



Architectural and Landscape Design Standards

**Approved
April 2009**

*(amended 5/12/2010)
(amended 5/18/2011)*

General Provisions

1. **Overview.** The Architectural and Landscape Design Standards (“Standards”) are to be used in conjunction with Article VI of the Declaration of Covenants, Conditions and Restrictions for Oak Hall, which specifically provides for an Architectural Review Board (“ARB”) to regulate the external design, appearance, use, location and maintenance of homeowner property and improvements thereon. The purpose of these Standards is to preserve and enhance home values and to maintain a harmonious relationship among structures, improvements, and the natural vegetation and topography. These Standards do not provide an exhaustive list of exterior modifications which are prohibited or which require approval by the ARB.
2. **Application Procedures.** Any homeowner planning an exterior modification, excluding those modifications set forth in Paragraph 10 of the General Provisions, is required to submit an application to the ARB prior to beginning such exterior modification. The homeowner must contact the property management company under contract with the Oak Hall Homeowners Association (“HOA”) to obtain the necessary paperwork **prior to** beginning the project. The information is also available on the neighborhood website at oakhallfishers.com. Once the application is submitted, the ARB will review the proposed exterior modification.
3. **Review.** To avoid delay in the ARB’s review process, homeowners are to provide with the application any and all relevant information, including any applicable drawings or other descriptions, for the exterior modification, including, but not limited to, dimensions, color, location, photographs, and a product material list. The application will be received by the property management company who performs the initial review prior to passing it along to the ARB for final review. Once the application is reviewed by the ARB, the approval or denial, and any qualifications thereto, will be submitted to the property management company, who will then issue a prompt response to the homeowner. The ARB shall apply the following Standards in a fair, uniform and reasonable manner consistent with the discretion inherent in the design review process. In the event an application is denied, the ARB will provide specific reasons for the disapproval and may suggest modifications that would render the application acceptable. These Standards are *guidelines* to be used by the ARB in the review of these applications. Each application is reviewed by the ARB on an individual basis. As such, the final decision of the ARB will consider these Standards, each application, and the overall impact on the community. Please allow approximately ten (10) working days for approval. No installation or construction is to commence without approval from the ARB.
4. **Exercise of Discretion.** Under Article VI of the Declaration of Covenants, Conditions and Restrictions, the ARB is entitled to exercise discretion in the performance of their duties.
5. **No Waiver.** The lack of enforcement as to a particular homeowner(s) or a particular issue(s) under these Standards does not constitute a waiver by the ARB.
6. **Recourse Against Homeowner.** Where a homeowner does not follow these Standards for external modifications, any such external modification may be subject to retroactive approval and/or denial by the ARB.
7. **Fees.** The ARB reserves the right to establish and collect fees for the review of applications. Review fees, if any, will be indicated through notice to the applicants.

8. **Conflict.** Any conflict or ambiguity arising from the application of these Standards and the requirements of the Declaration of Covenants, Conditions and Restrictions for Oak Hall shall be resolved in favor of the application of the Declaration of Covenants, Conditions and Restrictions.
9. **Severability.** No declaration of a court of competent jurisdiction of the invalidity of any single regulation or part thereof contained in these Standards shall invalidate any other portion of these Standards.
10. **Changes That Do Not Require Approval.** The ARB has adopted a policy that some exterior modifications will not require approval. They include:
 - a. Flower boxes;
 - b. Portable or inflatable wading pools without filters, up to two feet in height, and located in back yards (such pools are to be removed seasonally);
 - c. Repainting with colors identical to the existing colors;
 - d. Gutters in materials and color consistent with the color of the house;
 - e. Removal of dead trees and replacement with new trees (street trees must be replaced by trees of the same type);
 - f. Planting of shrubs, perennials and annuals in approved landscaping beds.

Although the above exterior modifications do not require approval by the ARB, they remain subject to the requirements of Paragraph 22 of the Standards pertaining to the Maintenance of Property.

