

HarborWalk

ON THE BLACK RIVER

Architectural Review Committee Guidelines

Revised April 2021

HARBORWALK

Architectural Review Committee Guidelines

I. INTRODUCTION

A. Purpose

The Architectural Review Committee (ARC) Guidelines for HarborWalk maintain the integrity of the original community design and enhance the quality of life within HarborWalk by protecting the property values, health, and safety of all residents. The purpose of ARC Guidelines is to serve as a guide for decision-making for HarborWalk homeowners and the ARC committee. Decisions regarding all modifications for additions not expressly authorized by the ARC Guidelines will be made on a case-by-case basis.

Prior to beginning any exterior modifications or addition, homeowners must complete and submit an application form accompanied by the plans and specifications to the HarborWalk ARC.

Homeowners should submit the required application form as soon as they decide to make an exterior change that may require approval. In all cases, the application form should be submitted no later than 90 days prior to the scheduled start date because the ARC has 90 days to act on an application. The HarborWalk architectural application is in addition to any state or local building approvals required by the city of Lorain building codes and ordinances. For example, plans for the construction of fences, decks, patios and other structures must meet City of Lorain building codes, and appropriate building permits must be obtained before beginning any construction. All projects must be completed in a timely manner.

Members of the HarborWalk Homeowner's Association are responsible for maintaining the exterior of their dwellings and any other structure (i.e. fences, decks, patios, etc.) On their lots, conditions including but not limited to the

following will be considered a violation of the HarborWalk Homeowner's Association's Declaration of Covenants and Restrictions:

- Peeling, fading or chalking paint on the exterior of the house;
- Dented items or items with missing parts (i.e. exterior lighting, railings, house numbers, screens, etc.)
- Deteriorated materials, structural items, walkways, or driveways;
- Incomplete architectural alterations or modifications; and
- Replacing missing gutters & downspouts.

B. General Design Criteria

The ARC specifically considers the general design criteria explained below when evaluating a proposed modification.

1. Design Compatibility

Design Compatibility requires that the proposed modifications be compatible with the architectural characteristics of the community design and neighborhood setting. For example, the architectural style, quality of workmanship, scale, use of color, materials, and design construction details must be similar to the original homes.

2. Location

The proposed modifications must not adversely affect the neighborhood. Such problems may arise with disruptions of the natural topography or changes in the grade of the land causing changes in the direction of storm water runoff.

3. Scale

The size of the proposed modifications must be proportionate to the adjacent structures and surroundings.

4. Color

Continuity of design using the same or compatible materials and colors as those in the original construction.

5. Workmanship

Proposed modifications must be completed as specified, be aesthetically acceptable, and require normally expected maintenance only. Should there

be a question of workmanship; the applicant is responsible for any necessary corrections.

6. Timing

The proposed modification must be completed in a timely manner with a project schedule plan in order to minimize safety hazards and the possibility that continued construction may become a nuisance to your neighbors. All applications must include the estimated start and completion dates.

C. Application Review Process

All completed applications should be submitted to:

HarborWalk Community Association
433 Shipyard Way
Lorain, OH 44052
Attn: ARC Chairperson

The application will then be forwarded to the ARC for review. IF the application is complete, the review process will begin. If not, the homeowner will be contacted for additional information. The ARC Committee will render a decision within 14 business days. The decision will be sent by letter or email to the applicant's address by the HOA.

D. Appeal Procedure

Any applicant receiving an adverse decision regarding a proposed modification may appeal that adverse decision to the HarborWalk Board of Directors. To initiate the appeals procedure, applicants must submit a written request for an appeal within 10 days of the applicant receiving the decision. The appeal will be referred to the Board of Directors for review at the next regularly scheduled meeting of the Board of Directors. All appeals to the board should be sent to the management company. The Management company will also be able to tell the applicant when the next Board of Trustees meeting will be.

E. Enforcement

Good Neighbor Policy

The ARC Committee established guidelines that define the standard of living residents may expect from our development. However, policy and procedure cannot replace courtesy and the need to communicate with each other.

Before filing a complaint about a neighbor, take the time to have a personal discussion. Neighbors talking with each other, in a non-threatening way, can achieve quicker results in a friendlier fashion. Our community spirit lies within the hands of each resident.

Enforcement Policy

To ensure compliance with the rules and regulations, in those rare instances when a friendly reminder doesn't work, the following schedule of enforcement/fines for repeated and continued violation will be instituted by the Management Company:

Event	Enforcement
First Time Violation	Written Notice with 14 days to rectify situation
Second Time Violation * *after written notice and 14 day time period	\$50.00
Third Time Violation and Each Subsequent and/or Continuing Offense	\$100.00 per day

Fines will be assessed against the unit owner. In the case where the unit is a rental, it is the resident owner's responsibility to advise the tenant of these rules and regulations and to provide them with a copy.

The Management Company will notify the resident owner in those cases where a fine has been levied. Payment of the fine shall be due in the next monthly fee payment after receipt of notification.

