

**Development Control Committee (DCC) Application Form
Geist Harbours Property Owners Association, Inc.**

Property Information:

Owner's Name: _____
Street: _____
City, State, Zip: _____
Phone: _____
E-Mail: _____
Subdivision: _____ Lot: _____

Requirements for submittal:

1. Application form completed and signed.
2. **Certified Plot plan and/or copy of Certified Surveyor Location Report with proposed change noted on the map. Your plan will not be reviewed without this.** Survey or Plot plan not required for painting, roofing, windows, doors.
3. Complete description of proposed improvement (plans, drawings, photos, etc.)
4. Refer to the Declaration of Restrictions and the Guidelines for Architectural Control for additional information. This information is available at www.ghpoa.com.

THE COMMITTEE HAS UP TO 30 DAYS TO REPLY TO A FULL AND COMPLETE APPLICATION – PLEASE PLAN ACCORDINGLY – RETURN ONLY PAGES 1 AND 2. THANK YOU!

1. Please describe your project in as much detail as possible (attach additional sheets if necessary): _____

2. List the materials that will be used: _____

3. Will any part of the proposed improvement extend beyond your property line? Yes ____ No ____ If yes, please provide written approval from the affected homeowner that includes their name, address and phone number.

4. The work will be performed by: ____ Homeowner, ____ Contractor, or ____ Both.

5. Estimated start date: _____ Estimated completion date: _____ **Homeowner must notify GHPOA/DCC if these dates change. The DCC reserves the right to perform periodic site inspections of all projects to ensure compliance with any and all approved applications but does NOT have an obligation to perform these inspections.**

I understand that under the Declaration and the rules and regulations, the Board will act on this request and provide me with a written response of their decision. I further understand and agree to the following provisions:

1. The application must include all relevant information and specifications for any intended work, or the submission will NOT be considered complete and will NOT be considered an application for the purposes of DCC review.
2. The committee shall approve or disapprove proposed amendments within 30 days after all required information shall have been submitted to it, and the application is considered complete. If after 30 days from submission an application is incomplete, it will be withdrawn.
3. No work or commitment of work will be made by me until I have received written approval from the Association.
4. All work will be done at my expense and all future upkeep will remain at my expense.
5. All work will be done expeditiously once commenced and will be done in a good workman-like manner by myself and/or a licensed and insured contractor.

6. All work will be performed at a time and in a manner to minimize interference and inconvenience to other owners.
7. I assume all liability and will be responsible for all damage and/or injury which may result from performance of this work.
8. I will be responsible for the conduct of all persons, agents, contractors, and employees who are connected with this work.
9. I will be responsible for complying with, and will comply with, all applicable federal, state and local laws, codes, the community governing documents, plat restrictions (inclusive of setback requirements), regulations and requirements in connection with this work, and I will obtain any necessary governmental or third party permits and approvals for the work. I understand and agree that the Association, its Board of Directors, its Agent and/or the Committee have no responsibility with respect to such compliance and that the Board of Director's and/or its designated Committee's approval of this request shall not be understood as the making of any representation or warranty that the plans, specifications or work comply with any law, code, covenant, plat restriction (inclusive of any setback requirements), regulation and/or requirement.

I, the homeowner, hereby acknowledge that I have read and understand the Architectural Control Standards set forth by the Committee and in Article VI of the Declaration of Covenants, Conditions and Restrictions for Geist Harbours, as well as any Plat Restrictions that are in effect for the specific section of Geist Harbours which contains my property. Furthermore, I acknowledge that I am responsible for ensuring that the improvements do not extend into any setback area, easement, or Common Area, or block access to utility meters or equipment. I will accept full responsibility of any cost to remove and/or replace this improvement if the utility company needs to access this area or my improvements adversely affects an easement.

Signature of Homeowner	Date	Signature of Homeowner	Date
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Note: All submitted materials shall remain the property of the Association. You may wish to make a copy for your records.

Return Application To: **GHPOA c/o CASI** **Fax: 317-875-5614**
 11711 N. College Avenue, Suite 100 **Email: customerservice@cas-indiana.com**
 Carmel, IN 46032

DO NOT WRITE BELOW

Committee Action:

- Approved as submitted
- Approved with conditions as follows: _____

- Deferred, reason: _____
- Additional information required: _____
- Denied: _____
- Referred to Board of Directors

Comments: _____

Developmental Control Committee Signature: _____ Date: _____

**GEIST HARBOURS DEVELOPMENT CONTROL COMMITTEE
GUIDELINES FOR DEVELOPMENT CONTROL AND GHPOA COMMUNITY STANDARDS**

INTRODUCTION

Pursuant to the Declaration of Restrictions of Geist Harbours, recorded as Instrument No. 79-97441 in the Office of the Recorder of Marion County, Indiana, and as Instrument No. 3822 in Book 159 in the Office of the Recorder of Hamilton County, Indiana, the Geist Harbours Developmental Control Committee (DCC) is charged with the responsibility of preserving and enhancing the values of properties subject to the Geist Harbours Restrictions. Paragraph 6 of the Restrictions generally provides that the Development Control Committee has the right to promulgate and enforce reasonable rules to “regulate the external design, appearance, use, location and maintenance of land and improvements subject to the Restrictions in such a manner as to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography”. In order to satisfy this responsibility, the Development Control Committee shall take the following action:

