



Property Owners Association, Inc.

Architectural & Environmental  
Building Rules and Regulations

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## **SECTION 100: INTRODUCTION**

### **100 - PURPOSE**

The purpose of this handbook is to document the building regulations at Heritage Lake. The Heritage Lake Property Owners Association (HLPOA) reserves the right to add, change or delete any rules and regulations in this handbook.

### **101 - SAFETY**

The protection of residents, visitors and construction workers from death and injury is paramount. Therefore it is imperative that all construction workers and construction procedures fully comply with the regulations of the Occupational Safety and Health Act (OSHA) and other authorities having jurisdiction.

### **104 - AUTHORITY OF THE A&E COMMITTEE**

The Building Rules and Regulations are under the auspice and control of the Board of Directors and the A&E Committee.

### **106 - ARTICLES OF THE ARCHITECTURAL AND ENVIRONMENTAL COMMITTEES**

1. NAME: (A&E) Architectural and Environmental Committees.
2. PURPOSE: To fulfill the objectives of Articles VI and VII of the Restrictive Covenants.
3. MEMBERSHIP: The combined committees shall consist of six (6) or more representatives appointed and approved by the Board of Directors after attendance at three (3) consecutive meetings. New or first time members must attend three (3) consecutive meetings before they can be presented to the Board for membership. Voting privileges for members will be suspended if a member misses three (3) consecutive meetings, without notifying the committee chairman. Voting privileges will be restored upon attendance at a third consecutive meeting.
4. OFFICERS: The officers will be a Chairman, Vice-Chairman and Secretary. The officers of the Architectural Committee may also serve as the officers of the Environmental Committee.
5. MEETINGS: Meetings will be held at 7:00 p.m. at the Clubhouse, on the 2nd Thursday of each month.
6. QUORUM: Shall be a minimum of three (3) voting members of the combined committees. In the event a scheduled meeting is held where an insufficient number of voting members are present to constitute a quorum, a special meeting shall be called. All committee members, anyone in attendance at that scheduled meeting, and anyone with proposed plans that were to be reviewed will be notified as to the time and date of the special meeting. The agenda of the special meeting will be limited to only those items that were on the agenda for the scheduled meeting.
7. Amendments to the Building Rules and Regulations document require the vote of the combined committees with the approval of the Board of Directors.
8. AUTHORITY: Roberts Rules of Order, Newly Revised will be followed.

### **107 - COMMITTEE PROCEDURES**

1. Property owners will submit plans to the combined committees, including the following: (All items must be completed before the plans will be considered for approval.)
  - a. Floor plans 1/4 inch to 1-foot scale.
  - b. Exterior elevation 1/4 inch to 1 foot scale.
  - c. Licensed and professional surveyors plot plan showing the exact location of building stakes and the location of well, driveway, etc.
  - d. Notarized Agreement (Completed).
2. Plans shall be submitted by 3:00 PM, 7 days preceding the regular meeting of the combined committees. Plans shall be submitted to the POA Office Secretary. Plans received at the regular meeting will not be approved at the meeting.
3. Property owner/builder will be notified that the approved/disapproved plans are at the POA office ready to be picked up. A disapproved notice will be sent by mail.
4. Application fee must be paid according to the fee schedule approved by the Board of Directors.
5. Representative Waiver - The property owners presence at the A&E Committee meeting is encouraged. If the property owner is not present a Representative Waiver must be submitted. If the property owner or representative is not in attendance, the A&E Committee will review the related documents. Any significant changes, questions or concerns that need to be addressed shall result in postponing the construction approval to the next available meeting.

### **108 - NOTIFICATION OF CHANGES TO RULES AND REGULATIONS**

Property Owners will be notified of any changes through a quarterly mailing. All rules and regulations have been made with the HLPOA and its property owners' best interest in mind.

#### **110 - ACCESS TO A & E FILES**

1. All A & E Committee minutes are available for review and copy by all Association members.
2. Members of the POA Board and/or the A & E committee have access to all A & E records at any time while performing their POA duties.
3. All property owners have access to their own A & E Committee files.
4. Only POA Directors and A & E Committee members shall remove A & E files from the POA office after signing receipt for the same.
5. Anyone being denied access to the A & E files may appeal to the POA Board.

