

VICTORIA LAKES COMMUNITY ASSOCIATION INC

ACTIVITY AND ARCHITECTURAL POLICIES

The following architectural and activity policies have been extracted from the dedication, protective, restrictions, covenants, limitations, easements, approvals, and bylaws appended to and made a part of the dedication and plat of Victoria Lakes, and its community association. They are subject to additions or changes by the Architectural Control Committee and the Board of Directors of the Victoria Lakes Association, Inc.

These policies are meant to ensure the value and desirability of Victoria Lakes Association, Inc. and to protect the investment of the individual property owners.

GENERAL

No building, fence, wall or other structure shall be commenced, erected, or maintained on a Lot, nor shall any exterior addition to, change, or alteration to an existing structure be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the proposed activity have been submitted to and approved in writing as to the harmony of the external design and location in relation to surrounding structures and topography by the Architectural Control Committee of the Board of Directors of the Association. This is as per the Architectural Controls in the covenants.

Request must be submitted to the Chairperson of the Architectural Control Committee using the designated form and include any additional materials required for full description of a proposed project. Such materials may include:

1. Plat of Survey map, which is an individual Lot survey with dimensions or your property as they relate to the home that was built.
2. Sketch of layout and design, with dimensions
3. Type of material to be used
4. Color of materials
5. Height
6. It is up to the homeowner to obtain the proper permits from the City and/or County prior to making changes to your Lot, such as building permits, utility marking (gas, electric, cable lines), or any other permits. These permits are subject to inspection by the Architecture Committee.

You shall receive a formal reply to your written request within sixty (60) days of receipt of the request by the Chairperson or Management Company. Failure of the Architectural Control Committee to reply within sixty (60) days of receipt of the request form shall constitute approval of the submitted proposal. Questions regarding this process of the policies in this document should be directed to the Chairperson of the Architectural Control Committee.

POLICIES & RESTRICTIONS

1. **FENCES:** Only wood, wood composite, metal or vinyl fences. No chain link fences are permitted. Slotted, or solid fences are ok. The maximum height is six (6) feet. These guidelines also include ponds lots and facing the pond side too. Wood fences are required to have a finish with paint or stain of natural earth tone color. All fences must be professionally installed. All fencing needs to be maintained and must be mowed around the bottom of the fence and look clean. Split rail fences with vinyl coated mesh on the inside are permitted. Fencing must start at the rear corners of the dwelling. All posts are to be facing the owner's house; the rails are on the inside. All fence construction, style, materials, etc. must be submitted timely for approval prior to installation, and each project will be evaluated case by case. (Article VI, Section 14)
2. **SWIMMING POOLS & HOT TUBS:** In-ground swimming pools are permitted and must be fully enclosed with a fence of approved construction with a height of four (4) feet (unless otherwise approved). Any exterior gate must contain a child-proof lock. Cabanas are permitted inside the fence when used to house pump equipment for the in-ground pool (designed subject to approval by the Architectural Control Committee). Hot tubs located on the exterior of a home, on your deck, patio or built on your deck, are subject to the approval of the Architectural

Control Committee. They must be kept well maintained and operational. Hot tubs and in-ground pools fall under Architectural Control guidelines and require approval before installation. (Article VI, Section 15).

NOTE: The Association will permit small above-ground, wading pools/kid pools with the following restrictions. The pool cannot exceed 18" inches off the ground and no longer than ten (6) feet long or twelve (6) feet in diameter for round pools. They must be out of view from the front of the residence. These pools cannot use a pump or filter system, and the pool must be removed and properly stored when not in use and must be stored off-season after September 30th.