- A. Approve or disapprove plans and specifications for all construction on land subject to the Restrictions and Plat Restrictions that exist for each individual section of Geist Harbours.
- B. Approve or disapprove plans and specifications for all improvements of property on land subject to the Restrictions and Plat Restrictions. The Development Control Committee shall determine that buildings and grounds subject to the Restrictions and Plat Restrictions are maintained in a satisfactory manner consistent with the Restrictions and Plat Restrictions that exist for each individual section of Geist Harbours.
- C. No dwelling, building structure or improvement of any type or kind shall be constructed or placed on any lot in the Development without the prior approval of the Development Control Committee. (Declaration of Restrictions 6.A.(i))
- D. No new construction or improvement to an existing structure may be initiated without prior written approval from the Development Control Committee.

***Plat setback restrictions (specifically for side yards and rear yards) for all GHPOA Sections/Neighborhoods are listed at the end of this document.

***The Reservoir is owned by Citizens Energy Group and is one of our main water sources, so it is important that Citizens Energy Group is aware of all improvements and modifications in/on and around the Reservoir. Citizens Energy Group also has a 20’ easement that surrounds the Reservoir as well that allows Citizens to access and service the reservoir from any location. In 1989 an agreement between the then Indianapolis Water Company and Shorewood Development was executed affirming this partnership. Copies of the agreement and application for waterfront projects are located at GHPOA.com and under “About Us” and “CEG Waterfront Improvement Application & Guidelines” and on TownSq under the documents tab.

NEW CONSTRUCTION APPROVAL

In order to maintain a high-quality residential development, certain criteria for new structures and improvements have been established by the Development Control Committee. These criteria may vary from section to section within the development and may change from time to time but will always be set in a fashion to maintain a high-quality residential atmosphere. Further, any proposed new structures and/or improvements must comply with the Plat Restrictions that exist for the specific section of Geist Harbours wherein the new structures and/or improvements are planned.

GENERAL NOTES

- A. Only the Geist Harbours Property Owners Association (GHPOA) Board of Directors or Development Control Committee (DCC) may approve exceptions to the Guidelines for Development Control in cases involving unusual hardship or clearly unique needs or circumstances.
- B. Approvals issued by the Development Control Committee indicate compliance with the GHPOA Declaration of Restrictions and Guidelines for Development Control and shall in no way obviate the requirements of Regulatory Bodies having jurisdiction.
- C. Installations performed without the approval of the Development Control Committee are subject to review by the DCC and corrective action as may be required by the DCC or the GHPOA Board of Directors.
- D. Existing non-compliant installations will not be considered as justification for new installations that do not comply with these Development Guidelines or Plat Restrictions.
- E. Existing non-compliant installations are required to be brought into compliance if expanded, modified, repaired, or replaced.

PLANS AND SPECIFICATIONS TO BE SUBMITTED

In order to properly review proposed construction, the Development Control Committee has established the following minimum plan and specification requirements.

- A. A fully completed Development Control Committee Application Form. The form should be typed or legibly hand-written with all contact information of owners of record or their designated representative.
- B. A Certified Plot Plan (CPP) or Certified Survey Location Report (CSLR) is required to be attached with all applications except for painting, roofing, windows, or doors. A staked survey may be submitted but is not required. Local engineering or survey companies can provide a CPP or CSLR for a fee. Also, you may have received a CPP or CSLR at closing on the property.
- C. All plans, drawing and blueprints or proposed homes or Accessory Structures will be of professional quality and drawn to a scale of not less than ¼" equals 1'.
 1. Plans must include a plan of each floor, foundation and roof plans and elevations indicating the materials to be used (e.g., roofing, veneers, door and window types and miscellaneous materials).
 2. Plans must indicate the square footage of each occupied floor, not including porches, terraces, garages, accessory buildings.
 3. Colors of applied colors/finishes must be indicated or specified on the elevations.
- D. All plot plans shall be drawn to a scale of not less than 1' equals 30'.
 1. The Development Control Committee may accept plans of a smaller scale if dimensioned adequately to allow a thorough and complete evaluation.
 2. Plot plans shall indicate and identify the following items:
 - Residence and Accessory Structures and Docks
 - Exterior pavements including patios, walkways and sports courts
 - Fences, screening, sea walls and retaining walls, swimming pools, fire pits, and cooking areas.
 - Property Lines, Easements, Right-Of-Ways, and Setbacks as stated in the Plat Restrictions for the specific section of Geist Harbours wherein the structure and/or improvement is planned
 - Trees of 12' caliper or larger to remain or that are proposed for removal
 - Landscape and lawn areas