11. **Prohibited Changes.** In addition to the prohibited changes set forth in Article X of the Declaration of Covenants, Conditions and Restrictions, the following changes are also prohibited:
 - a. Clotheslines;
 - b. TV or Radio Antennae;
 - c. Basketball courts;
 - d. Bug zappers;
 - e. Individual air conditioning units extending from windows;
 - f. Free-standing swings on front porches; and
 - g. Modifications that obstruct visibility at intersections.

For further reference of the prohibited changes, see Article X, Sections 1 through 27 of the Declaration of Covenants, Conditions and Restrictions.

12. **Appeals.** Any decision of the ARB may be appealed to the HOA Board of Directors, which may reverse or modify such a decision by a two-thirds (2/3) vote of the Directors then serving.

Architectural and Landscape Design Standards

1. Arbors, Pergolas

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. An arbor should be a continuation or complement of the architectural style of the house in design, color and materials. Design, color and materials that are not part of or do not complement the house should not be introduced.
- c. Color must be white or shades thereof, solid earth tones, stained or natural.
- d. Overall height is limited to nine (9) feet. *(amended 5/18/2011)*
- e. Overall area is limited to a maximum of two hundred (200) square feet. *(amended 5/18/2011)*
- f. Locations are limited to within the side or rear yard and located within the building setback lines. For waterfront lots, the structure cannot hinder the peripheral view of adjacent neighbors.

2. Awnings

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. In general, exterior awnings will be prohibited unless demonstrated to be clearly compatible with the architectural design and qualities of the home and screened from the view of adjoining neighbors.
- c. If approved, awnings must meet the following criteria:
 - i. They should be of a plain design without decorative features, such as scallops, fringes, etc.
 - ii. Colors shall be compatible with the color scheme of the house.
 - iii. Awnings should be consistent with the visual scale of the house to which it is attached.
 - iv. Pipe frames or structural supports for canvas awnings (or similar material) should be painted to match the trim or dominate color of the house.
 - v. No awnings shall be installed to the front of any house.

3. Basketball Goals

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. Basketball goals will be allowed on front and side load driveways (lot widths eighty feet or greater).
- c. No backboard shall be attached to the primary residence.
- d. Permanent backboards must be of a translucent material such as Lexan and attached to a black pole or similar type of post. All posts must be installed in concrete.
- e. Portable goals must have translucent backboards and their bases must be weighted and secure. A portable goal must be kept in homeowner's driveway.
- f. Permanent or portable goals should not obstruct neighbor's view.
- g. For basketball goal-mounted lighting fixtures, refer to Paragraph 20 "Lighting, Outdoor."

4. Birdhouses (Pole-mounted)

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. Generally, requests for pole-mounted birdhouses will be approved subject to the following criteria:
 - i. All pole-mounted birdhouses shall be located in the rear yard of a residence secured firmly into the ground in a location approved by the ARB prior to installation. The

- height of pole-mounted birdhouses is subject to ARB approval.
- ii. Quality materials shall be utilized in the construction of the birdhouse.
- iii. Colors must coordinate with those of the homeowner's house and be approved by ARB.

5. **Decks**

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB, other than those constructed by the builder. Approval by the ARB does not exempt the homeowner from obtaining any and all necessary permits.
- b. Homeowners are advised to consider the following factors:
 - i. Decks are to be located in rear yards only.
 - ii. Decks, particularly elevated decks, should be of a scale and style compatible with the home to which it is attached, adjacent homes, and the environmental surroundings. Railing on the deck shall not exceed four feet in height.
 - iii. All decks, including their rails, landings and supporting posts, must be constructed only of cedar, redwood, pressure treated lumber, or Trex type material. Any siding attached to the deck must match the siding of the house to which the deck is attached. Wooden portions of the deck may not be painted. They may be stained or otherwise treated only with a transparent stain or preservative that allows the original wood grain to remain visible and that does not change its color to other than that of the types of wood cited.
 - iv. No under deck storage allowed.

