

## **Waterstone Homeowners Association Architectural Review Board Standards**

**Revision date: December 20, 2021**

The following standards and procedures supplement the Declarations of Covenants and Restrictions as outlined in Section 14 Architectural Control Subparagraph (e) Guidelines and Standards, which are modified from time to time to achieve and regulate the external design, appearance, use, location and maintenance of the Tract and of improvements thereon.

*These Standards are effective on January 1, 2022 and are not retroactive.*

Failure to abide by these guidelines may result in fines or other corrective action (See Fines below).

### **Fences**

The below standards will apply to all fences installed including replacement fences.

- All fences must meet setbacks outlined in Setback Section below.
- All fences shall be fences simulating wrought iron.
- Black, white and fences matching the color of the house trim are acceptable.
- Fences should be vertical in style.
- No wood fences will be permitted.
- Chain link fences will not be allowed.
- Any re-painting or re-staining of existing fencing or extension of existing fencing must be stained or painted to match the existing trim of the House.

Note: As of January 1, 2017, the City of Carmel requires Fence Permits for all new and replacement fences within the City Limits. As a general rule, any fence repair affecting over 50% of an existing fence will also require a permit.

### **Landscaping**

- All landscaping must meet setbacks outlined in Setback Section below.
- Major landscaping, landscaping adjoining common areas, and landscaping that may block the view of cars must be submitted for approval by the ARB.
- Lawns and landscaping must be maintained, including watering, except during government-imposed water restrictions.
- Landscaping must not block or impede sidewalk areas and lake paths.

### **Special Rules for Fences and Landscaping and Other Features Within Setbacks and Next to Lakes and Ponds**

To allow for maintenance access, no structures, fencing or landscaping will be allowed

as follows.

- Waterstone Lake – no closer the 6 feet from the inside edge of the lake's path closest to the homeowners house
- Stonewick and Brookfield Ponds – no closer than 8 feet to the stone riprap
- Other Ponds – no closer than 6 feet to the pond's edge
- To allow for maintenance, invisible dog fences and landscaping lighting will not be allowed in the setbacks.
- Underground watering systems will be allowed in the setbacks but the homeowner will be responsible for any damage done to it if maintenance work needs to be done by the HOA, utilities and/or the City in the setbacks.
- Notwithstanding the foregoing, proposals to install fences, landscaping, watering systems, invisible dog fences, and landscaping near a property boundary, the lake shore, or a pond bank, or within a setback shall be accompanied by an executed easement waiver.

### **New Homes**

An ARB Request must be submitted for approval prior to construction including plot plan, exterior elevations, floor plans, exterior colors and materials at a minimum 90% design phase. Additionally, an updated request at the final design phase must be submitted for approval prior to construction. All final design plans must be stamped by the appropriate design professional prior to submission and final approval.

### **Additions and Changes**

- All additions and changes, including decks, outdoor lighting, pools, sports courts, gazebos, room additions, and other exterior structures must be submitted and approved prior to construction including plot plan, exterior elevations, floor plans, exterior colors and materials, driveway material and landscape plan.
- Requests for exterior re-painting or re-siding of the same type and same color as now on the house do not need to be submitted. Requests for re-painting or re-siding the house's exterior and/or the house's trim a different color than now on the house need to be submitted and approved. Requests for re-painting must include paint manufacturer, color number, **and** color samples. Requests for re-siding in a different color or type than the siding now on the house need to be submitted. Requests must include a description of the new type, color, **and** include color samples for approval.
- Storage sheds are not allowed.
- No additions or changes to docks or new structures will be allowed on lakes or ponds.

## **Outdoor Lighting**

- All permanent outdoor lighting installation or changes must be approved by the ARB.
- Temporary / removable lighting (e.g., holiday lighting, garden strand lighting) is exempt.
- Outdoor lighting, except for light paths, must be erected and maintained between the building line and the side and rear lot lines so as not to shine or reflect directly upon another lot and lights must shine down.
- Front yard lighting must be approved by the ARB.
- Front yard coach light must be on every night from dusk to dawn.
- No exterior lighting over 30 inches tall will be allowed next to or over patios, pools, playareas or courts, excluding lighting attached to the house.

## **Play sets and Basketball Goals**

- This includes swings, slides, trampolines, soccer goals, volleyball and badminton sets, etc.
- Anything under 25 square feet in area (as measured by the outline of the item) and that is portable and placed indoors during season of non-use is considered a toy and is not covered by these rules. All others must be submitted for approval by the ARB.
- All swing sets or similar sets must be wood framed and well maintained.
- All other items must be well maintained.
- Basketball goals are to have clear backboards.