#### **112 - NO CONSTRUCTION WITHOUT PRIOR A&E COMMITTEE APPROVAL**

1. No dwelling, building, structure or improvement of any type, including any addition to an existing structure and or garage shall be constructed or placed on any lot in the Properties without the prior written approval of the A&E Committee in accordance with the By-laws and Restrictive Covenants
2. Such approval shall be obtained only after written application has been made to the A&E Committee by the owner of the lot requesting authorization from the Committee.
3. Such written application shall be in the manner and form prescribed from time to time by the committee, and shall be accompanied by one complete set of plans and specifications for any such proposed construction or improvement.
4. Such plans shall include plot plans showing the location of all improvements existing upon said lot and the location of the improvement proposed to be constructed or placed upon said lot, each properly and clearly designated. Such plans and specifications shall set forth the color and composition of all exterior materials proposed to be used together with any other material or information which said committee shall require. All plans, drawings, etc., submitted to the Committee shall be as the committee requires in the provisions of this document.
5. Where applicable, there shall also be submitted to the office, the HLPOA compliance forms and review fee or reports required by the Heritage Lake Property Owners Association, Inc. Restrictive Covenants. Failure to do so will result in the HLPOA seeking an injunction.
6. No grading of the lot shall be permitted without prior approval of the committee.
7. No construction shall be permitted without erosion control devices being installed. They must be installed within twenty-four (24) hours of commencing the excavation process.
8. The HLPOA Compliance Form must be visible during the entire construction process.

#### **116 – SITE LOCATION HLPOA COMPLIANCE FORM**

All dues and other fees owed by an Association member on any property must be paid in full before a site location HLPOA compliance form is issued for any property.

#### **120 – IMPROVEMENTS NOT LISTED**

Any improvement not listed in the Building Rules and Regulations are subject to approval by the A&E Committee, which is agreed to by all lot owners by accepting deed to the lot per HLPOA Restrictive Covenants.

#### **124 - LIMITS OF LIABILITY**

1. The Heritage Lake Property Owners Association A&E Committee Members, employees and officers charged with the enforcement of these Rules and Regulations, while acting for the Association, shall not thereby render themselves liable personally, and they are hereby relieved from all personal liability for any damage that shall accrue to persons or property as a result of any act required or permitted in the discharge of their official duties.
2. Any suit instituted against any officer or employee because of an act performed by her or him in the lawful discharge of his or her duties and under the provisions of these Rules and Regulations shall be defended by the legal representative of the Association until the final termination of the proceedings.
3. The A&E Committee Officials shall not be liable for costs in any action, suit or proceeding that may be instituted in pursuance of these Rules and Regulations and any of its provisions, or by reason of any act or omission in the performance of their official duties in connections therewith.

#### **128 - AUTHORIZATION TO SEEK INJUNCTIVE RELIEF**

1. The A&E Committee shall have the power, pursuant to the Restrictive Covenants and the Building Rules and Regulations to recommend to the Heritage Lake Board of Directors to seek injunctive relief in the event that any improvement is constructed in violation with the A&E Committee approved specifications.
2. The A&E Committee shall have the power to recommend to the Heritage Lake Board of Directors that an injunctive relief is sought. Nothing in this section shall prevent the Association from obtaining other appropriate relief.

**132 - BUILDING PACKAGES (required applications and Rules and Regulations)**

1. One copy of all required applications and Rules and Regulations shall be available at the Clubhouse to a lot owner free of charge.
2. The Association reserves the right to assess a fee for additional copies.

**136 – REFUSAL OF PERMISSION**

The committee may refuse to grant permission to construct, place or make the requested improvements when:

1. The drawings or other material submitted are themselves inadequate or incomplete, or show the proposed improvement to be in violation of these restrictions.
2. The requirements of the Restrictive Covenants have not been met.

**144 - RESPONSIBILITY OF NOTIFICATION**

When a surveyor is contracted to survey a lot, it is the property owner's responsibility to inform the surveyor of HLPOA building rules and regulations.

