



2. That said Design Guidelines and Operating Restrictions were adopted on March 15 2003, and are binding upon all owners within Huntington Chase and Sutton Place and run with the land.

Dated this 23 day of August, 2003.

Huntington Chase Homeowners Association, Inc.,

By: *signature present on original document*

Paul McLear, President

Attest:

*signature present on original document*

Mark Miller, Chair of Development Control Committee

STATE OF INDIANA     )  
  ) SS:  
COUNTY OF HAMILTON )

Before me a Notary Public in and for said County and State, personally appeared Paul McLear, the President of Huntington Chase Homeowners Association, Inc., and Mark Miller, the chair of the Development Control Committee, who acknowledged execution of the foregoing for and on behalf of said corporation and who, having been duly sworn, stated that the representations contained herein are true.

Witness my hand and Notarial Seal this 23 day of August, 2003.

*signature present on original document*

Notary Public – Signature

*printed signature present on original document*

Printed

My commission Expires:

May 6, 2008

Residence County: Marion

This instrument prepared by, and should be returned to, P. Thomas Murray, Jr., Eads Murray & Pugh, P.C., Attorneys at Law, 7321 Shadeland Station, Suite 250, Indianapolis, IN 46256 (317) 842-8550.

# HUNTINGTON CHASE

## DESIGN GUIDELINES

And

## OPERATING RESTRICTIONS

Effective  
*December 15, 1998*  
Updated  
*March 15, 2003*

**HUNTINGTON CHASE**  
**DESIGN GUIDELINES**  
**AND OPERATING RESTRICTIONS**

Huntington Chase is a unique 87 - acres, 125 - lot community located in Carmel, Indiana. The intent of these Guidelines is to establish the standard of design for the Community. These guidelines are intended to assist homeowners in the design of site improvements on residential lots within Huntington Chase. These Guidelines shall apply to all properties within Huntington Chase and are in addition to any requirements of the City of Carmel. These Guidelines are also in addition to the requirements of the Declaration of Restrictions, ("Declaration"). All improvements and or anything which would change the exterior appearance of the home or lot, must be approved by the Development Control Committee of Huntington Chase prior to the commencement of construction. These Guidelines are intended to serve for the life of the Community and accordingly may be amended by the Development Control Committee from time to time. The Development Control Committee reserves the right to waive or vary any of the procedures or standards set forth in this document, at its sole discretion based on unique circumstances. The following is the information which is required as part of the submittal for Architectural Approval for any improvement at Huntington Chase.

**SCHEDULE:** The Development Control Committee ("DCC") will render a decision within 30 days of receipt of a complete and accurate submittal. No incomplete submittals will be reviewed. The DCC will give the applicant written notice of approval or disapproval for all complete submittals. However, any submittal which is contrary to established guidelines, will be automatically denied. This approval must be received prior to the commencement of construction.

**ATTACHMENTS:**

A. Architectural Approval Form

## INDEX

<u>PAGE</u>	<u>DESCRIPTION</u>
4-5	Fencing: Type Location Approved construction techniques Maintenance Bracing
5	Dog: Kennels House
5	Mini Barns and Accessory Structures
5	Antennas: Radio/Satellite
6	Decks
6	Porches: Screened In
6	Room Additions
6	Garage Additions
6	Gazebos
6	Pools
6	Pool Houses
7	Basketball Goals/Courts: Types Location Lighting
7	Invisible Fencing
7	Lawn Ornaments
7	Landscape Designs and Planting Beds
8	Signage
8	Lights and Mailboxes
8-9	Playgrounds and Play Equipment
9	Flag Poles
9	Bug Zappers
9	Bird Houses
9	Exterior Painting/Roofing
9-10	Exterior Lighting
10	Sidewalks
10	Other
10	Non-Validity of DCC Guidelines
10	Conflict

**1. FENCING REQUIREMENTS:** The Development Control Committee will generally approve the following types of fences. However, all fences and screens must be approved prior to the installation:

