

Delaware Crossing Homeowners Association

Rules & Restrictions

Revised on 2/11/11

Rules & Regulations

Violations

Monitoring Delaware Crossing is a joint responsibility of the board and the homeowners. It is a necessary part of keeping the quality of life in our development and should be done without malice or bias. The board will investigate any reported violation.

Damage to Common Area by Homeowner or Contractor Hired by Homeowner

Damage to the common area is prohibited. If a homeowner or the contractor hired by the homeowner damages the Common Area, the homeowner will be billed a violation fine, all repair costs, and administrative fees, related to repairing the damage.

Reporting a Violation

Notice of a possible violation should be submitted to the board in writing and include:

- a. The current date
- b. Date the violation was observed
- c. The address or location of the violation
- d. A detailed description of what occurred
- e. Your name, address, phone, and e-mail if possible

If a contractor did the violation, include any helpful information from the vehicles, including name and address of the contractor.

Enforcement & Fines

First Notice

After investigating the complaint, the board will send the homeowner written notice of the complaint, the necessary remedy, the time limit for the correction, and the consequences of non-compliance or repeating the violation. Within 14 days, the homeowner can respond by letter to the board, or if necessary, submit a written request to schedule a hearing at the next board meeting. If the homeowner desires to bring legal counsel to the hearing, it must be noted in the hearing request, giving the Board time to arrange for its counsel to be present. Legal counsel will not be allowed to attend the hearing unless prior written notification is given. Witnesses to the violations will also be notified to appear. A ruling on the violation will be made at the Board meeting, even if the homeowner and witness are not in attendance. Decisions made by the board are final.

If the homeowner does not respond in writing within 30 days to the Board, and a fine is involved, the fine will be attached to the assessment fee account and the

homeowner notified by letter for payment. A \$25.00 monthly late fee applies to unpaid fines.

Second Notice

If the homeowner is found guilty of the violation, the Board will notify the homeowner in writing of the decision and any fines or bills for damages that applies. The amount will be attached to the homeowner's assessment account.

Unpaid Fines

A letter will be sent once each month and a \$25.00 monthly late fee added until the amount is paid

Non-Compliance with the Board Review Decisions

If the Board does not approve a project, and the requirements under "First Notice" are met, the homeowner will be fined \$25.00 per month until the project is in compliance. If after six months the project is still not in compliance, the judgment will be turned over to legal counsel to pursue removal. Late fees will also apply.

Fine Schedule

\$25.00 - 1st violation

\$50.00 - 2nd violation

100.00 – 3rd violation

If further violations of the same type occur from one year to date of the first violation, the fine will continue to double from the previous fine with each new violation.

Damage to common Area: Fine as listed above, plus administrative expenses, plus cost to repair damages. A monthly \$25.00 late fee applies to unpaid fines.

USE RESTRICTIONS

The following are the general guidelines in force for use restriction for the Delaware Crossing Subdivision.

Wetlands/Detention Ponds

Homeowners are responsible for the activity and safety of their children and guests around the ponds and all other common areas. Wetlands should be enjoyed from the mowed grass Common Areas surrounding the buffers and sidewalks.

Woodlands and Common Areas

If walking pets in Common Areas, and they defecate, the poop must be scooped and disposed of at your home. Pets must also be on a leash.

Garbage Cans

Trash, garbage or other waste shall be located only in sanitary containers which must be enclosed within the garage or not viewable from the street. In accordance with the Village code, no rubbish, trash or garbage shall be placed on the curb for pick-up prior to the afternoon of the day before garbage collection and all empty trash containers shall be removed from the exterior of the property no later than the night after garbage collection.

Industry/Signs

No industry, business, trade, occupation, political or profession of any kind shall be conducted, maintained or permitted on any part of the Common Open Space without Board Review approval. The following signs, including but not limited to: industry, business, trade, occupation, political or profession signs or advertisements, may not be posted in Common Open Space, Deed Restricted Space, monument Sign Areas. The following temporary signs: standard "For Sale or Rent" signs, Garage Sales Open House signs as defined under "Garage Sales", special events signs for birthdays, births, celebrations, and holiday-related signs as part of a holiday display are permitted for posting. Real estate signs can be displayed for the length of time it takes to sell the property, celebratory signs for several days, holiday and garage sale signs as defined below.

Homeowners are welcome to decorate their homes for the holidays. For major holidays: decorations and carriage lights on the home can be set up to 30 days before the holiday and weather permitting, removed within 30 days after the holiday. For minor holidays: decorations considered offensive, unusually excessive or affecting the safety of passing residents are under the Board's authority to have removed immediately at the homeowner's expense.