*(*Amended 6/20/22)*

- E. Plans of new structures, hard surface site improvements and fences must be dimensioned to existing structures and property, easement, right-of-way lines, and setback requirements as stated in the Plat Restrictions for the specific section of Geist Harbours wherein the structure and/or improvement is planned.
- F. The DCC shall have 30 days to review and take action once a fully completed application has been submitted. The property owner is to notify the DCC or CASI (or the current property management company for GHPOA) of the start date and completion dates of said project. The DCC reserves the right to perform a site visit before, during, and after construction/installation of project. (NOTE: The DCC has the right, but NOT the obligation to perform these inspections.)
- G. Permits might be required for your project. Please check with local agencies as needed.
 - 1. All the Admirals, Feather Coves, Diamond Pointe, Beam Reach and a portion of Masthead 1 are under the jurisdiction of the City of Indianapolis.
 - 2. Crossing South is under the jurisdiction of the City of Lawrence.
 - 3. A portion of Masthead 1 and all of Masthead 2 is under the jurisdiction of the City of Fishers.
 - 4. All lakefront improvements such as sea walls, docks, lifts, PWC docks also require approval of Citizens Energy Group (CEG). In addition, CEG approval is required for any improvement made within the 20-foot easement they own along the Geist Reservoir shoreline.

ACCESSORY STRUCTURES

- A. Not more than one (1) outbuilding or accessory structure may be constructed on any lot or property.
- B. Accessory structures shall have a permanent foundation of a concrete turned down slab (18”- 24”) or a poured 30” + deep footer. Skid mounted foundations or based not permitted.
- C. Roof style, pitch and shingles shall match those used on the residence. Roof style and pitch must resemble what is majority of the residence’s roof design.
- D. Wall veneer, doors and windows shall be of the same materials as the majority of the home’s veneer, color and style used on the residence.
- E. No metal accessory structures shall be permitted on any lot in the development.

BOAT DOCKS

- A. All boat docks, boat lifts and PWC lifts must be submitted to the DCC for approval prior to installation.
- B. No pier, dock or other structure may be constructed in such a manner than any portion thereof extends more than 35 feet from the shore into Geist Reservoir (per the 1989 agreement between Shorewood Corporation and Indianapolis Water Company).
- C. All docks must be floating and secured to avoid release by flood waters.
- D. No dock may block access to the water from an adjacent waterfront lot.
- E. Any proposed cover on the boat dock must be included in the application for approval by the DCC. Covers must be white, light gray, beige or natural in color. The addition of a cover on an existing dock that was not included in the original submission must be separately submitted and approved.
- F. All dock or lift components shall be white, light gray, beige or natural in color and all anchoring devices must be hidden.
- G. Permanent fixed, enclosed coverings down to the waterline made of metal, wood or fiberglass which encloses the side, front or back of the watercraft will not be approved. Temporary canvas that can be affixed up or down may be approved.
- H. All boat docks, boat lifts, and PWC lifts installations or improvements require the approval of Citizens Energy Group.
- I. Dredging of inlets or coves require approval and may also require approval by appropriate authority.

DRAINAGE

- A. No construction may obstruct the natural drainage or impose additional drainage on adjacent properties.
- B. Any modification adding more than 200 sq. ft. of hard surface (e.g., roofs or solid paving) shall be attended by a drainage plan indicating how the additional drainage runoff is to be handled.
- C. Any proposed modifications affecting municipal drainage easements must be approved by the authority having jurisdiction.

DRIVEWAYS

- A. Driveways are to be concrete, masonry or asphalt paved; crushed stone pavements are not permitted.
- B. Extension, widening or rerouting of existing driveways must be submitted for approval and may require the approval of the local governmental authority.
- C. Driveways shall be well maintained and free of potholes.

EXTERIOR ANTENNAS

- A. No television or radio antennas may be erected on the exterior of a house. An approved flagpole shall not be used as an antenna.
- B. Satellite dishes 30 inches or less in diameter are acceptable.
- C. The Federal Communications Commission rules governing Over-The-Air Reception (OTARD) allows Associations to designate a preferential order of placement for dishes in their community. To that end, the DCC desires that satellite dishes be permanently mounted in a location that is the least visible from the street directly in front of the lot, but which will not result in a substantial degradation of reception. The specific order of location priority is:
 1. In the rear of the lot
 2. On the sides of the lot
 3. In the front of the home
- D. Placement of a satellite dish should be in a location least visible from the front elevation of the home when possible.
- E. If necessary for reception, satellite dishes installed on the ground shall be appropriately landscaped to conceal the dish.

FENCING

The guidelines below pertain to new and replacement fences.

- A. Height
 1. Fencing may not extend more than 4 feet 0 inches in height.
 2. Fences contiguous and roughly parallel to major thoroughfares may extend to 6 feet and 0 inches in height. Such fences shall be immediately reduced to 4 feet 0 inches in height when turned away from the thoroughfare.
 3. The height of fences shall be measured from the level of the adjacent turf or pavement.
 4. Post caps may extend a maximum of 6 inches above the overall height of the fence.
 5. Existing six-foot (6') fences in the community may remain but must be kept in a state of repair so as to not become unsightly (see Sections 3(I)(iii)(vi) of the Declaration). The DCC Committee reserves the right to determine what constitutes "unsightly". Any new or replacement fence (even those replacing an existing six-foot (6') fence) are required to meet the height requirements set forth in these DCC Guidelines.