- A. Non-stockade style wood fences are generally approved, provided such fences do not exceed 5 - feet in height and contain either a picket spacing in excess of 2 inches or a shadow box spacing. Maximum picket spacing shall be controlled by the applicable building codes. In no event shall any wood fence which abuts the retention pond exceed 48" inches in height. Stockade style (upright side by side wood planking) wood fences are prohibited.
- B. Vinyl clad chain-link fences are generally approved, provided such fences do not exceed 5 feet in height unless such fences are used to surround pools, in which event fence height restrictions are governed by local and state regulations. Plain chain-link fences are prohibited. Chain-link inserts are prohibited.
- C. Wrought iron fences are generally approved provided such fences do not exceed 5 feet in height.
- D. Metal fencing, which follows the design of wrought iron, will generally be approved provided such fences do not exceed 5 feet in height.
- E. Wooden privacy screens around patio areas will generally be approved provided such screens/fences do not exceed 6 feet in height. Stockade fences will not be allowed as privacy screens.

The design, materials and location of all fences must be approved by the Development Control Committee prior to installation.

**FENCING LOCATIONS:** All fencing must be approved prior to the installation of a given fence. The following are guidelines regarding fencing locations, which generally will be, approved by the DCC:

- A. No fencing will be allowed in the front set back line of the house. For corner lots, this includes the side yard facing the side street of the residence.
- B. Fencing within drainage or utility easements is prohibited.

- C. Wooden privacy screens around patio areas shall not extend more than 5 feet from any edge of the concrete pad or deck and shall not be visible from the street.

**FENCING, APPROVED CONSTRUCTION TECHNIQUES:** All fencing shall be constructed of quality materials such as vinyl-clad chain link fence, treated lumber, and wrought iron. All fencing shall be properly braced with all posts either concreted into ground or placed a depth whereby the fence will be secure and will not move.

**FENCING, MAINTENANCE:** All fences must be maintained in a reasonable and attractive fashion. All warped boards shall be replaced on a timely basis. Any painted fences shall be painted with a color in keeping with the house colors and maintained whereby the fence always has an attractive appearance. Any change in color will be subject to approval. Wood fencing not painted shall be stained periodically whereby the fence always has a reasonable appearance. The Development Control Committee shall provide notice of any maintenance violation. Such violations shall be corrected within 30 days of receipt of said notice. If the violation is not corrected, the DCC, through the Homeowners Association, retains the right to correct the violation and bill the homeowner for all applicable costs including but not limited to: Lien rights, Attorneys fees, cost of repairs, interest at the maximum rate allowable by law, and all reasonable costs of collection.

**FENCING, BRACING:** All fence bracing or ribbing shall be on the inside of the fence unless otherwise approved by the DCC.

2. **DOG - KENNELS AND HOUSES:** All kennels and doghouses must be approved by the DCC prior to construction in terms of size, location and materials. Chain link (vinyl or painted) will be allowed as long as the final location and screening as required by the DCC is approved prior to the commencement of construction. Dog kennels and houses should be placed in a location whereby they are not eyesores or nuisances to surrounding homeowners. Each kennel must be screened with either fencing or trees as approved by the DCC, depending on the individual request. All doghouses must be constructed of quality materials with neutral roof colors, siding and trim painted to match the primary colors of the residence of the applicant.

- A. Dogs will be subject to Hamilton County leash laws at all times. B.  
Household pets will be restricted to four pets per residence.

3. **MINI-BARNS AND ACCESSORY STRUCTURES:** Mini-barns and accessory structures (except for dog kennels) are prohibited.

4. **ANTENNAS - TV, RADIO AND SATELLITE:** Requests for the attachment of a TV or radio antenna to the exterior of the home or the placement of satellite dishes over

39 inches (per FCC) in diameter on a given lot will be denied. TV antennas will be allowed inside the attics of residences. Small satellite dishes, under 39 inches in diameter, will be governed by state and federal regulations. Every effort should be made to install these satellite dishes on the side or back of the residence when possible.

5. **DECKS:** Generally, requests for decks will be approved subject to the following requirements:

- A. The deck shall be constructed with quality materials.
- B. Railing on the deck shall not exceed 4'.
- C. Final configuration of the deck must be approved by the DCC prior to the commencement of construction.

6. **PORCHES, SCREENED IN PORCHES, ROOM AND GARAGE ADDITIONS:**

Generally, requests for screened in porches; room and garage additions will be approved subject to the following guidelines and review by the DCC. A detailed development plan must be provided to the DCC prior to the commencement of construction.