6. **Dog Houses**

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. Any doghouse is to be limited to four feet in overall height and is to be constructed of material similar to and/or consistent with the main house.
- c. No dog house or dog pen may be made of metal or wire.

7. **Dog Runs**

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. Any dog run is to be limited to six feet in overall height and must not be visible from any public street.
- c. No dog run may be made of metal or wire.

8. **Exterior Air Conditioners**

No exterior air conditioning unit or heat pump may be relocated or added without express written approval by the ARB and may only be relocated or added if there is no adverse visual impact to adjoining properties.

9. **Exterior Decorative Objects**

- a. *Permanent Exterior Objects.* No permanent exterior decorative object shall be permitted without express written approval of the ARB.
- b. *Temporary Exterior Objects.* Any exterior decorative object which is not permanently affixed to the home or property may be subject to ARB review. Such temporary exterior decorative objects must be in accordance with these Standards and will be evaluated in terms of their general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on the neighborhood and the surrounding area.

- i. Holiday lighting and decorations must be removed within two (2) weeks after the holiday, weather permitting.

10. Exterior Painting

- a. No exterior painting, other than the repainting with colors identical to the existing colors, shall be permitted without express written approval of the ARB.
- b. Applications are not required for any repainting or re-staining that does not change a home's original colors. However, owners must obtain approval prior to changing the color of any externally visible portion of any unit, including, but not limited to, the siding, doors, shutters, trim, or roofing. The ARB's decision on each application will be based on judgment as to whether the proposed change would be noticeably inconsistent or visually incompatible with the surrounding neighborhood.

11. Fences

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB. In approving or denying a fence request, the ARB may consider any other fence on an adjacent property for purposes of maintaining neighborhood continuity and overall harmony.
- b. No fence regardless of material shall be more than six (6) feet in height. Where a fence is constructed on a lot abutting a pond, such fence cannot exceed four (4) feet in height beyond a point fifteen (15) feet from the home constructed on said lot, except by special permission granted by the HOA Board of Directors.
- c. Layout Requirements
 - i. No fencing will be allowed in the front setback line of the house. With respect to corner lots, this includes the side yard facing the side street of the residence.
 - ii. Fencing may not encroach closer than seven and one half (7½) feet to the property line within drainage, utility, and landscape easements. Items placed within easements are placed at risk. Should the utilities need to be accessed, removal and/or replacement of items will occur at the homeowner's expense.
- d. Approved Construction Techniques
 - i. All fencing shall be constructed of quality materials, such as treated lumber, cedar, tubular steel, vinyl coated, etc.
 - ii. All fencing shall be properly braced and all posts shall be placed into the ground with concrete or placed at such a depth so as to ensure the fence will be secure.
 - iii. All fence bracing or ribbing shall be on the inside of the fence unless otherwise approved by the ARB.
 - iv. Chain-link fences are prohibited.
- e. Invisible Fencing
 - i. Generally, requests for invisible fencing will be approved subject to the ARB's approval of the proposed fence location prior to installation.
 - ii. All controller boxes and other equipment shall be hidden from view.
- f. Maintenance of Fences
 - i. All fences must be maintained in a reasonable fashion.
 - ii. All warped boards shall be replaced on a timely basis.
 - iii. All stained fences shall be maintained on a regular basis so the fence always has a reasonable appearance.

12. Fire pits

No installation or construction of permanent fire pits shall begin or occur without express written approval by the ARB.

13. Flag Poles

- a. Flagpoles must be approved by the ARB for location, materials, and method of installation.
- b. Galvanized poles are not permitted.

14. Fountains

No installation or construction of the same shall begin or occur without express written approval by the ARB.