II. MODIFICATIONS THAT MAY REQUIRE AN APPLICATION

A. Air Conditioners and Heat Pumps

The following requires an ARC application:

- Any unit relocated or one differs significantly in size;
- Window air conditioner units or window units of any kind will not be permitted at all but may be allowed under rare circumstances and then only temporarily; and
- Generators are allowed in emergency situations.

B. Antennas, Satellite Dishes, HAM Radio and Television Disks

- All installations of Antennas, Satellite Dishes, HAM Radio and Television Disks require an ARC application (with the exception of the units that have already been installed as of 5/15/21).
- Installation of wiring, antennae, and any other device to be attached to the exterior of any building (other than for utility suppliers).
- The satellite dish is mounted on the rear of the house or in the rear yard except when such locations prevent adequate signal reception – in which case prior notification is required.
- Items must be positioned so that they cannot be seen from the front of the house except when such locations prevent adequate signal reception-in which case prior notification is required.
- Satellite dishes must be mounted so that the dish antenna does not extend above the highest point of the roof.
- No dish bigger than 1 meter in diameter.
- All wiring must be tightly secured to the home in areas where it runs along the exterior of the home. Efforts should be made to run wiring along the trim, under the siding, or behind the downspout to minimize the visual impact on the home and surround property.

C. Attic Ventilators

All additional attic ventilators require an ARC application.

D. Awnings

All additional awnings require an ARC application. Awning colors located on the front and rear of the home must match in color of the area within the HOA Development.

Location	Color
Colorado	Beige
Arizona & Freshwater	Orange
East Marina	Blue
West Marina	Green

All existing awnings need to be maintained up to the HOA standards and continuity of the development at the cost of the Homeowner. Failure to do so – the Management Company will repair/replace with the assessed fee for the awning added to the resident owner’s HOA fee.

E. Clothesline

Clotheslines will not be permitted on the exterior of any dwelling or on any common areas.

F. Decks and Patios

All decks and patios require an ARC application. Applications must comply with the following conditions:

- Request for approval must include a site plan and specifications that meet the city of Lorain building codes. Receiving a city building permit is the responsibility of the homeowner; however, the city will require the homeowner to get HarborWalk ARC approval first.

G. Doghouses

Doghouses will not be permitted.

H. Doors and Windows (including Garage Overhead Doors)

All replacements/installation of doors and windows require an ARC application:

- Doors and windows must match in color and style from those originally installed
- Storm Windows
- No plastic coverings will be permitted on the exterior of any door or window
- Retractable screens located in channel/pocket
- Storm and screen doors that are full length view and are made of metal or vinyl and are free of any grille work. Listed below was the original model information of the approved door sold at Home Depot Stores

Manufacture: Anderson, HD3000 FV
Item: 205-124
Brass kick plate and brass handle
Color: White
Alternate (sold elsewhere)

Manufacture: Larson Storm Doors
Items #214=FB
Brass kick plate and brass handle
Color: White

See photo below of approved color and style of door if doors are no longer available



I. Exterior Decorations (not including flower pots).

- Wind chimes may only be hung outside if you have the consent of your neighbors who are close enough to hear them.
- An application is not required for exterior decorations smaller than 144 square inches. However, no more than a total of (3) of three exterior decorations of this size are allowed in the visible yards (does not include porch areas).
- Exterior Decorations must be maintained in original condition.
- Decorations, statues, or flowers that are plastic are allowed but must be maintained in original condition.

HOLIDAY Decorations

- All outdoor holiday decorations should be removed within one week after the holiday.
- Christmas/December Holiday decorations may remain up between Thanksgiving and 2nd Sunday in January.

J. Exterior Grills & Firepits

- No charcoal or gas grills permitted on any 2nd or 3rd floor dwelling per 2005 Ohio Fire Code section 308.31. Open-flame cooking devices. Grills permitted on concrete first floor level – with a minimum of 3’-0” safe distance from structure.
- Grills are allowed in dedicated paved area outside of driveway with a proper cover.
- Grills not in a dedicated paved area must be stored in garage when not in use.
- Firepits are allowed for outdoor use with reference to guidelines of OHIO State Fire Regulations [Lawriter - OAC - 1301:7-7-03 General requirements. \(ohio.gov\)](#)
 - (i) 307.4.2.1 Fire Pits. Recreation fires conducted in gas-fired recreational pits shall not be conducted within 15 feet of a structure or combustible materials.
 - (c) 307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer’s instructions and shall not be operated within 15 feet of a structure or combustible material.
- Firepits must be stored away within 12 hours of use when not being used) or an ARC application is required for permanent installation.

K. Exterior Lighting

An application is required for:

Lighting that differs in color and style from those originally installed. The application should include a detailed picture and site plan discussing the location, size, wattage, color and style for the proposed modification.