**148 - DILIGENCE IN BUILDING**

Every building whose construction or placement on any numbered lot in the Properties is initiated shall be completed within 12 months after the beginning of such construction or placement. Construction shall be considered complete when a Putnam County Occupancy Permit is issued. This is consistent with the Putnam County requirements.

**152 - LOCATION OF UTILITY LINES**

Location of utility lines is the responsibility of the property owner in cooperation with his contractor. As interruption of utility services represents potential downtime of vital public services, the A&E Committee strongly urges property owners and their contractors to call appropriate utilities and Indiana Underground Plant Protection Services before any digging is initiated. This is particularly important when building over two lots.

**156 - USE OF COMMON PROPERTY**

Written permission of the Manager is required if the use of common ground is needed.

**160 - APPROVALS ACCORDING TO RESTRICTIVE COVENANTS**

Any structure approved by the Heritage Lake A&E Committee is approved according to the design requirements, limitations and restrictions of the Heritage Lake Restrictive Covenants.

**164 - DRAINAGE**

Structures are approved with the understanding that the property is subject to drainage in its entirety and that it is the property owner's sole responsibility to insure compliance with all state and local drainage regulations through proper engineering.

**176 - SIGNIFICANT CHANGES**

1. Any significant changes in the external structure and/or design of the home during the "construction process" without approval of the A&E Committee members, will result in an immediate injunction
2. Changes will be noted on the approved A&E Committee design change form, which will be filed in the construction folder for that property and maintained in the Clubhouse office.

**180 - CONSTRUCTION OVER LOT LINES**

Before submitting an application to the A&E Committee for construction over a lot line (contiguous lots), the property owner must deed the two lots into one lot and record this change with the Putnam County Clerk.

**184 - VARIATIONS**

The HLPOA Board after consulting with the A&E Committee shall determine and vary these regulations in harmony with their general purpose and intent, only in the specific instances hereinafter set forth.

1. Application
  - a. An application for a variation shall be filed with the HLPOA Board on a prescribed form.
  - b. The application shall contain such information as the A&E Committee shall require.
  - c. No more than ninety days after filing of such application, a hearing shall be held on the application.
  - d. Notice of hearing shall be given by the HLPOA Board to lot owners within five lots of subject property.
  - e. Variations beyond the recorded plat of survey set back line, for front, side or rear setback, shall be considered by the Board only after the approval of said variation by the County of Putnam.
2. Standard of Variations

The Board shall not vary these regulations, as authorized herein, unless it shall make findings based upon the evidence presented to it in each specific case that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations due to the following findings of facts.

  - f. The particular physical surroundings shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

- g. The conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same building classification.
- h. The purpose of the variation is not based exclusively upon financial considerations.
- i. The alleged difficulty or hardship has not been created by the owner of the property.
- j. The granting of the variation will not be detrimental to the public welfare or the injurious to other property or improvements in the neighborhood in which the property is located.
- k. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood, or adversely affect the health, morals, or general welfare of the public.
- l. The Board shall impose such conditions and restrictions upon the premises benefited by a variation as shall be necessary to comply with the standards set forth in this section to reduce or minimize the injurious effect of such variation upon other property in the neighborhood, and to carry out the general intent of these regulations.

**192 – GRANDFATHERED STRUCTURES**

Any structure approved by the A & E Committee prior to January 2007 shall be considered exempt from complying with these Building Rules and Regulations unless said structure was constructed without obtaining proper permits or violated the then existing Rules and Regulations of the HLPOA, in which case, these illegal structures shall henceforth comply with these Rules and Regulations.

**194 – INJUNCTIONS**

An injunction, shall be sought when construction or installation is not per approved plans or when no plans are on file with the A&E Committee.

**SECTION 200: GENERAL CONSTRUCTION INFORMATION**

**204 - PROPERTY OWNER RESPONSIBILITY**

The property owner is responsible for the actions and activities of all persons issued entry under his/her lot number. It is the property owner's responsibility to make all such persons aware of the Association Rules and Regulations.