3. **PLAYGROUND SETS:** Permitted only in backyards. Maximum permitted height is Fifteen (15) feet; maximum permitted length is thirty (30) feet. Playground sets must be of heavy wooden construction or composite, earth tone in color and must be kept in a high state of repair. All playground sets must be secured in place with tie downs. A playground set shall be constructed to not be in violation of terms and conditions of the Victoria Lakes covenants. Playground sets are subject to inspection by the Architectural Committee. Tree houses are not permitted. Specific location must be submitted for approval by the Architectural Control Committee. (Article VI, Section 19)
4. **STRUCTURES:** No unattached structure (shack, barn, garage, basement, tent, tool shed, tree house, doghouse, dog run, doll house, burn barrel or other outside building) shall be located or used on any Lot at any time or used as a residence on either a temporary or permanent basis. (Article VI, Section 27)
5. **VEHICLES & PARKING:** No boat, boat trailer, recreational vehicle, motor home, trailer, truck, camper or any other wheeled vehicle shall be permitted to be parked ungaraged or in the street for more than seventy-two (72) hours per calendar month. A "truck" is defined for this purpose as one rated one ton or greater. (Article VI, Section 27)
6. **SIGNS:** No sign of any kind, regardless of material (ex. Flags), shall be displayed to the public view on any Lot except either: real estate and builder/ professional construction permitted during and up to two weeks after the project is completed; warning signs (electric fence, security) permitted; political signs permitted during voting season only; student activity signs permitted; church signs permitted. (Article VI, Section 31)
7. **COMMUNICATION EQUIPMENT:** No radio or television antenna shall be allowed on the outside of any dwelling. No free-standing radio or television antenna shall be permitted on any Lot. No satellite dishes greater than eighteen (18) inches in diameter shall be permitted and they cannot be visible from the front of the dwelling. (Article VI, Section 17)
8. **DWELLING EXTERIOR:** No exterior changes or alterations to the house can be made until plans, specs, and materials have been submitted to the architectural committee in writing for approval. No solar panels attached or detached are permitted. (Article VI, Section 17).

Firewood must be stacked neatly, placed on the rear or side of the home.

Garbage containers must be stored in the garage, at the rear of the house, or at least 4 feet back on the side of the house. Garbage containers shall not be placed for collection and pick-up earlier than 4 p.m. on the day prior to the scheduled pick up. After containers have been emptied by the garbage disposal company, containers must be properly stored by the end of pick-up day. If trash containers are to be stored on the side of the home an approved fence and solid surface/pad will be required to ensure containers are not seen from the street.

9. **OCCUPANCY OF A NEW DWELLING:** Within sixty (9) months of occupancy of a new dwelling (weather permitting), the yard shall be seeded or sodded and landscaped, with at least (6) shrubs and (1) tree to help prevent soil erosion. Please refer to your purchase agreement. (Article VI, Section 4)

10. VACANT DWELLING: When no one occupies a dwelling for an extended period of time, the owner(s) is still responsible for maintaining the lawn and landscaping in a neat, clean fashion with the grass mowed until the dwelling is sold. Grass must be mowed on a regular basis and maintained at a height not to exceed six (6) inches.

11. VACANT LOTS/NEW DWELLING CONSTRUCTION: Any undeveloped Lot not under construction must be maintained and kept free of weeds and debris. Bare areas are to be seeded with grass to control soil erosion and weeds. Grass must be mowed on a regular basis and maintained at a height not to exceed six (6) inches. Construction materials must not be allowed to blow about the Lot and onto the street and other Lots. Construction materials and debris must be placed in secure trash bins daily.

12. BASKETBALL POSTS & FREE-STANDING FLAGPOLES: Plans for permanent basketball posts/goals are subject to review and approval by the Architectural Committee. Basketball goals may be permanent or portable; constructed of commercial grade materials and located no more than 20 feet from the dwelling. If located at the driveway, the backboard of the post/goal shall be perpendicular to the street unless otherwise approved by the architectural committee. Portable goals must be kept in a state of repair; they may not be propped up against a house and may not lay on the ground. Portable goals cannot be stored in the park strips with the goal facing the street, on the sidewalk or crosswalks, and must be in the owner's yard.

Plans for freestanding flag poles must be submitted to the architectural committee for approval. Flag poles may fly only the American flag, state flag, military branch flags or flags that are considered non-offensive or political. Flagpole height may not exceed 25 feet in height and not exceed the height of your home.