B. Materials

1. Fences shall be constructed of wood, wrought iron, aluminum designed to simulate wrought iron, vinyl, stucco, stucco-like, black vinyl coated chain link fence. Columns may be of brick or stone masonry construction.
2. Construction fencing, and silt fences are permitted only during site work or alterations when required by the authority having jurisdiction or to provide safety and shall be removed immediately upon conclusion of the work.

C. Location

1. Fences shall not extend nearer to the front of the house than the rear foundation line.
 - A bump out in the fence, not exceeding 5 feet 0 inches laterally may be permitted to enclose a door accessing the rear yard.
 2. Fences on corner lots
 - The fence shall not extend forward of the rear foundation line as determined by the location of the more major of the two (2) frontage streets.
 - The fence may extend to the front foundation line on the frontage of the lesser.
 3. The best or most aesthetically pleasing side of the fence shall face outward. Fence support rails shall not face outward.
 4. Fences shall be located to as not to cause ponding or block drainage flow in swales and drainage easement.
- D. Please see the specific sections below for swimming pools and game courts as they have different requirements for fences.

GAME COURTS

- A. Game courts may not extend beyond the rear foundation line or closer than 20 feet to the lot line or the required minimum setback as stated in the Plat Restrictions for the specific section of Geist Harbours wherein the game court installation is planned, whichever is greater.
 1. Exception: Basketball goals may be located along the driveway but may not be located to facilitate play from the street
- B. Effective landscape screening shall be provided between the court and all lot lines from which the court is visible.
- C. The court shall not be used for recreational purposes between the hours of 11:00 PM and 6:00 AM local time.
- D. The game court surface shall be neutral in color (e.g., beige, green or gray); asphaltic black is not permitted.
- E. Fences for game courts shall be black vinyl coated chain link or other design acceptable to the DCC and may not exceed 10 feet 0 inches in height.
- F. Lighting
 1. Illumination levels may not exceed 0.5 fc at the lot line. Photometric data indicating compliance must be submitted
 2. Lighting standards are to be dark bronze or black and may not extend more than 20 feet above the level of the court or adjacent turf level, whichever is less.
 3. Accessories such as wind screens, practice backboards, storage structures, etc. shall be included with the application.

MAILBOXES

- A. Standard Mailbox Guidelines: For any new mailbox installation or replacement within Geist Harbours neighborhoods made after January 1, 2011 (“Effective Date”), the following standards are required:
 - a. Mailbox Type: USPS standard T3 (approximately 22-1/2” x 8” x 11-1/2”) metal mailbox.
 - b. Post: Minimum 4” x 4” cedar or other treated wood, or an aluminum post.
 - c. Color: Mailbox, post, newspaper box, and any finial treatments must be black.
 - d. Lettering: While lettering in “Richard Murray” font typeface, 2 ½ inches in height for the street and 3 inches in height for the numbers.
 - e. USPS Compliant: The height, location, setback and other specifications not outlined herein must meet the Residential Mailbox Standards as outlined by the USPS
- B. Development Control Application Required for Non-Standard Box Installations: Exceptions to the mailbox, post, color, composition or lettering guidelines will require the pre-approval of the Committee. The desire of the Board and Committee is to have mailbox consistency to enhance the appearance and property values of the neighborhoods, so non-Standard Mailboxes may not be approved by the Committee if the Committee determines the design to be contrary to the architectural design standards of the neighborhoods or that of other Standard Mailboxes.
- C. Temporary Decorations: Other than seasonal or temporary holiday décor, no other stenciling, advertisements, or signage may be placed on the Standard Mailbox or its pole per the USPS Residential Mailbox Standards.
- D. Multiple Mailboxes: Where appropriate, use of dual or multiple cluster box units to save money and reduce mailbox clutter is encouraged. In these cases, the addresses should be on the door (while lettering, one inch in height, “Richard Murray” font) with the street name on the outside mailboxes.
- E. Prohibited Mailbox Designs: The following mailboxes and components are not permitted to be installed in GHPOA neighborhoods and will not be approved by the Committee:
 - a. Non-standardized specialty box designs, for example but not limited to heavy metal security boxes, football helmet, barn, fish, or fiberglass with flowers or other printing or logos on it – note that these designs have never been approved by the Committee. Specialty poles using, for example, but not limited to, bikes, tires, fire plugs, telephone poles, steel beams, planters, barrels, or other pole designs that generally function as something else.
 - b. Rubber or plastic posts.
 - c. No non-metal boxes, for example but not limited to wood, plastic, rubber, vinyl, copper, or fiberglass boxes.
 - d. Mailboxes smaller than recommended T3 boxes.
- F. Required Mailbox Maintenance: at all times a mailbox must be in good working order and appearance, and meet the following specification:
 - a. Mailbox appropriately painted, not dented, rusting or peeling,
 - b. Mailbox door and flags operational, not bent or off hinges, and in good repair,
 - c. Address lettering legible and in good repair,
 - d. Post must be straight and not leaning more than 10 degrees in any direction,
 - e. Post cannot be cracked (defined as a crack being more than ½” wide), bent or broken,
 - f. Attached newspaper boxes must be straight, not bent, and painted without identifying another company, with only one newspaper box allowed for each mailbox,
 - g. A mailbox must be appropriately secured to the pole without using tape, rope, cords, or other temporary supports, and
 - h. Masonry mailboxes may not be spalding, cracked or have mortar, brick, or stone deterioration.