- A. The additions shall be constructed with quality materials.
- B. The roofline shall follow the natural roofline of the home, or be approved by the DCC.
- C. All porches, room additions and garage additions should be constructed to match the primary materials, architecture, and colors of the residence of the applicant.

7. **GAZEBOS:** Generally, requests for the installation of Gazebos will be approved subject to the following guidelines:

- A. Structure shall be built with quality materials.
- B. Final placement of the structure must be approved by the DCC.
- C. Height of structure shall not exceed 15'.

8. **POOLS:** Only requests for in-ground pools will be approved by the DCC. A detailed development plan must be provided to the DCC prior to the commencement of construction. No alteration to the existing grade may be done without the approval of the DCC. Any proposed grade changes must be shown on proposed plans. Fences around in-ground pools will conform to State and Local ordinances and shall conform to that described in section (1) one of these guidelines.

9. **POOL HOUSES:** Pool houses are not permitted. However, pool equipment storage areas generally will be approved as long as the structure is solely used for the storage of chemicals, pumps, heaters and other pool related maintenance supplies. This structure shall not exceed 4'X 6' in floor area nor 6' to the top of the roofline and shall be located

directly behind the primary residence. This type structure is subject to the following guidelines:

- A. The structure shall be constructed with quality materials.
- B. The roof, siding and trim shall match the colors of the primary residence.
- C. No metal structures will be approved.
- D. All detailed construction plans must be approved prior to the commencement of construction.

**10. BASKETBALL GOALS/COURTS:** Requests for the installation of Basketball Goals/Courts will be approved subject to the following guidelines:

**BASKETBALL COURTS:**

- A. The final location of the courts shall be approved by the DCC.
- B. Generally, courts will not be approved in excess of 25'X25'.
- C. The court must consist of concrete or asphalt materials.
- D. Generally, no lighting will be permitted.

**BASKETBALL GOALS:**

- A. The backboard shall be made from one of the following types of material:
  - 1. Clear Plexiglas
  - 2. Acrylic
  - 3. Graphite
- B. No wooden backboards will be approved.
- C. No basketball rim/board shall be attached to the primary residence or garage. Final location of the goal/board shall be approved by the DCC prior to installation. Generally, basketball goals will be approved if they are located adjacent to driveways.
- D. Generally portable basketball goals with graphite backboards will be approved so long as they are hidden from view when not in use.

**11. INVISIBLE FENCING:** Generally, requests for invisible fencing will be approved subject to DCC approval of proposed fence location prior to installation. All controller boxes, etc. shall be hidden from view.

**12. LAWN ORNAMENTS:** All lawn ornaments and other items added to the lot beyond the primary residence are subject to the approval of the DCC. Generally, ornamental birdbaths will be approved as long as they do not exceed three (3) feet in height. Generally, concrete lawn ornaments, which exceed 24 inches in height, such as deer, etc., will not be approved by the DCC.

**13. LANDSCAPE DESIGN & PLANTING BEDS:** Any major changes in beds or gardens, are subject to review by the DCC. The DCC reserves the right to deny any request based upon a lack of conformity to the established aesthetics of the neighborhood.

**14. SIGNAGE:** All signage is subject to local and state regulations. All signage, except as follows, is subject to the approval of the DCC.

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 DCC. No more than one "For Sale" sign and two "Open House" signs per lot.

*PROHIBITED SIGNAGE:* The following will not be approved by the DCC: 1. Sign

advertising goods, services or home occupations 2. Portable signage, including

political signage.

3. No entranceway signage shall be allowed except for occasional events such as united community efforts such as yard/garage sales. This specifically addresses individual yard or garage sales.

**15. SODDING & TREES:** Generally, all front and side yards to back edge of house must be sodded, unless in conjunction with the installation of permanent irrigation system hydra seeding will generally be approved as an alternative if specifically approved by the DCC. Generally, hydra seeding of yards will also be approved during certain times of the year as established by the DCC. On all corner lots, both areas adjacent to roadway shall be treated as front yards and shall be subject to sodding requirements and fencing limitations.

*TREES:* Minimum tree and planting bed requirements shall be established by the DCC in the New Construction Architectural Guidelines.

