

## Architectural Design Guidelines

Welcome to Fishers Farm. The following **design guidelines** will assist homeowners in the construction of site improvements on residential **platted lots in the community of Fishers Farm. These requirements are** in addition to any permits required by the City Of Fishers or Hamilton County.

### 1. FENCING

The Architectural Control Committee has the right to approve the design, materials and location of all fences prior to the installation thereof. The Architectural Control Committee reserves the right to inspect the fence at any time before, during or after construction to insure compliance with the approved fencing plan.

The Architectural Control Committee retains the sole and absolute right to dictate the use of a single fence design for installation along landscape easements and lots adjacent to the lakes.

A. **FENCING REQUIREMENTS:** The Architectural Control Committee will generally approve the following types of fences: <![endif]>

- I. Non-stockade style wood fences are generally approved, provided such fences do not exceed 6 feet in height, provided, however, in no event shall any wood fence which abuts the retention facility exceed 48-**inches in height. Stockade style wood fences are prohibited. Permitted fence styles are shown in Exhibit B, attached hereto and by this reference hereby made a part hereof** <![endif]>
- II. Wrought iron fences are generally approved provided such fences do not exceed 6 feet in height.
- III. Chain link vinyl coated fences are allowed as long as they are black or dark in color.

B. **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 Architectural Control Committee:

- I. No fencing will be allowed in the front setback lines of the house.
- II. With respect to corner lots and the side of the house that faces the street, a fence can be placed no closer than 20 ft. from the backside of the curb.
- III. The fencing of drainage, utility and landscape

easements is subject to special review of the fence location.

- C. **FENCING - APPROVED CONSTRUCTION TECHNIQUES:** All fencing shall be constructed of quality materials. All fencing shall be property braced and all posts shall be placed into the ground with concrete or placed at such a depth so as to insure the fence will be secure and will not move. All fence bracing or ribbing shall be on the inside of the fence unless otherwise approved by the Architectural Control Committee.
  
- D. **FENCING - MAINTENANCE:** All fences must be maintained and repaired in a reasonable fashion. Any warped fence boards shall be replaced as needed. All wood fences shall be repainted or treated with a wood preservative at least every three years to maintain the appearance of the fence. The Architectural 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 Architectural Control Committee, 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 other reasonable costs of collection. <![endif]>
  
- E. **FENCING - INVISIBLE:** Generally, requests for invisible fencing will be approved subject to the Architectural Control Committee's approval of the proposed fence location prior to installation. All controller boxes and other equipment shall be hidden from view.

## 2. **LIVESTOCK AND POULTRY**

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes. The owners of such permitted pets shall confine them to their respective lots in such a manner so as to prevent such permitted pets from being a nuisance. The homeowner is responsible for the removal of any waste created by permitted pets on their property or any area in the community.

## 3. **DOG KENNELS AND HOUSES**

The Architectural Control Committee has the right to approve the materials, design and location of all kennels and doghouses prior to construction thereof. Dog kennels and houses shall be placed in a location where they are not eyesores or nuisances to surrounding homeowners. Each kennel must be screened with either fencing or trees as approved by the Architectural Control Committee, depending on the individual request. ALL doghouses must be constructed of quality material with neutral roof colors, siding and trim painted to match the primary colors of the residence of the applicant.

## 4. **MINI-BARNs AND ACCESSORY STRUCTURES**

Requests for mini-barns and accessory structures will be denied.

**5. ANTENNAS - TELEVISION, RADIO AND SATELLITE**

Generally, request for the attachment of a TV or radio antenna to the exterior of the home will be denied. Generally, requests for the installation of satellite dishes less than or equal to 24 inches will be approved, if such is not visible from the street. Homes known to have no southern exposure excepting for the front area of the residence shall be given consideration by the ARC. Provided, however, that prior to the installation of any such satellite dish, plans detailing the size, proposed location and manner of installation shall be submitted to the Architectural Control Committee for its review and approval.

**6. DECKS**

Generally, requests for decks will be approved subject to the following requirements:

- A. The deck shall be constructed out of treated lumber or cedar.
- B. Railing on deck shall not exceed four feet (4') in height
- C. The Architectural Control Committee prior to the commencement of construction must approve final configuration of the deck and any stain or color treatment.

