

## JONATHAN'S LANDING COMMUNITY ASSOCIATION, INC.

### ARCHITECTURAL CONTROL GUIDELINES

Based upon JLCA Covenants, Articles V, VI and VII, the Architectural Committee (AC) will generally base decisions on these guidelines when homeowners request to change, add to, or improve the exterior appearance the homes and lots within Jonathan's Landing. Essentially, all changes, permanent or temporary, are subject to review and approval by the AC. The review process is not limited to major additions or alterations, such as adding a room or deck, but also includes items such as changes in color and landscaping. Each request is reviewed on a case-by-case basis. **It is the homeowner's responsibility to complete and submit an Architectural Change Request Form and receive approval prior to the planned changes.**

The intent of the AC guidelines is to:

1. Permit each homeowner to enjoy his home without reasonable interference by and to his neighbor.
2. Maintain properties within JLCA.
3. Preserve and enhance JLCA and its value.

Nothing in this document supercedes any of the JLCA Covenants.

### **PROCEDURES FOR APPLICATION**

When considering modification to their homes or properties, homeowners should proceed as follows:

Standard application forms are available from the AC, PMp or from the website:

<http://www.pmpfw.com>

1. The application must contain a description of the proposed change, a schematic diagram, and if applicable, color samples.
  - a. 2 complete plans and specifications must be submitted
  - b. 2 marked copies of the plat (surveyor's map of your lot) showing the location of improvements or changes with reference to the street and plot side lines
2. An application may be submitted to any member of the AC or to the Management Company either by mail, email, or in person. Applications should be submitted at least 21 days prior to the date members plan to begin making changes.
3. Construction or other proposed changes must be started within 6 months of approval or the application must be resubmitted. Construction must be substantially completed within 12 months of commencement. Requisite permits must also be obtained.
4. After receipt of an application, the Architectural Committee will process it as follows:
  - a. The AC member or Management Company member receiving the application will briefly review the application to identify any significant omissions, and will bring such to the attention of the homeowner for additional required information.
  - b. The AC will approve or disapprove the submittal and will respond in writing. **No action may be taken without written AC approval.**
  - c. Upon approval, an AC member shall endorse both copies of the application, one of which will be returned to the applicant.

- i. In the interest of expediting some AC requests, fax or e-mail from an AC member or a member of the Management Company will serve as proper notification that a proposed change has been approved in writing by the AC.
- ii. Construction must conform to approved plans. No additional changes may be made without submitting an amendment to AC.
- iii. Homeowners are responsible for securing all necessary permits and approvals required.
- iv. Any member of the AC or its agent may perform a site visit to determine compliance with approved plan.
- v. if a submittal is rejected, the AC will explain the rationale for its decision. Homeowners are encouraged to submit additional or clarifying information, or a modified application, if reconsideration is desired.

## **GENERAL**

### **EASEMENT ENCROACHMENTS**

It is the responsibility of the homeowner to be aware of utility easement areas and to seek appropriate waivers from the utility companies (for street lighting, must call LSI for locators). The AC assumes no responsibility for easement encroachments by homeowners.

### **PROPERTY MAINTENANCE**

Each property owner is responsible for continued maintenance of the structure and grounds of the homeowner's lot. These responsibilities include, but are not limited to:

1. Keeping the building in excellent condition (including exterior finishes, whether brick, metal, wood or other materials) and repair and removing all unsightly debris and materials.
2. Keeping shrubs, trees, grass and other plantings neatly trimmed, properly maintained and free of weeds.
3. Preventing trees, shrubs or plantings of any kind to overhang or otherwise encroach upon any sidewalk, street or other homeowner's property.
4. Removing snow from adjacent sidewalks.
5. Keeping trash receptacles out of view.

### **FENCES**

Homeowners are encouraged to collaborate with their neighbors when planning fence projects. The general fence guidelines:

1. Front yard fences are prohibited.
2. Fencing shall be no higher than 6 feet and no shorter than 4 feet.
3. For non-pond lots, fencing may be constructed entirely of either wood or a composite material in natural wood colors. Various styles such as wrought iron-like (aluminum), picket, and private may be allowed.
4. For pond lots, 4 foot tall split-rail wood of natural wood color with wire mesh or similar light gauge non-climbable wire will be approved. 4 foot tall wooden or black aluminum

fences (which appear to be wrought iron) may be approved as well. Fences taller than 4 feet for pond lots will only be approved if in connection with the construction of an in-ground pool in accordance with Allen County, Indiana ordinances.