Garage Sales

Appropriate discretion should be used in the number (**no more than 3**) of garage sales scheduled per year. The appearance of our neighborhood is important and signs posted should show the same care. Use standard plastic or neatly printed poster boards signs. The signs should be put up just before the sale and removed immediately after the sale ends. Use a sensible number of signs to direct people to your home. Signs may not be attached to Delaware Crossing street lights.

Parking

Commercial vehicles that are panel truck size or larger may not be parked in the development overnight. These restrictions do not apply to: vehicles needed for several days for a home improvement project or moving furnishings, equipment and vehicles used by movers, or contractors making repairs or improvements to a home. Commercial pick-up trucks or vans used by the homeowner for business or hobby may be parked in the driveway.

Recreational vehicles are permitted only if parked on the homeowners' driveway (can not be parked overnight in the street) and only if not blocking the sidewalk.

No vehicle parked in a driveway can block the sidewalk for more than twenty-four hours at a time.

Any vehicle that is non-working or damaged should not be parked or stored in the driveway or front lawn of any lot for more than twenty-four hours at a time.

No vehicles may be parked in the street during snowfall or between the hours of 2 – 6 am unless permission has been granted by Lake County Sheriff.

Parking is not permitted on the north side of Redbud Lane or the east side of Old Walnut (on the main street before the circle) at any time.

It is the responsibility of the homeowner to notify guests of these parking restrictions.

ARCHITECTURAL REQUIREMENTS

The following are the general guidelines in force for some of the most common exterior improvements.

For All Improvements: Most exterior improvements require a County permit and compliance to their building codes. All parkways, curbs, streets and main sewers come under Warren Township jurisdiction. No permanent structures can be installed on the parkways. Compliance with the Township and County codes and the liability thereof, is the sole responsibility of the homeowner.

Decks, Patios, Gazebos

Size of deck, patio, or gazebo should be appropriate for lot size, lot location, deed restrictions and easements.

Sheds

Constructed sheds are permitted in the rear yard only and should be placed so as not to be visible from the street facing the home's main entrance. If limits on lot size and easements force placement of the shed so it is visible from the street, landscaping of sufficient size and density must be planted to screen the shed from view. Average approval size is 4' wide x 6' long x 8' tall, but varies with lot size and location and easements indicated on the lot survey. The sheds are to be finished to match the roofing and coloring of the home.

Small-prefabricated recycled plastic sheds are permitted on the side or rear yards with the same requirements to screen the shed from view of the street facing the home's main entrance with landscape of sufficient size and density.

Additions

Additions to any home must be in keeping with the general architecture and color scheme of the home.

Landscaping

Landscaping must stay within the homeowner's property lines, easements, and not overflow onto any Common Area space. Dead trees, pines, or shrubs on the homeowners' property must be removed by the same season the following year.

Swing Sets and Play Stations

Swing sets and play stations cannot be installed on utility easements, Deed Restricted natural open space areas attached to the homeowner's property, or overlapping on Common Area space. Homeowner's backing up to Common Area space must keep play equipment within their own easements and property lines. Swing sets should be no more than 250 square feet and 10 feet high and placed no closer than 10 feet from the property line. Play stations should be no larger than 280 square feet and 12 feet high and placed no closer than 15 feet from the homeowner's property line.

Fencing

Approved heights (4 feet – 6 feet) and placement vary, depending on easements and lot location. Plastic or metal temporary fencing (including snow fences) and chain-link fences are not permitted.

Swimming Pools

Depending on the location of underground utilities, the installation of an in-ground pool might not be possible. Above ground pools must be in a legally fenced area concealing a majority of the pool from the street. If necessary, additional landscaping may be necessary to screen the view. Pools need to be kept in good condition, free of rust and broken parts.

Basketball Hoops

Basketball hoops are not permitted attached to the house or garage. Permanent installation of a basketball hoop should be at the side of the driveway, midway down the length of the driveway. Consideration of a neighbors' nearby landscaping should be taken into account.

Mailboxes

Standard, post office approved, box and post mailboxes, wood, metal, or plastic, in styles typically found in the development are required. Brick, Uniblock, or cement pillar mailboxes are illegal as determined by the Postmaster General. Small planters or flowers at the base of the mailbox are allowed as long as they don't present a hazard to automotive or pedestrian traffic.

Satellite Dishes & Antennas

Small satellite dishes should be installed on the roof or corner of the house and not visible from the street. Non-standard satellite dishes require Board Review approval. No vane type antennas or tower type antennas may be installed on the roof of the home or in the yard without Board Review approval.