**207 - EXTERIOR FINISHES**

Exterior finishes must agree with the existing homes.

**208 - ROOF PITCH**

All homes must have a pitch to the roof of a minimum of 4/12 pitch unless specifically approved by the A&E Committee.

**216 - OVERHANGS**

Overhangs must be at least 12 inches.

**220 - MINIMUM SQUARE FOOT**

The minimum square foot house allowed is 950 square foot of living space.

**224 - MAXIMUM HEIGHT**

No home construction shall exceed 2 ½ stories in height measured from ground level on the street side elevation of the structure.

**225 – FREESTANDING FURNACES**

No outdoor, free standing, auxiliary building, wood burning structures are permitted

**232 - SET BACK REQUIREMENTS**

In general, except as shall be otherwise provided in these restrictions or on the plat, no dwelling or other structure shall be constructed or placed on any numbered lot in the Properties except as follow:

1. No building shall be located on any property nearer than 30 feet to the front property line or nearer than 20 feet on any side street line.
2. No building shall be located nearer than 10% to the width of the property on which such building is to be placed to any side line.
  - a. This line shall be determined by a straight line across the front of the closest point of the building to the front property line.
  - b. In no case shall the setback be less than 8 feet on the back and sides, except that a three foot minimum side yard shall be permitted for a garage or other permitted accessory building which is located toward the rear of the property.
3. In no instances shall buildings be built any closer than 30 feet to the waterline.
4. Eaves, steps and open porches shall not be considered as a part of building. However, no portion of the building shall encroach upon adjoining property.
5. Eaves, steps and open porches may be removed from easements by utilities and replacement will be at the owner's expense.

6. Easements are reserved:
  - a. along and within 8 feet of rear, front and side lines, 12 feet in front per plat maps, of all original lots for the construction and perpetual maintenance of public and quasi-public utilities, sewers and drainage;
  - b. to trim any trees which at any time may interfere or threaten to interfere with the maintenance of such lines with right of egress and ingress from and across said premises to employees of said utilities;
  - c. to extend along owner's side and rear property lines in cases of fractional lots.
7. A person owning contiguous lots may build on any such lot line and the easement shall be inoperative. The building shall be placed thereon prior to the instigation of use of this easement.
8. It shall not be considered a violation of the provision of easement if wire or cables carried by power lines pass over some portion of properties with the eight foot wide easement as long as such lines do not hinder the construction of buildings on the property.
9. The foregoing Building and Use Limitations shall not apply to the Common Properties.
10. DEFINITIONS.
  - a. "Side Line" - is a lot boundary line that extends from the road on which the lot abuts to the rear line of said lot.
  - b. "Rear Line" - is the lot boundary line that is farthest from, and substantially parallel to the road on which the lot abuts, except that on corner lots, it shall be determined from either abutting road.
  - c. Setback line is determined by the measurements from the lot line to the structure.

### **SECTION 300: HOUSE APPROVAL AND CONSTRUCTION PROCEDURE**

#### **316 - PROOF OF OWNERSHIP**

No house plans shall be submitted to the A&E Committee for approval until the applicant can provide proof of ownership in the form of the recorded deed for the lot(s).

#### **320 – REQUIREMENTS TO OBTAIN AN A&E COMMITTEE APPOINTMENT**

1. Representative Waiver – The property owner's presence at the A&E Committee meeting is encouraged. If the property owner is not presented Representative Waiver must be submitted. If the property owner or representative is not in attendance, the A&E committee will review the related documents. Any significant changes, questions or concerns that need to be addressed shall result in postponing the construction approval to the next available meeting.
2. Tree Removal Application – The General Manager must be notified and permission granted in writing if trees to be cut will drop on HLPOA property.

#### **336 - AT COMPLETION OF CONSTRUCTION**

After the Putnam County Occupancy Permit has been granted, a copy must be submitted to the Heritage Lake Property Owners Association office for filing with the Heritage Lake Property Owners Association

### **SECTION 400: CONSTRUCTION INFORMATION**

#### **440 - CONSTRUCTION DEBRIS**

The property owner shall be responsible for keeping the premises free from accumulation of waste materials and debris during construction. No burning of treated construction materials or shingles is allowed. Property owners must make arrangements for disposal of the building materials outside of Association properties.

