

**Crooked Creek Heights West  
Architectural Control Guidelines  
December 7, 1999**

**Mission Statement for Architectural Control:**

- To encourage the maintenance and continued improvement of Crooked Creek West Homes.
- To ensure such improvements are of suitable quality and harmonies throughout the neighborhood.
- To enforce compliance regarding uses and conditions of residents' properties as set forth in the Architectural Control Guidelines.
- To establish guidelines in accordance with and in addition to the Crooked Creek Heights West Plat Covenants and Restrictions for Section I and Section II as respectively recorded as instruments #910015165 and #910120552 in the office of the Marion County Recorder including all amendments.

**Guidelines:**

**Residences**

1. All lots and dwelling units shall be used exclusively for residential purposes and for occupancy by a single family.
2. No owner shall permit anything to be done or kept in his dwelling unit or on his which will result in a cancellation of insurance or an increase in insurance to the Association or to any other owner, or which would be in violation of any law or ordinance or the requirements of any insurance underwriting or rating bureau.
3. No dwelling unit or lot shall be used in any unlawful manner or in any manner which might be a nuisance, annoyance, inconvenience or damage to other owners and occupants or neighboring property, including without limiting the generality of the foregoing, excessive noise, including the use of any musical instruments, radio, television, loud speakers, electrical equipment, amplifiers or other equipment, machines or vehicles, loud voices, excessive amounts of light, or unpleasant odors.
4. No clothes, sheets, blankets, rugs, laundry or other things shall be hung out or exposed on, or so as to be visible from, any street.
5. Security doors, gates, and window coverings made of wrought iron, or similar material, are prohibited within the neighborhood.
6. Satellite TV dishes over 20" in diameter are prohibited. Tower radio antennas are prohibited. Television antennas may be attached to the house; however, the antenna's location shall be restricted to the rear of the house, or to the rear of the roof ridgeline, gable, or center line of the residence so as to be hidden from public sight.
7. Exterior paint colors shall be in harmony with the immediate neighborhood. For repainting the existing colors, no prior approval from the ACC is required. For changes to existing colors, color samples shall be submitted to the ACC for approval of the Principal color ("field"), Trim color (soffit, fascia board, window, and door trim), and Accent color (shutters, window hoods, side panel of doors and windows, and the exterior surfaces of

doors). No murals, words, or logos shall be painted or permanently displayed on exterior walls, fences, or garage doors.

8. Roof replacements should be slate or dark gray in color.

### **Disposal of Trash**

9. The burning of trash, rubbish, or other debris including fallen leaves shall not be permitted on any lot within this subdivision. No owner or guest of an owner, nor any builder, contractor or subcontractor shall litter or dispose of trash improperly anywhere within the subdivision.
10. No lot shall be used or maintained as a dumping ground for rubbish, trash or garbage. Other waste must be kept in sanitary containers.
11. Garbage and trash shall be kept in approved containers which are not visible from the street, except on collection day.

### **Leasing Property**

12. No owner may rent or lease his dwelling unit for transient or hotel purposes.
13. Any owner who leases a dwelling unit shall lease the entire dwelling unit and shall have a written lease that shall provide that the lease is subject to the provisions of this declaration and any failure of the lessee to comply with the terms of this declaration shall be a default under the lease.

### **Animals**

14. No animals, livestock or poultry of any kind shall be raised, bred or kept in any dwelling unit or on any lot, except that dogs, cats or other customary household pets may be kept in a dwelling unit or on the owner's premises, provided that such pets are not kept, bred, or maintained for any commercial purpose, and do not create a nuisance.
15. Unattended pets left outdoors are to be confined only to the owner's property under leash or other restraint and are not permitted to roam the neighborhood freely. Kennels or runs should be located as much as possible away from adjacent neighbors, out of view of the street, and kept clean and in good repair.
16. Pets shall in no way create a nuisance, annoyance, inconvenience or damage to other owners and occupants or neighboring property, including without limiting the generality of the foregoing, fouling lawns and walkways and excessive noise. It is the responsibility of the owner to clean up after a pet. Allowing dogs to bark during nighttime hours is prohibited.
17. Pets that leave the owner's property may do so only under leash, harness, carrier, within a vehicle, or other restraint. It is the responsibility of the owner to maintain control of them during these times. The Association shall not be liable for any injury or damage to persons or property caused by any pet within the neighborhood.

