and Bylaws before submitting requests for architectural review.

GENERAL INSTRUCTIONS

No work should commence until approval has been received in writing from the Architectural Committee. Homeowners are advised against purchasing materials prior to receiving written approval.

Committee approval does not waive the necessity of obtaining the required Town of Chesterton Permits. Obtaining a Town of Chesterton Permit does not waive the need for Committee approval.

The Committee will not knowingly approve a project which would be in violation of the Town of Chesterton Building and Zoning Codes.

The topography of your lot and its location within the Community will be considered in conjunction with your project design.

The Architectural Review Form must include a good faith estimate of the completion date for the project. The Architectural Committee will require reasonable time frames for completion.

No work may begin without express Written Approval from the Architectural Committee.

Any changes after written approval has been granted MUST be submitted to the Architectural Committee for review and written approval.

Contractor must be registered in the Town of Chesterton.

The Homeowner/Builder is responsible for any damages to adjacent lots, commons area, sidewalks and streets.

To preserve the peace and tranquility of the neighborhood, hours of construction are limited to 7 am to 5 pm daily.

It is the responsibility of the homeowner/builder/contractor to ensure all mud, clay, dirt or debris left by equipment on the roadways is cleaned up daily.

SPECIFIC STRUCTURES

New Home Construction

- A complete copy of the proposed home construction plans must be submitted to the Abercrombie Woods Architectural Committee prior to any start of work on the approved AWPOA forms.
- The plans must indicate roof pitch. Minimum roof pitch on each dwelling shall be 5/12.
- The plans must include the material, style and color of the siding and of the brick or stone. A Minimum of 50% brick/stone is required on the front of the home. The calculations must be submitted with the plans.
- The Plans must include the color of the roofing material. Architectural Style Premium Asphalt or Fiberglass Shingles are required in all cases.
- All one-story residential structures shall have a minimum exterior dimensioned first floor area of 1,600 square feet.
- All one and one-half story residential structures shall have a first-floor minimum exterior dimensioned floor area of 1,000 square feet, with a total of 1,800 square feet.
- All two story residential structures shall have a first-floor minimum exterior dimensioned floor area of 900 square feet, with a total of 1,800 square feet.
- In computing the minimum square footage required above, the computation of square footage shall excluded porches, breezeways, attached garages or basements. Interior floor space open to the second floor will be given credit as one and one-half floor area.
- All garages erected on the real estate shall be attached to the residence.
- The plans must include the setback, elevation and location on the lot. The setbacks are: Front Building Lines are 25', Side Building Lines are 10' and Rear Building Lines are 25'.
- The home must have the approved yard light and mailbox installed prior to completion of the home.
- In accordance with the FEMA Flood Insurance Rate Map Panel #180201 005 C, Dated March 15, 1984 this parcel in flood hazard zone C.
- Sidewalks shall be 4' wide.
- Ground water at approximately 6.6' below the surface.
- These requirements may change from time to time without notice.

Improvements or Major Changes and Additions to Existing Structure

- A complete copy of the proposed improvements or changes to an existing structure must be submitted to the Abercrombie Woods Architectural Committee prior to any start of work on the approved AWPOA forms.
- These changes include but are not limited to: Color of home, gazebos and modifications, additions or extensions of the existing structure.
- The requirements for sheds, decks, fences, pools and landscaping are covered elsewhere in this document.
- These requirements may change from time to time without notice.
- Submit a Site Plan of property, clearly showing the dimensions of all buildings and structures. Improvement of Changes must be drawn on site plan, showing all dimensions, height and distances to property lines.