## **Mailboxes**

- New and replacement mailbox, newspaper tube and post must meet Waterstone standards:
- Mailbox Specifications
  - Size: T3 Large with 15” high opening
  - Color: Powder-coated Waterstone Gray for Bayhill, Stonewick, and Windpointe; and Powder-coated Gloss Black for Brookfield
  - Street Address Color: Bayhill-Pearl Gray, Brookfield-White, Stonewick-Putty and Windpointe-Pearl Gray
  - Waterstone Custom Logo on Lid: “At Waterstone” in Gold
  - Height: Bottom of Mailbox – 41”-45” from ground (USPS)
  - Lid: 6”-8” back from edge of curb (USPS)

- Mailbox Tube- same color as Mailbox
- Posts – 4: x 4: wood painted black
- Above Mailbox Items may be purchased from the following:
  - Fusek's True Value 317-636-7377
  - Otto's Streetscape Solutions 317-886-4400
  - Estes Designs 317-899-5556
  - Mailbox Solutions 317-460-1010
- Above mailbox specifications must be maintained by property owners.

### **Lake and Pond Easements**

- Drainage modifications must be approved by the ARB.
- Adjacent landowners must mow and maintain their properties to the lake. (See General)
- Penetrating or damaging the Waterstone Lake Liner is PROHIBITED. Any owner causing such damage is responsible for cost of repair to the liner. (See Covenants Section 4. d)
- The WHOA will install a sleeve under the lake path at the lot owners expense if no other option is available to allow the lot owner to run a storm drainpipe under the path.

### **Driveways**

- Proposals to add onto or replace an existing driveway, including the addition of a driveway apron, must be submitted and approved by the ARB.
- Driveway design, type, and materials must conform to the general character and aesthetic of the home as well as the Waterstone community.
- New asphalt driveways are prohibited. Existing asphalt driveways are exempted. However, if a homeowner wishes to replace an existing asphalt driveway, a replacement asphalt driveway shall be prohibited.

### **Energy Systems and Generators**

- Proposals to install solar photovoltaic or exterior permanent electric generator systems onto an existing house must be submitted and approved by the ARB *prior* to installation. Such proposal must include documentation from the manufacturer and installer of the proposed system, plot plans and diagrams showing the location of the installation, the type of system, the final design, and a description of how the system will be integrated into the existing roof or property, as applicable.

- Proposals to install a solar photovoltaic or exterior permanent electric generator system shall be considered on a case-by-case basis to ensure conformity with the Waterstone Covenants, the ARB Standards, and the general character and aesthetic of the home as well as the Waterstone community.
- In addition to the foregoing, the following minimum standards will govern the installation and maintenance of solar photovoltaic systems in the Waterstone community:
  - Proposed systems must follow all applicable building codes. The installation must be done by a licensed installer.
  - Fixed roof-mounted solar panels / arrays will be permitted. Proposals for the placement of solar panels / arrays in-ground or mounted to exterior walls will not be approved.
  - Solar panels / arrays must be installed in a fixed position parallel to the existing pitch of the roof (i.e., “flush mounted”). Proposals for tilt mount systems will not be approved.
  - The highest point of a solar array must be lower than the ridge of the roof where it is attached and will not extend beyond the sides of the roof or over eaves. The top line of the array must be parallel with the roof ridge line.
  - Proposals for the installation of solar panels / arrays on any “front facing” roof will not be approved. “Front facing” is defined as any roof above the front elevation of the home.
  - All components (frame, solar panels / arrays, fasteners, etc.) are to be black or a color that matches the existing shingles. Please note that the color of the solar system will be considered in any future request to the ARB for a change of shingle color.
  - Piping, wiring, and electrical connections must be located under or within the perimeter of the panels, when possible, and placed as inconspicuously as possible when viewed from any angle. Preference will be for all piping and wiring associated to be concealed or integrated into the existing components of the home.
  - Damage to any component of the system due to storms, etc., will be subject to the same repair / replacement requirements that pertain to any other component of a home. Please consult the covenants and review the section regarding “Fines” below. Homeowners are advised to discuss the proposed installation with their insurance agent or broker to determine whether the cost of repair / replacement may be covered by existing insurance or whether additional insurance should be purchased.

- Installation of interior backup energy storage devices (e.g., Tesla® Powerwall®) does not require ARB approval.

### **General**

- Do not drain pools into lakes or ponds.
- Excess grass clippings cannot be blown into the lakes or ponds. Lots must be mowed and kept free from debris and well maintained by the lot owner or, after 5 days' notice by the HOA, the association will do so at the lot owner's expense plus a fine of \$100 per incident.
- Garbage cans, recycle bins, building materials, compost piles, tools, propane tanks not attached to gas grilles, planting materials, watercraft, and other items must be kept out of sight of neighbors' property or common area.
- Satellite dishes greater than 18 inches in diameter are not allowed (See Covenant Section 5i). Dishes 18 inches or smaller are to be located to minimize the view from neighbors and the street.

### **Fines**

- A 15-day notice (5-day notice for lot mowing) will be sent for above issues and if the item is not corrected a \$100 fine will be charged.
- Major issues such as fences and other structures will have a 30-day notice.
- If the item is not corrected there will be an additional \$100 charge for each 30 days it is not corrected.
- Unpaid fines will become a lien against the lot.