### **Main Entryway**

18. The main neighborhood entryway shall be kept free and clear of signage, rubbish, debris, and other unsightly materials. No owner or guest of an owner, nor any builder, contractor or subcontractor shall litter or dispose of trash improperly anywhere within the subdivision.

## **Exterior Lighting, Driveways, Walks, and Landscaping**

19. Every home must have and maintain a lamppost in good working order to provide evening neighborhood lighting. The post should be black with a 3" diameter. The lamp should be of a carriage or coach style consistent with others in the neighborhood, and should be approximately 6' from ground level. All lampposts should have a working photocell to turn on the light at dusk. Exterior landscape lighting shall be permitted so long as the lighting is located within flowerbeds, shrubs, trees, and along walkways.
20. The homeowner installing exterior landscape lighting, sprinkler systems, invisible fencing, or any other buried or partially buried modifications, does so with the knowledge that city easement restrictions and rights may require that all or part of said modifications be removed at a future date and the Homeowner's Association, ACC, nor any of its representatives can be held legally or financially responsible for such removal or surface repair. Further, in the event the property is sold, the homeowner or their agent is required to notify the purchaser of this.
21. Driveways must be made with Portland cement to maintain the harmonious appearance of the neighborhood. Driveway width must correspond to the number of full-sized automobiles that can be garaged within the dwelling unit. Installing additional parking space is prohibited on any lot.
22. Lot owners shall keep sidewalks cleared of debris and snow.
23. A paved slab that would serve as a basketball court (except the use of an existing driveway), tennis court, volleyball pit, or similar item is prohibited.
24. Statuary, fountains, and lawn décor shall be of modest scale, decorative, and harmonious with the residence and neighborhood.
25. Landscaping must not obstruct neighborhood sidewalks. No trees shall be removed except to provide room for construction of improvements or to remove dead or unsightly trees.

## **Building/Home Improvements**

26. Permanent aboveground swimming pools are prohibited.
27. No lot, dwelling unit, or exterior structure which has partially or totally been destroyed by fire, vandalism, or otherwise shall be allowed to remain in such state for more than three (3) months from the time of such destruction or damage, without approval from the Committee.
28. Any improvement or addition to an existing structure shall be completed within three months from the time of commencement, except with the approval of the Committee.
29. No water wells shall be drilled on any of the lots, without prior approval of the Committee, nor shall any septic tanks or other sewage disposal systems be installed on any of the Lots, without the approval of the Committee and of the governing public health agency or other civil authority.
30. Following the adoption of these guidelines, all improvements made hereafter shall comply with the guidelines in this document. Any replacement of an existing structure or improvement, which is currently non-compliant with the guidelines, must be brought into compliance at time of replacement.
31. Any attached garage, tool shed, storage building or any other attached building erected or used as an accessory to a residence shall be of a permanent type of construction and shall conform to the general architecture and appearance of such residence. Detached garages, tool sheds, or storage buildings may not be erected on any lot.

## **Vehicles and Parking**

32. No vehicle of more than one ton hauling capacity or equivalent vehicle shall be parked on any home site except while making a delivery or pickup. No trailer, boat, or recreational vehicle shall be permitted to remain on any home site unless kept within a garage.
33. Parking on the street, including the front entrance and cul de sacs, is prohibited except in instances when guest parking is required for special occasions. On street parking for guest shall be permitted, but vehicles must be removed as soon as the event ends and should not be parked on the street overnight.

## **Basketball Goals**

34. Basketball goals shall be free standing along an existing driveway. Basketball goals along a cul-de-sac are permitted provided they are temporary goals that can be moved if necessary. Only one goal per cul-de-sac is permitted.

## **Fencing**

35. Fences are prohibited in the front yard of any home, except invisible fencing for pet containment. Fences may not exceed 48" in height, the exception being those of 60" required by law to restrict access to an in-ground pool. Where fences are allowed, fence posts must face the property owner's house. Fences constructed of wood or black or brown vinyl covered chain link are acceptable and must be kept in good repair. Other fencing materials must be approved by the ACC.
36. Painting or staining wooden fencing is restricted to natural, neutral, or earth tones consistent with the character of the neighborhood and adjacent structures. The color used in painting or staining should be uniform for the entire fence. Painted or stained patterns, words, or logos are prohibited.