**7. PORCHES, SCREENED-IN PORCHES, ROOM AND GARAGE ADDITIONS**

Generally, requests for screened-in porches and garage and room additions will be approved subject to the following guidelines:

- A. The additions shall be constructed of quality materials.
- B. The roofline shall follow the natural roof line of the home, or be approved by the Architectural Control Committee.
- C. The roof, siding and trim shall match the colors of the primary residence.
- D. All detailed construction plans must be approved prior to the commencement of construction.
- E. Room and garage additions must be substantially similar to the outside of the primary residence.
- F. Room and garage additions must be permitted through the city building department.

**8. GAZEBOS**

Generally, requests for the installation of gazebos will be approved subject to the following guidelines:

- A. The gazebo shall be constructed of quality materials and shall be firmly anchored into the ground.
- B. The gazebo shall not exceed fifteen feet (15') in height.

- C. The Architectural Control Committee has the right to approve the design and location of the gazebo prior to construction.

## **9. POOLS**

The Architectural Control Committee prohibits the installation of **aboveground pools. Children's wading pools will be addressed on a case-by-case basis. A detailed development plan must be** provided to the Architectural Control Committee for its review and approval prior to the commencement of construction of any in **ground pool. No alteration to the existing grade of any lot may be** done without the prior approval of the Architectural Control **Committee. Any proposed grade changes must be shown on the** proposed plans.

- A. **POOL FENCING:** 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.** The design shall conform to county or municipal regulations for such fencing.
- B. **POOL HOUSES:** Generally, requests for pool houses with changing areas and storage sheds or mini-barns will be denied.

## **10. BASKETBALL COURTS**

Generally, requests for the installation of basketball courts will be denied.

## **11. BASKETBALL GOALS**

Generally, requests for the installation of basketball goals will be approved, subject to the following:

- A. Only basketball goals constructed with clear Plexiglas backboards will be approved for installation.
- B. No backboard shall be attached to the primary residence. Generally, goals will be approved if they are located adjacent to driveways.
- C. **All permanent posts must be installed in concrete. <![endif]>**
- D. Temporary goals will generally be approved by the ARC **subject-to location and style.**
- E. All temporary goals must be removed from the street sides every evening unless residence is in a cal-de-sac.
- F. The Architectural Control Committee shall have the right to approve the final location of the goal and backboard prior to installation.

## **12. LAWN ORNAMENTS**

All permanent lawn ornaments and other items added to the lot beyond the primary residence are subject to the approval of the Architectural Control Committee. No lawn ornament shall be installed without first being approved whether permanent or non-

permanent and shall not exceed twenty-four inches (24") in height or as approved by the Architectural Control Committee. Arbors generally will be approved if constructed of quality material and located at least 3/4 way back from front set back of residence. Benches generally will be approved for porches and in the rear of homes. All repair and maintenance of such items is the responsibility of the homeowner. If the homeowner fails to make required repairs and maintenance, the Homeowners' Association has the right to make such repairs and maintenance and to invoice the homeowner for such costs. The homeowner shall pay such costs within thirty (30) days after receipt of the invoice.

**13. VEGETATION**

All homeowners will be required to grow and maintain a reasonable lawn. A homeowner shall not permit the growth of weeds and volunteer trees and bushes on their lot and shall keep their lot reasonably clear from such unsightly growth at all times. If a homeowner fails to comply with this restriction, the Homeowners' Association shall cause the weeds to be cut and the lot cleared of such growth at the expense of the homeowner and the Homeowners' Association shall have a lien against the cleared lot for the expense thereof

**14. SIGNAGE**

All signage is subject to local and state regulations. The Declarant and its builders reserve certain sign rights as outlined in the Declaration of Covenants, Conditions, and Restrictions. All signage, except as follows, is subject to the approval of the Architectural Control Committee. The Declarant and its' builders are hereby exempted from this requirement.

No signage shall be located in such a place whereby it restricts or obstructs traffic visibility. No identification signage will be allowed within the right-of-way of a dedicated public street, nor in any area not specifically approved by the Architectural Control Committee.

- A. **PROHIBITED SIGNAGE:** The Architectural Control Committee will not approve any signs advertising goods, services or home occupations and portable signage.

**15. PLAYGROUNDS**

The Architectural Control Committee has the right to approve all **requests for playground structures prior to their installation.** Generally, requests for playground structures Will be approved subject to the following guidelines:

- A. The Architectural Control Committee has the right to approve **the design and location of the structure prior to its installation.** <![endif]>
- B. The structure shall be constructed of quality materials. <![endif]>
- C. Requests for the installation of metal playgrounds will be denied.
- D. The playground structure shall not exceed fifteen feet (15) In

height.