### **SECTION 500: MISCELLANEOUS CONSTRUCTION**

#### **502 - MOVING A DWELLING FROM ONE LOT TO ANOTHER**

1. A finished home may be moved from one lot to another only with the written permission of The A & E Committee or the Board of Directors.
2. A HLPOA compliance form is required before the dwelling is moved.
3. After the Putnam County Occupancy Permit has been granted, a copy must be submitted to the Heritage Lake Property Owners Association office for filing with the Heritage Lake Property Owners Association.

#### **504 - BOAT LIFTS**

1. Boat lifts must be approved by the A&E Committee. An application and plans showing dimensions and location of construction must be submitted to the Heritage Lake Property Owners Association Office at least seven (7) working days prior to the scheduled A&E Committee meeting.

#### **512 - DECKS**

1. Decks must be approved by the A&E Committee.
2. A Heritage Lake Property Owners Association site location HLPOA compliance form is required for construction of a deck.

#### **526 - METAL AND GLASS SUN ROOM OR ANY THREE SEASON ROOM ADDITIONS**

1. Additions must be approved by the A&E Committee.
2. A Heritage Lake Property Owners Association site location HLPOA compliance form is required for construction of a Sun Room or any three season room.

#### **528 - FENCING**

1. Fences are not permitted in Heritage Lake Properties, except upon application and approval.
2. In order to preserve the natural quality and aesthetic appearance of the existing geographic areas within the Properties, all property lines shall be kept free and open one to another and no fences shall be permitted on any lot or lot lines except where, in the opinion of the A&E Committee, a fence or other enclosure, as a structure of aesthetic feature of a design concept, will contribute to and be in keeping with the character of the area.
3. Plans for the erection and location of fences, walls, and pet enclosures will be considered on a case by case basis and may be approved by the A&E Committee, providing:  
Electrified fences, or those using potentially dangerous materials (barbed wire, etc.) are prohibited  
The owner understands that anything placed in the utility easements can be destroyed by the utilities without compensation to the owner.  
The fence, wall, or pet enclosure is to be built entirely within the bounds of the owner's property.
4. Front Yard Fences (Street Side including Side Streets) are limited to decorative or accent fences in keeping with the open concept of landscaping and in harmony with the dwelling's exterior and surrounding environment.
  - a. Metal fences, (e.g. chain link) with the exception of wrought iron, are not among those considered decorative.
  - b. Shadow box is only allowed as a back yard fence. Picket fences shall not exceed three (3) feet in height nor have member components closer than three (3) inches or greater than (4) inches either parallel or perpendicular.
  - c. Split-rail fences shall not have a top rail exceeding three (3) feet. All other decorative or accent fences shall not exceed three (3) feet in height.
5. Side and Back Yard Fences must be in keeping with the open concept of landscaping.
6. Fencing may not be nearer the front street than the rear of the house. However, if the house access to the enclosed area is by side door only, the fence may be extended to enclose the side door. The height of these enclosures is to be no more than five (5) feet high.
7. Chain link fencing must have a top rail.
8. Fences may not be solid in appearance. There must be spacing between adjacent fencing members of approximately two (2) inches when viewed at a forty-five (45) degree angle.
9. Side or Back Boundary Line Fences which are not an enclosure or part of the enclosure will be limited to a decorative type fence in keeping with the open concept of landscaping and in harmony with the dwelling's exterior and the surrounding environment.
10. Pet Enclosures must meet the same requirements as back yard fences plus, the size shall be limited to a maximum of 150 square feet per dog with a length to width ratio no greater than two (2) to one (1). If there is a need for a pet enclosure over five (5) feet tall, the A&E Committee may grant permission for one seven (7) foot tall. Chain link fences may be used so long as the general view is not marred.
11. Privacy Fences or Walls are limited to the back yard, must be located so as to cause the least disturbance to nearby property owners, can be up to seven (7) feet tall, and cannot be over fifteen (15) feet in total length.
12. Retaining walls and other wall structures of this type must be clearly illustrated on the submitted plans. These will be decided on a case by case basis at the discretion of the A&E Committee.