15. Garage Additions

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. Generally, requests for garage additions will be approved subject to the following guidelines:
 - i. The addition shall be constructed with quality materials.
 - ii. The roofline shall follow the natural roofline of the home, or be approved by the ARB.
 - iii. The roof, siding, and trim shall match the colors of the primary residence.
 - iv. All detailed construction plans must be approved prior to beginning construction.
 - v. Garage additions must be substantially similar to the outside of the primary residence.
 - vi. Garage additions must be attached to the primary residence.

16. Garbage and Refuse Disposal

Homeowners should make every effort to pick up trash cans by sunset of trash collection day. For further detail, please refer to Article X, Section 11 of the Declaration of Covenants, Conditions and Restrictions.

17. Gardens

- a. Vegetable gardens shall be limited to areas not exceeding six hundred (600) square feet and shall be limited to the rear yard.
- b. Any fence around a garden must comply with the fence standards stated herein and must be approved by the ARB (See Paragraph 11 Fences).
- c. Planting trellises and/or supports should not exceed six (6) feet in height and should be removed at the end of each growing season.
- d. Any garden shall be maintained in a conscientious manner including, but not limited to, regular weeding, as followed by any master gardening program.
- e. All plants and planting materials should be removed and the garden tilled to ground level at the conclusion of each growing season.
- f. No installation or construction of the any compost bin or other container shall begin or occur without express written approval by the ARB.

18. Gazebos

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. A gazebo should be a continuation of or should complement the architectural style of the house both in design, color and materials. Design, color and materials that are not part of or do not complement the house should not be introduced.
- c. Color must be white or shades thereof, solid earth tones, stained or natural.
- d. Overall height is limited to eight (8) feet.
- e. Locations are limited to within the side or rear yard and located within the building setback lines unless otherwise approved by the ARB.
- f. For lake front lots, the structure cannot hinder the peripheral view of adjacent neighbors.

19. Hot Tubs and Jacuzzis

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. Hot tubs and Jacuzzis are permitted only in the rear yards of residences.
- c. Hot tubs and Jacuzzis must be screened from offsite views by either a fence or landscape screen each measuring six (6) feet in height from the patio, deck or base, upward.

20. Landscape Beds, Mounded

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. The ARB reserves the right to deny any request if it impedes the flow of drainage.

21. Lighting, Outdoor

- a. Lighting which is a part of the original structure may not be altered or added to without prior approval of the ARB.
- b. Proposed replacements or additions must be compatible in style and scale with the applicant's house, and applications must include their location, number, style, bulb color, and wattage. Recommended fixtures include low voltage ground-mounted styles that may be wholly or partially concealed by plantings.
- c. Lighting which illuminates either common areas or private property other than that on which it is installed, including reflected "backwash" behind houses, is prohibited.
- d. Proposed lighting shall not be approved if it will otherwise result in adverse visual impact to any other property, due to factors including but not limited to location, color, or wattage. As the effects of proposed lighting may be difficult to assess prior to installation, the ARB reserves the power to require correction, including but not limited to removal or modification of lighting found to cause adverse impact after installation.
- e. The homeowner shall be responsible to keep lights in good repair and shall not alter lights without ARB approval.
- f. The homeowner shall at all times keep dusk to dawn lighting in good repair with working light bulbs.
- g. Exterior security lighting shall not exceed two standard double floodlights. Light bulbs in such fixtures shall not exceed 150-watt incandescent bulbs or 90-watt halogen bulbs.
- h. The following lights are not approved for exterior security lighting:
 - i. High Intensity Discharge (HID) lighting
 - ii. Halogen bulbs in excess of 90 watts.
- i. Landscape lighting shall be low voltage type lighting with white or clear bulbs.
- j. All exterior lighting (i.e. landscape, security, etc.) must fall within the property limits of the lot. Lighting that is directed offsite shall be prohibited.

22. Mailboxes and Newspaper Tubes

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. Mailboxes may be replaced only with units similar in size and style to those installed by the builder, and may not be altered by applying non-standard letters (such as names) or numbers, may not be painted, finished covered in any color or pattern other than that of original installations.
- c. The addition of newspaper tubes or other containers which are dissimilar from those currently used is prohibited.