**16. DUSK TO DAWN POST LIGHTS & MAILBOXES:** The DCC shall prescribe a standard mailbox and post for each lot. The cost of each shall be the responsibility of the lot owner. The owner shall be responsible to keep each in good repair and shall not alter either without DCC approval. The owner at all times shall keep the dusk to dawn lighting in good repair with working light bulbs.

All additional lighting is subject to DCC approval prior to installation.

**17. PLAYGROUNDS AND PLAY EQUIPMENT:** All requests for playground structures and play equipment must be approved by the DCC prior to installation. Generally, requests for playgrounds will be approved subject to the following guidelines:

1. In consideration for abutting neighbors, the location of proposed playground equipment will be agreed upon by a consensus of all involved parties including the DCC.
2. Play structures should be of quality wood or other natural material, which compliments the environment and should not exceed ten feet in height unless specifically approved by the DCC and abutting neighbors.
3. Metal playgrounds and metal play equipment are prohibited.
4. All other unattached playground structures or play equipment of a non-natural material should be stored inside the residence when not in use. This includes, but is not limited to, plastic playhouses, slides, etc.

**18. BUG ZAPPERS:** Generally, requests for Electric Bug Zappers will be approved by the DCC subject to the location, approved by the abutters, and the owner requesting the device agreeing that it will be turned off not later than 10 p.m. nightly.

**19. FLAG POLES:** Generally, requests for flag poles will be approved subject to the pole being made of quality materials firmly secured into the ground, appropriately maintained at all times, and not exceeding twenty feet in height.

**20. BIRDHOUSES:** Generally, requests for birdhouses will be approved subject to the following criteria:

- A. All pole-mounted birdhouses shall be located in the rear yard of a residence secured firmly into the ground in an approved location.
- B. Quality materials shall be utilized in the construction of the birdhouse.
- C. All colors shall be approved by the DCC.

**21. EXTERIOR PAINTING/ROOFING:** No change to any exterior color (base or trim and including shingles) shall be made without the consent of the DCC.

**22. OUTSIDE LIGHTING:** Generally, requests for the installation of outside security lighting will be approved subject to the following conditions being met:

- A. Outside security lights shall not exceed two standard double floodlights per corner or side of a residence with light bulbs not to exceed 150 watt or 100 watt Halogen bulbs.
- B. The following lights are not permitted for outside security lighting - High Intensity Discharge (H.I.D.) lighting or Halogen lights in excess of 100 watts.

- C. No more than two double floodlights will be approved without specific approval from the DCC.
- D. Low voltage accent and decorative lighting can be installed without DCC approval.

### 23. SIDEWALKS

- A. Sidewalks adjacent to street frontage are the responsibility of the lot owner to provide, maintain, and clean. This includes making any necessary repairs and providing snow removal.

24. **OTHER:** All motor vehicles belonging to members of a household shall have permanent off-street parking spaces in garages or on driveways and no disabled vehicle shall be openly stored on any residential lot. Also, no boat, trailer, camper, all terrain vehicle, motorcycle, snowmobile, or motor home of any kind (including, but not in limitation thereof, house trailers, camper trailers, or boat trailers) shall be kept or parked upon said lot unless kept from view of neighboring residences and streets in a garage.

All clotheslines, equipment, garbage cans, or storage piles shall be kept from view of neighboring residences and streets. All rubbish, trash, or garbage stored outside any residence shall be regularly removed from the premises and shall not be allowed to accumulate therein. Firewood piles shall be kept neat and unobtrusive.

Residential water softeners should not eject residual water into residential sump pits. Softener units should expel residual water into residential sewage drain per Clay Township (RWD) Regional Waste District.

25. **NON INVALIDITY OF DCC GUIDELINES:** No Declaration of a Court of competent jurisdiction of the invalidity of any regulation or part of a regulation contained in these guidelines shall invalidate any other portion of these guidelines.

26. **CONFLICT:** Any conflict or ambiguity arising from the application of the requirements of these guidelines and the requirements of the Declaration of Covenants Conditions and Restrictions shall be resolved in favor of the application of the Declaration of Covenants Conditions and Restrictions. i.e. The Declaration of Restrictions supersedes these Guidelines.