- G. Inspections: As allowed by the Covenants and as part of the routine inspection process, the Association may send notices to homeowners directing them to repair or replace their existing mailboxes and repair services will be identified on the GHPOA website (GHPOA.com) and available from the management company upon request. Pre-approved mailboxes do not require Committee approval. The Board reserves the right to update this list of mailbox vendor(s) from time to time.
- H. Please see mailbox guidelines and maintenance requirements policy from March 2012 for full Board resolution.

MATERIALS AND COLORS

- A. The design and color scheme of proposed improvements must be in harmony with the general surroundings of the lot and with adjacent buildings and structures.
- B. Exterior building materials are limited to the following:
1. Wall veneer:
 - Natural or composite wood or cement board siding or shingles
 - Stone and brick veneer
 - Stucco and Exterior Insulation and Finish Systems (EIFS)
 - Pre-engineered metal, vinyl siding or aluminum siding is not permitted
 2. Roofing: Asphalt and cedar shake shingles, slate and prefinished metal. New technologies considered case by case basis.
 3. Awnings are to be fabricated of vinyl or fabric; aluminum is not permitted
 - Awnings are not allowed on any elevation facing a street within the Geist Harbours development
- C. Colors
1. Colors of homes and Accessory Structures are to be subdued, neutral tones or white compatible with other similar structures in the development.
 2. Bright primary (e.g., red or blue, yellow) or secondary colors (e.g., pink, purple, lime green and orange) are not permitted for use as siding colors.
 - Use of these colors is limited to trim details approved by the DCC prior to application.
 3. Submittal for approval of colors must include 3 inch x 3 inch minimum real paint samples; photo reproductions are not acceptable.

PATIOS, DECKS, SEATING AND GATHERING AREAS

- A. Hard surface areas for patios, decks, seating, gathering or similar purposes may not be located forward of the front foundation line.
- B. Front porches located immediately adjacent to the front wall of the residence in their long dimension and directly accessible from the front door of the residence are permitted.

PLAY EQUIPMENT

- A. Children's play equipment such as sandboxes, trampolines, swing and slide sets, and playhouses shall not require approval by the DCC provided such equipment is not more than 6 feet in height and reasonable effort has been made to screen or shield such equipment from view from the street or adjacent properties.
- B. Play equipment may not be located forward of the rear foundation line of the residence or less than 5 feet from the property line.
- C. Play equipment must be maintained in good repair including rust removal, painting and repair or replacement of damaged components (e.g., wood rot or torn roofs or covers).

- D. Out of service play equipment must be removed.

RETAINING WALLS, SEAWALLS AND SEPARATION WALLS

- A. Whether designed for security, privacy or retention, may not more than 4 feet 0 inches above the level of the adjacent turf
 - 1. Changes in grade exceeding 4 feet should be terraced to eliminate the need for taller shear wall faces
- B. Walls are to be constructed of stone, masonry or cast-in-place concrete. Cast-in-place concrete walls shall have a stone or masonry veneer and cap.
- C. Separation walls may not exceed 4 feet 0 inches in height except at posts or terminations which may extend an additional 6” to accommodate a decorative cap.
- D. The best or most aesthetically pleasing side of a wall must face toward adjacent properties.
- E. Seawalls require approval from Citizens Energy Group.

SIGNS and SCHOOL BANNERS

The following limits apply to signs placed on private lots within GHPOA:

- A. Any sign which is expressly permitted by local, state, or federal law is permitted on private lots, inclusive of political signs during election season, provided that they are subject to the restrictions outlined in Ind. Code 32-21-13.
- B. “Home for Sale” signs are permitted on private lots, but under no circumstances may more than one (1) such sign be placed on the Lot being advertised for sale.
- C. Graduation signs may be displayed yearly, but only during the months of May and June. Graduation signs may only honor grammar, high school, or college/university graduates and may not contain wording which either advertises or recruits students for a specific institution. Graduation signs must be made of corrugated plastic and must not exceed six (6) square feet in size.
- D. School Spirit Banners may be displayed which honor the accomplishment of a school (limited to a grammar, high school, or college/university). No school spirit banner may contain wording either advertising or recruiting for a specific institution. Banners may not be ripped, faded, or contain graffiti. At all times, school spirit banners must be properly secured to the home which is displaying the banner so as not to create an unsightly appearance. School spirit banners shall not exceed twenty (20) square feet in size.
- E. Commercial signs (i.e., roofer/contractor signs and/or signs advertising a business whether or not conducted by the owner) are prohibited.
- F. Any sign, with the exception of political signs during an election season, must be removed if the removal is requested by the Association’s Developmental Control Committee or the Association’s Board of Directors.
- G. Signs and banners may not contain vulgar or obscene language or images.

*(*Added 6/20/22)*

SOLAR ENERGY SYSTEMS

- A. For the purposes of these Guidelines, the term “solar energy system” shall mean a solar photovoltaic device whose primary purposes is to use solar energy to produce electricity.
- B. Prior to the installation of any solar energy system, an application for said solar energy system must be submitted to the DCC for approval.