13. TRASH DSPOSAL: No grass clippings shall be left on the street at any time after mowing the grass. Trash, garbage, and other waste shall not be kept in the yard for more than twenty-four hours except in closed, sanitary containers. Garbage cans shall not be placed at the street for collection and pick-up earlier than 4:00 p.m. on the day prior to the scheduled pick up. After sanitary containers have been emptied by the garbage disposal company, store out of view from the front or return to the garage by the end of pick-up day. Trash cans cannot be seen from the street. No incinerators (external or internal) shall be kept or allowed on any Lot. Composting piles/containers are not permitted. Trash can storage areas are permitted and can be no larger than four (4) feet deep by six (6) feet long by four (4) feet tall. Trash partitions must have Architectural Committee approval before installation.

14. TRAFFIC: No motorized vehicles (mopeds, scooters, mini-bikes, go-carts, motorized three-wheelers, ATV's, etc.) are permitted on the Association's common ground. Motorized vehicle use of streets must be in compliance with Allen County ordinances and Indiana state law. Motor vehicle operators/drivers must observe any posted speed limits within the subdivision. No snowmobiling is permitted in any common area, Lot or any other area of the subdivision.

15. HOUSEHOLD LAUNDRY: Laundry wash items are not permitted to be aired or dried outside the house. No clothesline or either temporary or permanent design shall be erected or maintained on any Lot. (Article VI, Section 18). A temporary clothesline may be attached to the posts of the rear porch for a period of three (3) days (thirty-six hours) to air out items. After which time the line will have to be removed. The Architectural Committee must be notified about the line.

16. ANIMALS: No animals, livestock or poultry of any kind shall be raised bred or kept on any Lot except that dogs, cats or other household pets may be kept, provided they are not kept, bred or maintained for any commercial purpose. (Article VI, Section 28) Any permitted animals must either be on a leash or controlled in accordance with Allen County Leash Ordinances. Bags for animal droppings must be used for pets being walked anywhere in the neighborhood, including common grounds. Pet droppings are to be disposed of properly at your residence. The feeding of wild animals is discouraged.

17. ACTIVITIES & NUISANCES: No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done which may become or may be an annoyance or nuisance to the neighborhood. This includes loud music, repetitive dog barking, obstructive lighting and other disruptive activities that are inconsiderate of your neighbors.

18. EASEMENTS: No owner on any Lot shall erect or grant to any person, firm, or corporation, the right, license, or privilege or erect, use or permit the use of the overhead wires, poles, or overhead facilities of any kind or electrical, telephone or television service (except distribution facilities entering or leaving the subdivision). Street lighting or ornamental yard lighting serviced by underground wires or cables is permitted. Service drainage easements and common areas used for drainage purposes shall be constructed to achieve this intention and maintained in unobstructed condition. (Article VI, Sections 21, 22, and 23)

19. GEOLOGICAL ACTIVITY: No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any Lot. No derrick or other structure designed for the use in boring for oil or natural gas shall be erected, maintained, or permitted upon any lot. No individual water supply system or individual sewage disposal system shall be installed, maintained, or used on any Lot. (Article VI, Sections 25 and 30)

20. LIGHTING: No lighting attached to a dwelling shall be located above the roofline. External lighting attached to a dwelling or located on a lot shall not utilize mercury vapor or similar lighting mechanisms. External lighting not attached to a dwelling shall not exceed seven (7) feet in height. Exterior lighting shall comply with governing ordinances and avoid light trespassing.

21. BEAUTIFICATION: As a beautification project in our community, the Architectural Control Committee encourages the planting of trees and shrubs on lots. The planting of trees or shrubs shall be subject to the approval of the Architectural Committee.

22. FOUNTAINS: The only fountains allowed in any of the Victoria Lakes ponds will be Association owned. No private fountains will be allowed.

23. TRAMPOLINES: Are permitted in the backyards only. All trampolines must be kept in a high state of repair. All trampolines must be anchored in the ground with an approved anchor set. All trampolines are subject to inspection by the Architectural Committee. (Article VI, Section 19)

24. RAIN BARRELS: Permitted at the discretion of the Architectural Committee. It must be neutral in color and placed in the backyard, not visible from the front of the lot or street. They cannot be metal and no larger than 50 gallons. If not well kept, they are subject to removal.

Any requests for approval should be submitted in writing to:

*Victoria Lakes Community Association
Attn: Architectural Committee
507 Airport North Office Park
Fort Wayne, IN 46825*

*For general question and concerns, call Above & Beyond Community Management at 260-490-2226
or email office@abcmangement.org.*

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