#### **532 - GARAGES**

1. Garages must be approved by the A&E Committee.
2. A Heritage Lake Property Owners Association site location HLPOA compliance form is required for construction of a garage.
3. There must be a house constructed on the lot in order to construct a garage.
4. Pole barns are not considered garages.
5. Each vehicle space shall be a minimum of twenty feet (20') in length on the inside between the closed garage door and wall. Exception, the exterior length of a free standing garage shall be a minimum of twenty feet (20').

### **534 - BOATHOUSES**

1. Boathouses must be approved by the A&E Committee
2. Application for a Site location HLPOA compliance form, appropriate fee and Construction plans must be submitted to the Heritage Lake Property Owners Association Office at least seven (7) working days prior to the scheduled A&E Committee meeting and in accordance with the provisions in Section 112.
3. A Heritage Lake site location HLPOA compliance form must be acquired unless the boathouse is approved and constructed at the same time as a new home construction.
4. A boathouse must be directly accessible to the waters of Heritage Lake via an access door at least 8' x 7' in size.
5. Have an interior floor size of at least 8 feet-by-18 feet.
6. Be used and/or capable of immediate use for the parking and/or storage of a boat. (For example, a building that is used principally for the storage of personal property other than a boat or that has so deteriorated that it cannot be safely used by individuals and/or that boats cannot be stored therein without substantial risk of damage is not a boathouse.)
7. The building must have an exterior matching or compatible with the architectural design of the dwelling served, such that, without limitation, the roof, siding, doors and windows of the garage, boathouse, or garage and boathouse are the same as or substantially similar to those of the dwelling served.

### **536 - GARAGE/ BOATHOUSE COMBINATIONS**

1. Garage/Boathouse combinations must be approved by the A&E Committee
2. Application for a Site location HLPOA compliance form, appropriate fee and Construction plans must be submitted to the Heritage Lake Property Owners Association Office at least seven (7) working days prior to the scheduled A&E Committee meeting and in accordance with the provisions in Section 112.
3. A Heritage Lake site location HLPOA compliance form is required unless the garage/boathouse is approved and constructed at the same time as a new home construction.
4. A garage must be directly accessible to that street serving the lot upon which the garage is located. A boathouse must be directly accessible to the waters of Heritage Lake. A combination garage and boat-house must be directly accessible to both.
5. The structure must have a permanent foundation.
6. The structure must be wholly enclosed.
7. The structure must have access doors for vehicles and/or boats.
8. The structure can not contain bathroom facilities.
9. Any building that is being maintained at Heritage Lake as a garage, boathouse or garage and boat-house pursuant to such Architectural and Environmental Control Committee(s) approval as was available at the time the building was erected (e.g. informal approval prior to January 1, 1987, and issued permit thereafter) is not in violation of the Heritage Lake Restrictive Covenants merely because its exterior design, foundation or floor or door size is different from that prescribed by these guidelines, so long as such building was in fact erected and is in fact being maintained in accordance with the approval granted therefore.

### **537 - CARPORTS**

No freestanding carports will be permitted. An attached carport to a house will be considered as an addition to the dwelling and will be processed as such.

### **538 - GAZEBOS**

1. Gazebos must be approved by the A&E Committee.
2. An application, appropriate fee and plans showing dimensions and location of construction must be submitted to the Heritage Lake Property Owners Association Office at least seven (7) working days prior to the scheduled A&E Committee meeting.
3. A Heritage Lake Property Owners Association site location HLPOA compliance form is required for gazebos.
4. There must be a house constructed on the lot in order to construct a gazebo.
5. Concrete slabs for gazebos are not permitted.
6. Approval of gazebos for height, square footage (Maximum 12' X 12", Minimum 8' X 8") and location shall be on an individual basis by the A&E Committee.
7. Construction must be wood, pole and/or beam
8. Construction material must be treated wood, redwood, cedar, etc.
9. May be screened but cannot be enclosed with glass or solid panels.
10. The Committee may refuse to grant permission to construct, place or make the requested improvement.