- C. If the DCC denies the application for the installation of a solar energy system, pursuant to Indiana Code §32-25.5-3.5, which was adopted into law in 2022, the owner who submitted the application and was subsequently denied may petition to all of the other members of the GHPOA for permission to install a solar energy system on their Lot.
1. An owner who petitions all of the other members for the right to install a solar energy system must provide all of the other members with information regarding the following:
 - i. The site plan of the solar energy system to be installed, including:
 1. The property boundaries;
 2. A description of the dwelling;
 3. The color of the solar energy system; and
 4. Any screening to be used, if the solar energy system is to be installed in a location other than on the roof of the dwelling.
 - ii. The vendor and installer of the solar energy system.
 - iii. The plans and specifications for the solar energy system, if requested by any of the other GHPOA members.
 2. An owner who chooses to petition the other GHPOA members must obtain signed consents from owners representing no less than sixty-five percent (65%) of the Lots in GHPOA. If the owner fails to obtain such consents, the owner's request to install a solar energy system will be denied per the previously entered decision of the DCC).
 3. If the owner obtains signed consents from GHPOA members representing at least sixty-five percent (65%) of the Lots in GHPOA, the owner must submit such consents to the Board of Directors/DCC, along with a copy of all information submitted to GHPOA members during the petition process, including the site plan, identity of the vendor and installer of the solar energy system, and any plans and specifications that were requested by the other GHPOA members. In addition, the owner must submit any information, specifications or plans as may be reasonably requested by the Board of Directors/DCC. Assuming the owner obtained the aforesaid GHPOA member consents, the Board of Directors/DCC will not prohibit installation of the solar energy system so long as none of the conditions set forth in Section D hereinbelow exist.
- D. Notwithstanding consents obtained from the other GHPOA members, the Board of Directors/DCC may deny an owner's request to install a solar energy system, or may require the removal of a previously installed solar energy system, for any of the following reasons:
1. A court has found that the solar energy system threatens public health or safety.
 2. A court has found that the solar energy system violates a law.
 3. The solar energy system has been installed, or is to be installed, on property owned or maintained by GHPOA.
 4. The solar energy system has been installed, is to be installed, in a location other than:
 - i. The roof of (1) the dwelling of the owner installing the solar energy system; or (2) another structure approved by the Board of Directors/DCC; or
 - ii. A fenced yard or patio owned and maintained by the owner.
 - iii. The solar energy system has been, or will be, mounted on the roof of the dwelling, and:
 1. Extends above or beyond the roof of the dwelling by more than six (6) inches;
 2. Does not conform to the slope of the roof and has a top edge that is not parallel to the roof line; or
 3. Has a frame, support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace.
 5. The solar energy system is installed, or will be installed, in a fenced yard or patio rather than on the roof of the dwelling and is taller than the fence line.

6. The solar energy system is installed, or will be installed, in a manner that voids material warranties.
7. The owner installed the solar energy system in a manner that differs significantly from the manner of installation presented to the other GHPOA members and/or the Board of Directors/DCC.
(*Added 3/21/22)

- E. If the Board of Directors/DCC determines, at any time, that any of the conditions set forth in Section D herein above exist, the Board of Directors/DCC may insist that the owner remove the solar energy system, regardless of any prior approvals issued by the other GHPOA members or the Board of Directors/DCC.
- F. No other alternative energy system, including, but not limited to, windmills, wind turbines, geothermal systems, and other alternative sources of energy may be installed on any Lot unless approved, in writing, by the Board of Directors/DCC. The Board of Directors/DCC may, at its discretion, impose specific guidelines regarding the installation of alternative energy systems, including, but not limited to, regulations as to size, style, type, and location. Additionally, the Board of Directors/DCC may, at its discretion, refuse to permit installation of alternative energy systems in GHPOA. In reaching its decision, the Board of Directors/DCC may consider factors such as, but not limited to, Lot location, harmony of design, visibility to other homes in GHPOA, suitability of materials and contractors, workmanship, effect on property values, and any other aesthetic or subjective standards the Board of Directors/DCC deem appropriate.

SWIMMING POOLS AND HOT TUBS

- A. In-ground swimming pools and hot tubs shall be located such that no portion extends beyond the line of the rear foundation and no closer to the property line than the required setback for the lot on which it is situated as stated in the Plat Restrictions for the specific section of Geist Harbours wherein the pool and/or hot tub installation is planned. The application shall include one of the following required safety barriers:
 1. Power operated pool cover certified by the manufacturer to complying ASTM F1346-91. This standard which requires that the pool cover support a load of 485 pounds.
 2. Perimeter fencing of exactly 5 feet with a self-closing locking gate and in compliance with the Indiana Administrative Code – Swimming Pool Code 675 IAC 20-4-27 Safety features.
- B. Fences installed to enclose pools or patios may extend to 5 feet 0 inches in height but must be located within 6 feet of the pavement edge at all points.
- C. Power filtration and pumping equipment supporting a permanent pool may not be located directly opposite a window or outdoor living area of an adjacent residence. Equipment must be screened by landscaping extending to the full height of the equipment to provide aesthetic and acoustic screening.
- D. Swimming pool submission must include the design of the retaining wall(s) if required and drainage plan for when performing maintenance and pool/spa closings.
- E. Abandoned or unused swimming pools or hot tubs, not occupied for periods of thirty (30) days or more shall be equipped with a cover adequate to prevent persons, children or animals from danger or harm and shall be drained so as to maintain proper vector control.
- F. Permanent above grade pools are not permitted
- G. Temporary above ground pools having a depth of less than 24 inches are permitted and do not require approval by the Development Control Committee. Temporary pools must be stored out of view from neighboring lots and the front of the home when not in use.