23. Maintenance of Property

- a. Property ownership includes the responsibility for continued maintenance of all structures and grounds, which are part of the owner's lot. This includes, but is not limited to, keeping buildings and structures in good condition and repair, removing all debris and unsightly material, and keeping all shrubs, trees, grass and other plantings neatly trimmed, properly cultivated, and free of weeds.
- b. Owners shall not allow trees, shrubs, or plantings of any kind to overhang or otherwise encroach upon any street, pedestrian way, other owner's property, or common area, from ground level to a height of twelve (12) feet, without prior ARB approval.
- c. Violations of these maintenance standards are violations of the Covenants and may result in action by the Homeowners Association to remedy the situation. Additionally, owners will not alter any common area or easements. Except for permitted encroachments into easements, such alterations include but are not limited to storing personal property, allowing debris to accumulate, establishing gardens, or otherwise adding, removing, or modifying trees or other plantings.

24. Other Elements Not Listed

Any alteration or improvement made to a lot within the community is subject to ARB approval prior to its commencement. All questions should be directed in writing to the ARB.

25. Patios

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. A patio must be constructed of concrete, bricks, pavers or stone.

26. Patio Cover

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. A patio cover must be constructed of redwood, cedar, pressure treated lumber or a material approved by the ARB. Corrugated fiberglass sheeting is not an approved cover material.
- c. The patio cover finish must be a color similar to the main house, left to finish naturally, clear sealed or sealed/stained to give the appearance of new redwood or cedar.
- d. Height is limited to nine (9) feet.

27. Play Structures and Swing Sets

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. The primary structure must be made of weather resistant wood of a color appropriate to the property and maintained for safety.
- c. Play structures and swing sets must not exceed eighteen (18) feet in length, seventeen (17) feet in width, and twelve (12) feet in height.
- d. Play structures and swing sets are permitted only in the rear yards of residences.

28. Ponds

No installation or construction of the same shall begin or occur without express written approval by the ARB.

29. Porches, Screened

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB. Approval by the ARB does not exempt the homeowner from obtaining any and all necessary permits.
- b. Generally, requests for screened porches will be approved subject to the following guidelines:
 - i. The screened porch shall be constructed with quality materials.
 - ii. The roofline shall follow the natural roofline of the home, or be approved by the ARB.
 - iii. The roof, siding, gutters, and trim shall match the colors of the primary residence.
 - iv. Screened porches must be substantially similar to the outside of the primary residence.
 - v. Screened porches are permitted only in the rear of the residence.
- c. Detailed plans must be submitted to the ARB.

30. Rainwater Collectors

No installation or construction of the same shall begin or occur without express written approval by the ARB.

31. Room Additions

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB. Approval by the ARB does not exempt the homeowner from obtaining any and all necessary permits.
- b. Generally, requests for room additions will be approved subject to the following guidelines:
 - i. The addition shall be constructed with quality materials.
 - ii. The roofline shall follow the natural roofline of the home, or be approved by the ARB.
 - iii. The roof, siding, and trim shall match the colors of the primary residence.
 - iv. Room additions must be substantially similar to the outside of the primary residence.
- c. Detailed plans must be submitted to the ARB.

32. Satellite Dishes

Any Satellite dish installation must meet FCC regulations and code. In general, the FCC provides that a satellite dish that is one (1) meter (or 39.37 inches) or less may be installed on an area that you own or where you have exclusive use.

33. Screens

Screens intended for windows shall be integral with the window and complementary to the house.

34. Security Bars

In general, the use of security bars or grates on windows and doors will be prohibited. Exceptions may be made where the security apparatus will not be visible from the street and from adjoining properties. Homeowners concerned about the security of their homes are advised to consider alternatives, including alarms and sophisticated lock systems.