**16. BUG ZAPPERS**

Generally, requests for "Bug Zappers" Will be approved if the homeowner agrees in writing that it will be turned off no later than 10 p.m.

**17. FLAG POLES**

Requests for in ground flagpoles will be denied. Attachment of flagpoles to the front or rear of the primary residence shall be allowed subject to Architectural Control Committee approval of location and method of installation. All flags will be patriotic, seasonal, decorative or sports related in manor. No flags considered to be offensive will be allowed. No flags larger than 5ft will be allowed. Repair, maintenance and operation of any approved flagpole are the responsibility of the homeowner.

**18. BIRDHOUSES**

Generally, requests for birdhouses win be approved subject to the following criteria:

- A. All pole-mounted birdhouses shall be located in the rear yard of the residence secured firmly into the ground in a location approved by the Architectural Control Committee prior to installation. The height of the pole-mounted birdhouses is subject to Architectural Control Committee approval prior to installation. <![endif]>
- B. Quality materials shall be utilized in the construction of the birdhouse.
- C. The Architectural Control Committee shall approve all colors.

**19. OUTSIDE LIGHTING**

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

- A. Outside lights shall not exceed two standard double floodlights with light bulbs not to exceed ISO watt and 90 watt Halogen bulbs.
- B. The following lights are not approved for outside security lighting - High Intensity Discharge (H.I.D.) lighting or Halogen lights in excess of 90 watts.
- C. No more than two double floodlights will be approved without specific approval from the Architectural Control Committee.
- D. Landscape lighting shall be low-voltage type lighting and must be directed down. "Up" directed lighting and fixtures must be specifically approved by the Architectural Control Committee. A total landscape lighting design must be presented and approved by the Architectural Control Committee.
- E. All exterior lighting (i.e. landscape, security, etc.) must fall within property limits. Lighting that is directed off site shall be

prohibited.

**20. RETAINING WALLS**

Any proposed retaining wall must be materially (i.e. stone, brick, etc.) and architecturally compatible with the exterior finishes of the residence and shall be approved by the Architectural Control Committee prior to installation. Retaining walls, which divert ground water onto adjoining properties or which otherwise substantially change the existing drainage pattern, will not be approved.

**21. VEHICLE PARKING**

No recreational vehicle, motor home, truck which exceeds 1 ton in weight, trailer, boat or disabled vehicle may be parked or stored overnight or longer on any lot in open public view. Parking on the street will be limited to the occasions in which a guest stays over. No homeowner shall park their vehicle overnight on any of the community's streets.

**22. NUISANCES**

Noxious or offensive activity shall not be carried on upon any lot nor shall anything be done thereon which may be, or may become, an annoyance or nuisance to the neighborhood. Barking dogs shall constitute a nuisance.

**23. PONDS**

Decorative ponds generally will be approved by the ARC

- A. Must remain in harmony with the residence and community.
- B. All ponds must have surrounding landscaping to differentiate it from the rest of lot.
- C. If pond is deeper than 3ft it must be in a fenced in lot.
- D. Personal waterfall or sprinkler not to exceed 4ft in height.

**24. GARDENS**

the ARC generally will approve vegetable gardens:

- A. Not to be larger than 15'x15' or 1/10" of the rear lot of the residence, whatever is smaller.
- B. Must be cleared of the season's growth.
- C. Compost bins are recommended and will be allowed as long as constructed of quality material and enclosed.

**25. TRASHCANS**

Should be kept in the garage at all times with the exception of the following:

- A. Trashcans should be placed curbside no earlier than 8:00 P.M.

the night before trash pickup.

- B. Trashcans must be moved from curbside and put back in garage by 10:00 P.M. day of pickup.

**26. OTHER**

Any alteration or improvement made to a lot within the Community is subject to Architectural Control Committee approval prior to its **commencement. All questions should be directed in writing to the Architectural Control Committee at the previously stated address.**

**27. CONFLICT**

Any conflict or ambiguity arising from the application of the requirements of these and the requirement of the Declaration of Covenants, Conditions and Restrictions for the Fishers Farm Community shall be resolved in favor of the application on the Declaration of Covenants, Conditions, and Restrictions.