Sheds

- A complete copy of the proposed Shed plans must be submitted to the Abercrombie Woods Architectural Committee prior to any start of work on the approved AWPOA form.
- The plans for a shed shall follow the following guidelines: Color must match the home. Siding must be of the same material of the home (example: Vinyl Double 4", single 7" etc.) and oriented (Horizontal or Vertical) the same as the home. Roof must use the same architectural style premium asphalt or fiberglass shingles as the home and must be of the same color. Roof Pitch must be the similar to the home (example: an 8/12 pitch on the home the shed may be 6/12, 8/12 or 10/12 pitch, but in no cases be less than 5/12. No flat or barn style will be permitted.) Trim must be of the same color, material and orientation as the home.
- Submit a Site Plan of property, clearly showing the dimensions of all buildings and structures. Shed must be drawn on site plan, showing all dimensions, height and distances to property lines.
- The plans must include the setback, elevation and location on the lot. It must be a minimum of five (5) feet from rear property line, side property line and ten (10) feet from the house. Shed cannot be placed on an easement.
- The Square footage may not exceed One Hundred Fifty (150) square feet.
- These requirements may change from time to time without notice.
- No items may be stored outside of or attached to the shed; they must all be inside, out of view.
- No all metal sheds shall be permitted.
- All sheds must be properly maintained.
- Sheds must not obstruct any private area view.

Fences

- A complete copy of the proposed Fence plans must be submitted to the Abercrombie Woods Architectural Committee prior to any start of work on the approved AWPOA forms.
- No wood fences will be permitted.
- Must be PVC vinyl or wrought iron style
- Must not be more than 6' high.
- Cannot extend forward past the rear of the home but can extend to the property lines on the side and rear.
- A copy of the survey plat. Draw on plat the fence you are proposing to construct showing dimensions to the property line and height of fence.
- Some lots have pond easements and fences cannot be built on the easements.
- The Wetlands have restrictions set by the US Army Corp of Engineers.
- These requirements may change from time to time without notice.
- If for any reason the Abercrombie Woods Property Owners Association, the Utility Company's or the Town of Chesterton find it necessary to get onto an easement where a fence has been erected, the owner will be responsible for putting the fence back up at their own expense.

Private Pools

- A complete copy of the proposed Pool plans must be submitted to the Abercrombie Woods Architectural Committee prior to any start of work on the approved AWPOA forms.
- A copy of the survey plat. Draw on plat the pool showing size of pool. Also, show dimension of pool to property line and house.
- Pool must be a minimum of five (5) feet from the rear property line and not located in the side yard setback. Pool must be a minimum of ten (10) feet from the house.
- All pools to be installed and maintained within the subdivision must be a permanent in-ground pool.
- No temporary pools or above ground pools are to be placed within the subdivision with the exception of small wading pools holding a maximum fill of less than 300 gallons or a 60 sq. ft. footprint, whichever is less.
- A maximum of one small wading pool may be present per lot and wading pool must be located within the backyard of the lot.
- Any changes after written approval has been granted MUST be submitted to the Architectural Committee for review and written approval.
- A minimum of a 4' fence must be around the pool or around the pool and the home with childproof locks unless using a retractable cover. This must be in place BEFORE water is put into the pool. The pool is to be made safe for children as per Indiana State Pool Code. The material of the fence must be PVC Vinyl or wrought iron style and meet all other requirements of the Town of Chesterton.
- These requirements may change from time to time without notice.

Landscaping

- No permit will be required for landscaping.
- The Landscaping must be harmonious with the rest of Abercrombie Woods. Examples: No pine/spruce trees in the parkway or weeping willows in the front yard. (Parkway: Area of land between the curb and front sidewalk)
- A minimum of 4 trees in the front yard or parkway and a minimum of 10 shrubs are required.
- If you have questions, please contact the Architectural Committee for guidance.
- Landscaping, after installation, shall be maintained as required to provide a neat and attractive appearance. Removal of dead bushes, trees, trash and debris will be accomplished by homeowners as required to this effect.

Interior Home Construction

- No permit will be required from the Architectural Committee for work on the interior of a home.
- The Town of Chesterton does require a Building permit.

Decks and Patios

- No permit will be required from the Architectural Committee.
- The Town of Chesterton does require a Deck/Patio Permit.
- The Deck or Patio must meet the Town of Chesterton requirements.

Disputes

- The Architectural Review Committee will not address disputes between private property owners, nor will it serve as liaison for resolving issues or disputes. The Architectural Committee will address architectural issues only.