

**POLICIES OF THE
ARCHITECTURAL CONTROL COMMITTEE
THE OAKS COMMUNITY ASSOCIATION, INC.
FT. WAYNE INDIANA**

Approvals

All plans for fencing, decks, patios, hot tubs, or any other exterior structures or changes to existing structures must be submitted to, and receive written approval from, the Architectural Control Committee of The Oaks Community Association prior to commencement of construction. Such approval covers the design, style, dimensions, materials, and location of the proposed structure. Plans shall be submitted to the Chairman of the Architectural Control Committee.

Decision Time Frame

Article III of the Covenants of The Oaks provides 30 days for a decision by the Architectural Control Committee. In actual practice, the Committee usually takes about two weeks. A plan which meets all Association requirements would typically receive a speedy approval. Likewise, a plan which fails to meet Association requirements would receive a speedy denial (usually with suggestions for modifications in order to gain approval). The decision on a plan which involves potential obstacles for approval, special requests, or a type of structure that has not previously come before the committee may require a longer turn-around time,

Standard Fencing Policy, effective 20 May 1997

Fences shall not exceed four (4) feet in height

Fences shall be constructed of cedar or pressure-treated wood

Fences shall be split rail (wide-spaced mesh allowed, must be plastic coated and dark green or black in color) or picket style fencing (with slats no closer than 4" apart)

NO stockade, privacy, or chain-link fencing will be permitted.

Addition to Standard Fencing Policy for Fencing with Street or Common Area Frontage, effective 31 July 1997

In addition to all Standard Fencing Policy requirements, fences positioned along street frontage at or near the front of the garage or house, or bordering a Common Area, require landscape screening of a year-round nature (e.g. evergreen trees or shrubs) and of a sufficient height on this frontage side to serve as a visual buffer between the fence and the street or common area for the purpose of softening the intrusion and obstruction of lines of sight and viewing. Plans for such landscape screening for this purpose must be included in the fence plans submitted to the Architectural Control Committee.

All doors and gates must be self-latching and self-closing (Allen County 3-10-2-2-e), if other state or county requirements exist, they must also be met

Pool Policy, effective 6 January 1998

No above-ground pool which requires a filtration system or other above-ground pool which is more than six (6) feet in diameter and 18 inches deep shall be placed or maintained on any lot. Any in-ground swimming pool or hot tub or spa must receive written approval of the Architectural Control Committee prior to commencement of construction in accordance with Article III of the Covenants. Such structures shall be located only in the back yard, not in the front or side yards. Any such in-ground swimming pool

shall be constructed and maintained in accordance with any applicable government standards. Further, any fencing required to meet said government standards must receive written approval of the Architectural Control Committee prior to commencement of construction. If required by a government entity, a fence surrounding an in-ground swimming pool shall be granted an exception to the Association fencing rules for only those items necessary to comply with the government regulations (i.e. height). All other Association fencing requirements not specifically affected by such government regulations (i.e. style, materials, etc.) shall be met. Any exceptions granted for a fence (ie. height) are granted for the only and sole purpose of meeting government regulations on swimming pools. Therefore, such a fence may only be erected simultaneously with, or after the construction of, the in-ground swimming pool, and not before. If the homeowner receiving such an exception decides, after receiving approval for the pool and fence, to not erect the pool, the approval of the fence is automatically rescinded. Any governmental regulations regarding accessories (such as gates, diving boards, etc) and pool maintenance must be met. It is the responsibility of the individual homeowner to identify and meet such additional standards.

Exception to the Standard Fencing Policy to Accommodate Swimming Pools, effective 7 April 1997.

At this time, the only exception necessary for a fence around a backyard in-ground pool in order to meet the requirements of either county or state regulations is for height. All other requirement of The Oaks Community Association Fencing Guidelines as to style, materials, etc. shall be met for a fence around such a pool. These standards may change as necessary to meet changes in government regulations.

Fencing around an in-ground Pool shall be five (5) feet in height. The fence height must meet minimum state or county requirements, whichever is more strict. Currently the Indiana state standard is five (5) feet, according to the Allen County Board of Health. This standard exceeds the Allen County four (4) foot height minimum requirement (3-10-2-2-e).

The openings or slats of the fence shall be no less than 2" and no more than 4" apart. This conforms to both Association and government standards (Allen County 3-10-2-2-3). In order to meet this requirement, and the Association standards, the fence shall be picket style. (The split-rail style does not meet the government requirements for maximum allowed openings.)

End of document, Dated 7 May 1998. Subject to amendment by recommendation of the Architectural Control Committee and approval by The Board of Directors of The Oaks Community Association, Inc.