35. Signage

- a. All signage is subject to local and state regulations. All signage, except as follows, is subject to the approval of the ARB.
- b. No signage shall be located in such a place whereby it restricts or obstructs traffic visibility. No identification signage shall be allowed within the right-of-way of a dedicated public street, nor in any area not specifically approved by the ARB.
- c. Prohibited Signage. The ARB generally will not approve the following signage:
 - i. Signs advertising goods, services, or home occupations.
 - ii. No entranceway or common area signage is allowed with the exception of those

approved by the ARB.

- d. Temporary Signage
 - i. One “For Sale” or “For Lease” sign may be displayed on a Lot that is being offered for sale or lease provided that it is in such form, style, and location as the ARB may require.
 - ii. The Developer shall be permitted to erect and maintain upon the property such signs as it deems appropriate to advertise the development during the construction and sale periods.
 - iii. Political signs may only be placed on homeowner’s property and must be removed the day after the election.

36. Storm/Screen Doors

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. The storm/screen door shall be without ornamentation or grillwork and finished in a color complementary to the house. Storm doors shall have transparent glass. Screen doors shall have a mesh screen (dark in color) with an even transparent look.

37. Swimming Pools

- a. No aboveground swimming pools shall be permitted. No installation or construction of any pool shall begin or occur without express written approval by the ARB. Approval by the ARB does not exempt the homeowner from obtaining all necessary permits.
- b. No alteration of the existing grade of any lot may be done without prior approval of the ARB. Any proposed grade changes must be shown on proposed plans.
- c. Pool equipment must be screened from offsite view by solid and/or landscape screening.
- d. Pool Fencing
 - i. Any application for construction of an in-ground pool will not be considered unless the application is accompanied by an application for an acceptable fence design.
 - ii. Any fence around a garden must comply with the fence standards stated herein and must be approved by the ARB (See Paragraph 11 Fences).
- e. Generally, requests for pool houses with changing areas and storage sheds or mini-barns will be denied.

38. Trampolines

The installation of trampolines is prohibited, except by appeal and special permission granted by the HOA Board of Directors. In the event of such special permission being granted to a homeowner on an individual basis, certain prerequisites, including but not limited to seasonal limitations, maintenance agreements, anchoring and other safety requirements, shall be agreed to as a condition of the installation and continued use of any trampoline.

39. Trees

- a. The installation of trees must be consistent with the appearance of the individual residence as well as the overall neighborhood. Trees which do not meet these criteria may be subject to review by the ARB.
- b. The trunks of trees may not be located any closer than 7½ feet to the property line within drainage, utility, and landscape easements. Items placed within easements are placed at risk. Should the utilities need to be accessed, removal of items will occur at the homeowner’s expense.
- c. Care and maintenance of trees is the responsibility of each homeowner. Dead trees must be removed by the homeowner. *(amended 5/12/2010)*

- d. Dead street trees must be replaced within six months. Such replacement tree(s) must be of the same species as the original or have prior approval from the Architectural Review Board. (*amended 5/12/2010*)

40. Trellis

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. A trellis should be a continuation of or should complement the architectural style of the house both in design, color and materials. Design, color and materials that are not part of or do not complement the house should not be introduced.
- c. Color must be white or shades thereof, solid earth tones, stained or natural.
- d. Overall height is limited to eight feet.
- e. Locations are limited to within the side or rear yard and located within the building setback lines unless otherwise approved by the ARB.
- f. For waterfront lots, the structure cannot hinder the peripheral view of adjacent neighbors.

41. Walls

- a. No installation or construction of the same shall begin or occur without express written approval by the ARB.
- b. The architectural style and materials of any proposed wall must be compatible with the exterior finishes of the residence.
- c. Walls that divert water onto adjoining properties or that otherwise substantially change the existing drainage pattern will not be approved.

42. Wires and Cables

Wires and cables, including those installed to convey radio or television signals, shall be hidden, buried or secured flush with the side of each house so as to minimize their visibility.

Property Management Company

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