TREES AND LANDSCAPING

- A. No tree of more than 12 inches caliper diameter outside the building and parking area of a lot shall be removed without prior written approval of the DCC. Approval shall only be granted upon proof that the tree is dead, diseased, or creates an unusual hardship in the practical utilization of the lot. Stumps are to be ground down level with surrounding grade. If stump cannot be ground to grade level, it shall be no higher than 3” above grade.
- B. Removal or destruction of such trees by a lot owner or his successors in title, other than by acts of God or circumstances beyond the lot owner’s control, within ninety (90) days’ notice in writing, shall be replaced by a tree of a type and size established by the Development Control Committee.
 - a. The minimum required replacement tree will be a deciduous tree, 2 inches minimum caliper and 8 feet minimum in height. Other tree types and sizes may be required by the DCC due to unique circumstances.
- C. A lot must have at least two 2-inch gauge trees growing upon it in the front yard.
- D. Landscape improvements requiring approval of the Development Control Committee include decks, patios, terraces, retaining walls, walks, retaining walls, cabanas, outdoor cooking facilities and permanent/fixed fire pits.
- E. All unpaved open areas of the lot must be sodded or seeded, maintained in healthy condition, and cut to a height not to exceed 6 inches.
- F. Landscaping may not restrict the view at vehicular intersections or at the intersection or resident drives and roadways.
 - a. Any planting that grows to a size or height to create such an obstruction shall be trimmed back, removed, or replaced.

MISCELLANEOUS

- A. Handicapped Accessibility – The DCC may make exceptions to the guidelines to facilitate access for the disabled.
 - 1. The application for accessibility improvements must include the justification for the improvement.
 - 2. Accommodations for accessibility visible from adjacent properties are to be removed when no longer required.
- B. Exterior lighting and security cameras shall not be directed in such a manner as to create annoyance to adjacent properties.
- C. Trash and recycling containers must be stored in a location not visible from public view at any time (i.e., in your garage). If needed, you may screen your trash cans from public view via landscaping or privacy screens (see D. below). Containers may be placed at the curb the night before scheduled collection and must be removed by the end of the collection day. Any screening option and placement must be approved by the DCC as this is an exterior change.
- D. Privacy screens for trash cans, air conditioners, pool equipment, etc., shall be of the same materials as the majority of the home's veneer, color and style used on the residence. Any screening option and placement must be approved by the DCC as this is an exterior change.
- E. Compost bins must be stored in a location not visible from any street and screened in such a manner that is not visible to the occupants of other lots.
- F. Exterior clothes lines are not permitted.
- G. Wells are permitted for use for geothermal heating systems only. Use of wells for irrigation or as a potable water source is not permitted.

*(*Amended 3/21/22)*

COMMUNITY GUIDELINES

- A. Streets in the development are to be kept clean or dirt and deleterious debris at all times.
 - 1. During the performance of alterations care shall be taken to contain construction material and debris to the construction site. Any tracking onto the street is to be removed daily.
 - Any damage caused to common property (e.g., broken curbs or pavement) shall be restored to original condition at the property Owner's expense.
 - 2. Silt fences are to be provided and storm inlets protected with filtering material (e.g., straw bales or silt fencing) during site alterations.
- B. No farm animals, livestock or poultry shall be kept, raised, or bred on any lot in the Geist Harbours Development, except as specifically allowed by local ordinance.
- C. Holiday decorations must be removed within 30 days after the holiday has passed.
- D. Garage doors are to be kept closed except during times of usage of the garage facility.
- E. Vehicle Parking
 - 1. Vehicles should be parked in their garages or in their driveways on a normal basis. Street parking is permitted on a temporary basis only. Vehicles should not be parked in the street overnight.
 - 2. No truck which exceeds $\frac{3}{4}$ ton weight load, campers, box trucks, box trailers, utility trailers, livestock trailers, boats, personal water crafts (PWC), boat/PWC trailers, recreational vehicles, and commercial vehicles (identified as any vehicle with signage advertising a business and/or any vehicles primarily for business) shall be parked on any street or lot in the Development, unless the same shall be screened (using screening design, materials, and installation approved in advance by the DCC) in such a manner that it is not visible to the occupants of the other lots in the Development, the users of any street in the Development, or to persons upon Geist Reservoir. Boats, PWCs and their trailers may be in the Spring and Fall briefly parked (please refer to the Board approved boat and trailer policy for specifics, which is included herein by reference, and as may be amended from time to time).
 - A determination of what constitutes adequate screening shall be the authority of the DCC and shall be illustrated on the plot plan showing improvements to be placed on the lot.