#### **548 - DOCKS**

1. Docks must be approved by the A&E Committee.
2. An application, appropriate fee and plans showing dimensions and location of construction must be submitted to the Heritage Lake Property Owners Association office at least seven (7) working days prior to the scheduled A&E Committee meeting.
3. A Heritage Lake Property Owners Association Site location HLPOA compliance form is required.
4. The boat dock can only extend over the water no more than 10 percent of the width of the cove on which it is located, or 24 feet maximum. Docks, boatlifts and boats shall not be configured in a way that blocks access to the end of the cove. There shall be no less than 12' of clear boat travel.
5. Construction materials shall be of exterior grade wood or other materials compatible to the structure. The boatlift's cover may be constructed of regular construction materials (e.g. wood, roofing tiles, etc.) as well as the built-on awning type cover.
6. If the boatlift is to be covered, submit an elevation drawing or picture.
7. If a covered boatlift is removed, the cover is required to be removed at the same time.
8. DOCKS CANNOT BE ROOFED.
9. Drainage must be preserved, to the satisfaction of the A&E Committee, on any pier or dock constructed.

#### **555 – Pools (ABOVE GROUND)**

Above ground pools are not allowed.

#### **556 - POOLS (IN GROUND)**

1. In-ground pools must be approved by the A&E Committee.
2. In-ground pools will be considered for approval on an individual basis.
3. A new survey or an existing survey, showing the plot plan with dimensions and location of construction must be submitted with the appropriate fee to the Heritage Lake Property Owners Association office at least seven (7) working days prior to the scheduled A&E Committee meeting.
4. In-ground pools must be within the building area.
5. The Putnam County Building Inspector must be notified for inspection.
6. When a pool is removed, the fence must also be removed.

#### **574 - PRIVATE BOAT LAUNCH**

Private boat launches are not permitted.

#### **578 - SHOREWALL**

1. Shorewalls must be reviewed by the A&E Committee.
2. An application and plans showing dimensions and location of construction must be submitted to the Heritage Lake Property Owners Association Office at least seven (7) working days prior to the scheduled A&E Committee meeting.
3. A site location HLPOA compliance form is not required for rip-rap shoreline stabilization.
4. Permanent sea wall shoreline stabilization requires a HLPOA compliance form. It is recommended that permanent sea wall shoreline stabilization where the stabilization is perpendicular to the water surface also have riprap placed on the water side to create a slope to help eliminate wave action.
5. All lakefront property must have a total shoreline stabilization of 100%.
6. Shoreline stabilization repairs -
  - a. Filter cloth will be required to be laid prior to the placement of rip-rap stone for shoreline stabilization. The filter cloth must extend one (1) foot past the under water slope. Inadequate rip rap stone must be removed or it must be filled with small river stone to make a smooth surface before installing the filter cloth and additional rip rap.
  - b. The written requirement of a registered professional engineer must be obtained and followed for specific alternative methods.
7. Existing rip rap shoreline shall be repaired with rip rap.
8. Shoreline rip rap must extend 2 foot above and below the waterline.
9. Other governmental permits are needed for Shoreline Stabilization.

#### **590 - TRAILERS**

NO site location HLPOA compliance form will be issued to any structure that is similar to a trailer or manufactured home.

1. Any structure of a temporary character
2. Mobile home
3. Other dwelling unit so designed to be moved by any means from one site to another and to be used with or without a permanent foundation
4. Any structure sold with a title
5. Any dwelling whose structural integrity depends upon a transportation devise.

## **SECTION 600: COMMON GROUND**

### **604 - UTILIZATION OF COMMON GROUND**

Heritage Lake Property Owners Association common grounds shall not be utilized during construction in any way without written permission from the General Manager.

## **SECTION 700: SIGNS**

### **704 – REAL ESTATE SIGNS.**

1. One (1) real estate sign may be displayed on the property.
2. The sign must be located as close as possible to the dwelling.
3. Waterfront homes (as designated by the list on file at the POA Office) shall be allowed one additional sign at the water side of the property if the sign is mounted on the home, attached porch or garage. Signs are not allowed on docks or steps.