## **Mailboxes**

37. Mailboxes must be within U.S. Post Office specifications and of medium size being approximately 21"L x 8"W x 10.5"H. The supporting post must be made of wood. All wood must be pressure treated pine, or cedar. The supporting post should include a newspaper box also made of wood. The mailbox must be personalized with the house number and street name. The mailbox and post color must be a beige tone similar to the majority of mailboxes in the neighborhood. All mailboxes and personalization must be purchased from an ACC approved vendor.

## **Signage/Outdoor Displays**

38. No owner shall cause or permit any permanent sign, banner, awning, canopy, or other attachment (excepting TV antennas or satellite dishes per guideline #6) to be affixed to or placed upon the exterior walls, windows, or roofs or any other parts of any building without the prior consent of the Architectural Control Committee.
39. No sale, rental, advertisement, political, or other signs for any purpose shall be placed upon the main entryway or upon any lot other than the lot which is for sale, for rent, or upon which the sale will be held.
40. Holiday ornamentation that causes excessive pedestrian or vehicular sightseeing traffic is prohibited.

## **Application Process:**

1. Residents must submit a completed application form (see Attachment A) to any ACC member or to the ACC's managing agent. The application must have written validation at submission by an ACC committee member.
2. The ACC has up to thirty (30) days from the date of receipt of a complete application to respond, after which if there has been no response the application is deemed accepted. The ACC or its managing agent will endeavor to respond timely to facilitate a resident's planning and implementation process.
3. Any Crooked Creek West resident has the right to appeal a decision of the ACC to the Crooked Creek West Homeowner's Association Board of Directors, whose decision will be final and binding.

## **Resolution of Non-Conformance:**

1. The ACC carries out periodic inspections of the community and also responds to notices provided by residents. Residents are expected to properly identify themselves; otherwise the ACC is not inclined to act on an anonymous notice. The ACC reviews all notices of potential non-conformance and judge whether non-conformance exists.
2. Following the adoption of these guidelines, all improvements made hereafter shall comply with the guidelines in this document. Any replacement of an existing structure or improvement, which is currently non-conforming with the guidelines, must be brought into conformance at time of replacement.
3. Should non-conformance exist, the ACC, or its agent, will send out a first and possible second notice to the subject residence/association member which informs them of the situation and requests their removal of the condition/use within a fourteen (14) calendar day period of time.
4. Should non-conformance persist after the first and second notices have been given, the ACC, with the approval of the Board of Directors, shall undertake legal action. **The costs of such legal action will be assessed to the subject residence.**

**Crooked Creek Heights West Homeowners Association  
ARCHITECTURAL CHANGE REQUEST FORM**

**Resident Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Property Address:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Please provide a brief description of the request. (exterior painting, fencing, signage/outdoor displays, building reconstruction/improvement/addition extension, deck, patio, major landscaping, water wells/septic tanks/sewage disposal system, etc) Please include the reason or purpose for the change.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note: Along with the above description, the following is necessary**

- Drawing of the change proposed (for fences and structures)
- The location of the structure to be added
- Color of exterior paint or roof material, if it is being changed from the original color
- Any other pertinent information required to evaluate proposed change. Refer to the Architectural Control Guidelines for requirements relative to your specific request.

**Start Date:** \_\_\_\_\_ **Anticipated Completion:** \_\_\_\_\_

**HOMEOWNER'S AFFIDAVIT**

**I HAVE READ THE DEED RESTRICTIONS AND POLICIES OF THE CROOKED CREEK HEIGHTS WEST HOMEOWNER'S ASSOCIATION, INC., AND AGREE TO ABIDE BY THE SAME. NO WORK WILL COMMENCE WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECTURAL REVIEW COMMITTEE.**

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**Approved by a Quorum of the ARCHITECTURAL REVIEW COMMITTEE**  
**Date:** \_\_\_\_\_

\_\_\_\_\_  
ARCHITECTURAL REVIEW COMMITTEE SIGNATURE

**Insufficient information; please resubmit** **Date:** \_\_\_\_\_

**Not approved for the following reasons:** **Date:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**PLEASE MAIL YOUR REQUEST TO:  
Crooked Creek Heights West Homeowners Association  
Architectural Change Request Committee  
PO Box 681066  
Indianapolis, IN 46268**