SETBACK REQUIREMENTS FOR SIDE AND REAR YARDS

As a simple reference aide, the setback requirements for side and rear yards for each section of Geist Harbours, as contained in the recorded Plat Restrictions, are as follows:

ADMIRALS BAY SECTIONS 1, 2, 3, 4, 5, 6, 7

ADMIRALS POINTE SECTIONS 1, 2, 4, 5, 6, 12

ADMIRALS SOUND SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

ADMIRALS WOODS

FEATHER COVE SECTIONS 1, 2, 3, 4, 5, 6, 7, 11, 12, 15, 16

MASTHEAD SECTIONS 1, 2, 3, 4, 5, 6

For the above-referenced Sections the following requirements (as listed in the individual Plat Restrictions) apply:

SIDE YARDS – Side yard setback lines shall not be less than an aggregate of twenty-two (22) feet. Provided, however, no side yard shall be less than eight (8) feet from the side lines of the lot.

REAR YARDS – Rear set back lines shall be at least twenty (20) feet from the rear lot line excepting in the case of water frontage lots where the setbacks shall be twenty (20) feet or at the contour level of 788.4 feet above mean sea level, whichever is greater; provided, however, the Indiana Department of Natural Resources may authorize an encroachment of lands below 788.4 feet above mean sea level because of unusual topographic conditions.

ADMIRALS BAY SECTIONS 8, 9

ADMIRALS POINTE SECTIONS 3, 7, 8, 9, 10, 11

FEATHER COVE SECTIONS 8, 9, 10, 13, 14

For the above-referenced Sections the following requirements (as listed in the individual Plat Restrictions) apply:

SIDE YARDS – Side yard setback lines shall not be less than an aggregate of twenty-two (22) feet. Provided, however, no side yard shall be less than eight (8) feet from the side lines of the lot.

REAR YARDS – Rear setback lines shall be at least twenty (20) feet from the rear lot line.

MASTHEAD SECTIONS 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

For the above-referenced Sections the following requirements (as listed in the individual Plat Restrictions) apply:

SIDE YARDS – The side yard setback lines shall not be less than an aggregate of twenty (20) feet. Provided, however, no side yard shall be less than nine (9) feet from the side line of the lot.

REAR YARDS – Rear setback lines shall be at least twenty (20) feet from the rear lot line excepting in the case of water frontage lot setbacks shall be twenty (20) feet or the horizontal location of the lot line which lies at 788.4 feet above mean sea level (with the exception of boat houses approved by the Developmental Control Committee), whichever is greater; provided, however, that Indiana Department of Natural Resources may authorize encroachment upon lands below 788.4 feet above mean sea level because of unusual topographic conditions.

BEAM REACH SECTIONS 1, 2, 3, 4, 5

For the above-referenced Sections the following requirements (as listed in the individual Plat Restrictions) apply:

SIDE YARDS – Side yard setback lines shall not be less than an aggregate of twenty-two (22) feet. Provided, however, no side yard shall be less than eight (8) feet from the side lines of the lot.

REAR YARDS – Rear set back lines shall be at least twenty (20) feet from the rear lot line, unless otherwise shown on the plat.

DIAMOND POINTE

For the above-referenced Section the following requirements (as listed in the individual Plat Restrictions) apply:

SIDE YARDS – The side yard setback lines for Lots 1 thru 27 and 30 thru 41 shall not be less than an aggregate of twenty-five (25) feet. Provided, however, no side yard shall be less than twelve (12) feet from the side lines of the lot. Lots 28 & 29 shall not be less than an aggregate of twenty-two (22) feet. Provided, however, no side yard shall be less than eight (8) feet from the side lines of the lot.

REAR YARDS – Rear setback lines shall be at least twenty (20) feet from the rear lot line excepting in the case of water frontage lots where setbacks shall be twenty (20) feet or at the contour level of 788.4 feet above mean sea level, whichever is greater; provided, however, the Indiana Department of Natural Resources may authorize an encroachment upon lands below 788.4 feet above mean sea level because of unusual topographic conditions.

CROSSING SOUTH

For the above-referenced Section the following requirements (as listed in the individual Plat Restrictions) apply:

SIDE YARDS – The side yard setback lines shall not be less than an aggregate of sixteen (16) feet; provided, however, no side yard shall be less than six (6) feet from the side line of the lot.

REAR YARDS – Rear setback lines shall be at least twenty (20) feet from the rear lot line, unless otherwise shown on the plat.

*****THE SET BACK REQUIREMENT SECTION OF THESE GUIDELINES ARE A REFERENCE GUIDE FOR THE SIDE AND REAR SET BACK REQUIREMENTS. IT IS RECOMMENDED THAT ALL MEMBERS SUBMITTING AN APPLICATION TO THE DCC REVIEW THE INDIVIDUAL PLAT FOR THEIR SPECIFIC SECTION OF GEIST HARBOURS PRIOR TO THEIR SUBMISSION OF ANY APPLICATION IN ADDITION TO THESE GUIDELINES**