### **706 - ALL OTHER SIGNS.**

1. Signs may be displayed on the property.
2. Signs may be displayed for a period of 30 days and then they must be removed.
3. No sign shall exceed six (6) square feet in size.
4. No sign shall be placed on Common areas or in the right-of-way.
5. Political signs shall be displayed in compliance with state election laws.



**SECTION 900: REQUIRED DOCUMENTS**

**904 Affidavits for Construction**

Affidavit for Construction of \_\_\_\_\_

A&E Committee Approval

HLPOA Permit \_\_\_\_\_

Date: \_\_\_\_\_

Signed by: \_\_\_\_\_

NAME: \_\_\_\_\_

LOT(S) NO(S): \_\_\_\_\_

PRESENT ADDRESS: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

**AGREEMENT:**

This document, my (our) approved blueprints (complete with cross section and elevation drawings, etc.), and approved plot plan, constitute an agreement on my (our) part that I (we) have read and understood the Restrictive Covenants of Heritage Lake, and that my (our) project conforms to them. I (we) understand it is my (our) sole responsibility to make sure that my (our) property and any structures contained thereon and conduct is in compliance with the Restrictive Covenants, and the rules and guidelines as established by the HLPOA Board of Directors, and that I (we) face legal action from neighboring homeowners and/or the POA if found to be in violation. Furthermore, it is understood and agreed that it is my (our) sole responsibility to make sure that my (our) property and any structures contained thereon and conduct is in compliance with any and all municipal, county, state, and/or federal laws, including those governing the body of water known as Heritage Lake.

The plans, drawings, documentation, etc., that accompany this application for a Heritage Lake HLPOA compliance form are a true and accurate representation of what I (we) intend to build, as approved by the A&E Committee and/or the Board of Directors. I (we) further state that to the best of my knowledge the foundation, grade, landscaping, or any changes in the topography of my (our) lot(s) will not cause drainage of water from my (our) lot(s) to an adjoining lot.

In addition I (we) further agree that it is our sole responsibility to ensure that any topography changes of my (our) lot(s) have been approved by the proper governing authority over the body of water and/or water ways known as Heritage Lake. I (we) acknowledge and understand that HLPOA is in no way responsible for any changes, fees and/or judgments brought or levied by the any governmental authority which may result from incorrect and/or unapproved topography changes and that HLPOA is in no way responsible for approving such changes.

I (we) further agree and understand that any and all permits, certifications or allowances granted by HLPOA are granted and/or denied based solely upon the compliance with the HLPOA Restrictive Covenants, and the rules and guidelines as established by the HLPOA Board of Directors.

If changes to the approved construction are needed, I (we) agree to submit the changes to the A&E Committee, and will not proceed with construction until such changes are approved. Work must be completed within twelve (12) months of HLPOA compliance form issuance for dwellings and additions. Work must be completed within six (6) months of HLPOA compliance form issuance for other structures.

I (we) further agree and understand that any and all permits, certifications or allowances granted by HLPOA are granted and/or denied based solely upon the compliance with the HLPOA Restrictive Covenants, and the rules and guidelines as established by the HLPOA Board of Directors.

If changes to the approved construction are needed, I (we) agree to submit the changes to the A&E Committee, and will not proceed with construction until such changes are approved. Work must be completed within twelve (12) months of HLPOA compliance form issuance for dwellings and additions. Work must be completed within six (6) months of HLPOA compliance form issuance for other structures.

I (we) acknowledge that the ultimate authority for enforcing and interpreting the Restrictive Covenants is the Board of Directors and a court of law.

NOTICE: Permits required by Putnam County and other Local, State, and Federal Agencies must be obtained and are the responsibilities of the property owner.

## Signed

\_\_\_\_\_  
Lot Owner or Owners Only

State of Indiana  
SS:  
County of \_\_\_\_\_)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

A & E Committee Approval  
HLPOA Number \_\_\_\_\_ Dated: \_\_\_\_\_

Signed by: \_\_\_\_\_

Signed by: \_\_\_\_\_

Signed by: \_\_\_\_\_