5. No fence may extend past the frontline of the house. Side yard fencing on one's property is subject to front limitations with respect to adjacent properties.
6. Chain link fences are not permitted.
7. There should be little variation in fence height and style from one property to another. Fencing that crosses culverts or drainage channels must be maintained at the same elevation as the adjacent fencing instead of following the exact contour of the ground.
8. It is the homeowner's responsibility to check the legal description of property prior to construction of fence and verify distances prior to contractor begins construction.

### **EXTERIOR FINISHES**

1. Homeowners must obtain approval from AC prior to changing the color and texture of externally visible finishes including siding, doors, shutters, trim and roofing.
2. Proposed changes must be consistent and visually compatible with the surrounding neighborhood.
3. Painting of brick is not permitted.
4. Repainting with color that match the exterior finishes do not require AC approval.
5. When changing colors, samples must be submitted to the AC with the Architectural Change Request Form.
6. Color selections from the original color schemes of the neighborhood are the most likely to meet approval.

### **LANDSCAPING**

Major landscape changes need to be submitted to the AC, examples include: any changes in the slope of the land that would affect drainage or flood plain).

1. Planting of trees require AC approval.

### **SUMP PUMP DISCHARGE LINES**

1. Sump pump lines may extend to a tiled drain and must be connected to the drain with an approved connection.
2. Sump pump, storm drainage and dry well lines may be extended to a pond with appropriate erosion control and they must not pose a safety risk.
3. All sump pump lines must be buried.

### **ANTENNAS**

No television, radio masts, towers, poles antennas or aerials may be erected, constructed or maintained. Satellite dishes are permitted according to the FCC, treated on a case by case basis.

## **DECKS AND SCREEN PORCHES**

1. All deck flooring and railing must be constructed of wood. Wood substitutes must match the appearance of natural wood. Decks may not be painted in whole or in part. They may only be stained a natural wood color or left to weather.
2. Screened porches must be designed to be an integral part of the house. They must be made of the same materials and finished in the same manner of the house and must match the architectural design of the house.

## **WINDOWS AND DOORS**

1. No reflective material may be placed on any window.
2. Windows may be tinted, if the color is limited to smoked or bronze and is applied throughout the home.
3. No deviations in color or style of garage or entry doors, from that originally installed by the builder, shall be permitted without prior approval of AC.
4. Exterior security bars on windows and doors are prohibited.
5. Windows should be a large single pane of glass with minimal framing. Framing must be colored to match the trim or the color of the house.
6. Storm doors should allow the entire front main door to be visible.
7. Glass block windows shall be located on the sides or rear of the house.

## **FREE STANDING STRUCTURES**

No temporary or permanent utility or storage shed, building, tent, structure or improvement shall be constructed or erected or maintained without the prior approval of the ACC. Structures shall include, but are not limited to, play sets and/or jungle gyms.

1. All free-standing structures, including retaining walls, permanent barbecues, permanent flagpoles, basketball backboards, doghouses, gazebos, etc. must be submitted to the AC for approval.
2. Swingsets must be constructed of wood and be of neutral color. Large plastic play equipment will be considered on an individual basis. Game and play structures may only be constructed in the rear yard.
3. Shade structures attached to the home may be constructed only of wood, trellis or shingles. Wood surfaces may be left natural, stained or painted to match the residence.
4. A patio cover or shade cover, which is firmly attached to the home, may be considered as part of the existing structure.

## **SIDEWALKS, WALKWAYS, DRIVEWAYS AND PATIOS**

Changes to or construction of walkways, driveways or patios constitute an alteration that must be submitted for AC approval, except for emergency repairs to utilities. Damaged sidewalks can be restored to original state without approval.

## **EXTERIOR LIGHTING**

Each dwelling must have an illumination device or yard light installed 15 feet from the curb of the street. Yard lights must be on from dusk until dawn.

## **WOOD PILES**

Stacked/stored firewood must be stored in the back of the house and not visible from the street from the front of the house.

## **FLAG POLES**

A flagstaff may be mounted on the house, garage, tree or other structure. Flag poles are considered a free-standing structure and must be approved by the AC. The plans should include lighting for hours of darkness.

## **SWIMMING POOLS**

1. Above ground pools are prohibited.
2. Spas may be permitted only in the rear of the property.
3. All pool construction requires AC approval and must meet zoning regulations.
4. All pool and spa decking must meet zoning regulations.

## **SUMMARY**

Essentially, all changes, permanent or temporary are subject to review and approval by the AC. The review process is not limited to major additions or alterations, such as adding a room or deck, but also includes items such as changes in color and landscaping. Each request is reviewed on a case-by-case basis. If you are unsure if your changes require approval, contact a member of the AC. **It is the homeowner's responsibility to complete and submit an Architectural Change Request Form prior to the planned changes. No action may be taken without written AC approval.**

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