An application is not required for:

- Replacement of front lighting with the same shape, size, style and color as the builder originally installed.
- Installation of low voltage lighting that does not exceed 18 inches in height.
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- HOLIDAY SEASON LIGHTING
 - From Thanksgiving Day thru 2nd Sunday in January
 - Clear and Multi-colored lights are allowed
 - Displayed on deck railings
 - Displayed in mulch bed on trees or bushes are allowed

SPRING (April) – FALL (through Thanksgiving)

- Must be on a timer and off by midnight (12:00 AM)
- Displayed on deck railings – horizontal direction only – No vertical or diagonal direction is allowed
- Clear lights only allowed
- No blinking or flashing lights are permitted
- White solar lights may be permitted

L. Exterior Painting and Siding

All exterior color changes (including doors) will require an ARC application with strict guidelines to keep all colors compatible with the original color palette.

An application is not required for:

- Repainting trim and porches with the existing color.

M. Fences and Gates

All fences and gates require an ARC application.

N. Flags

Application is not required for:

- One (1) American flag is permitted per household
- Size 3' x 5' maximum
- Display/Location: to the flag's own right, that is, to the observer's left
- Flags are to be hung/displayed ONLY on a flag pole attached to exterior columns – no draping from railings, ceiling or windows will be allowed
- The State of Ohio flag will also be permitted, in accordance with the current guidelines.
- Game day flags are allowed on game day ONLY.
- All other flag types are prohibited.
- All banners or fabric bunting is not considered a flag. Please see guideline: I. Exterior Decorations for complete compliance.

O. Flower Boxes

An application is not required for:

- Not to exceed 70% of the railing width
- Not to exceed 25% of the railing heights
- Not to protrude no greater than 12 inches
- All flower boxes must be secured and fastened so as to not fall down due to high winds.

P. Garden Hoses

- Garden hoses need to be attached to a hose reel/dolly or stored in your garage when not in use.

Q. Home Accessibility Ramps

Any installation of a ramp for purpose of accessibility must meet ADA 2004 regulations and requires an ARC application and not impede or extend onto neighbors' property.

R. House Numbers

House numbers within HarborWalk are regulated and posted for security and public safety as well as for aesthetic appearances and community standards. Therefore, all homeowners are required to have posted house numbers. All house numbers shall be in the style in which the builder provided.

S. Landscaping

Should a homeowner wish to use their own mulch for the landscaping – mulch needs to match the color and shade of mulch used throughout the development.

The following requires an ARC application:

- If more than 25% of the open space will be replaced with ground cover such as stone, mulch, ivy or anything other than turf.
- Any trees or shrubs to be installed on the property that may affect an adjacent lot. Such as trees or shrubs that are planted too closely to a neighbor's house.
- Any changes to the existing grade of the property.
The application should include a site plan and a detailed description of the materials and/or methods to be used and a schedule timeline.
- Plant materials will be reviewed with an emphasis on their overall mature size to ensure that they mesh with the scale of the neighboring properties.

An application is NOT REQUIRED for the following:

- Landscape of natural materials of wood or rock. Wood and concrete borders that do not exceed six (6) inches in height and stone borders that do not exceed twelve (12) inches in height.

- Replacement with like kind made to the existing foundations plantings.

T. Patios

All patios require an ARC application (see Decks and Patios for details – Section F). Patios must not create drainage problems for the adjacent properties.

U. Recreational Equipment - Detached Home

All recreational equipment will require an ARC application.

Examples of recreational equipment include sandboxes, playhouse, swing sets, etc. Such equipment must be placed in rear yards within the homeowner's lot. The equipment must be compatible with the lot size. The design and any individual screening are additional considerations in evaluating whether or not there will be an additional adverse impact. (see also Section 7.9 of Declaration – Storage of Vehicles and Machinery)

V. Retaining Walls

All retaining walls require an ARC application.

W. Roofs

All roof replacements will require an ARC application.

All replacement roofs should match as closely as possible with the original roof.

X. Sheds

Sheds are not permitted.

Y. Shutters, Gutters and Downspouts

The following requires an ARC application:

- Permanently removing the shutters
- Introducing a size, style or color that differs from the existing items
- Color changes (see Exterior Painting and Siding – Section K).
- All existing shutters, gutters and downspouts need to be maintained up to the HOA standards and continuity of the development at the cost of the

Homeowner. Failure to do so – the Management Company will repair/replace with the assessed fee for the shutters, gutters and downspouts added to the Homeowner’s HOA fee.

- Rain barrels are prohibited.

Z. Skylights

An application is required for all skylights ~ detached homes ONLY.
Skylights are not permitted on shared roof homes.

AA. Spas and Hot Tubs (detached homes)

All spas and hot tubs require an ARC application.

The application should include a site drawing showing the dimensions of the spa or hot tub, exterior finish, color of the cover, and any decking or screening.

All spas and hot tubs must be enclosed within a fenced yard (minimum 4 feet high) and have a cover when not in use. The homeowner must provide additional insurance for the spa or hot tub.

BB. Storage of Items in Front and Side Yard

-No items may be stored in front, side yard, back yard, driveway or on vacant lots.

CC. Trash and Recycling Storage

Trash and recycling containers should be stored inside the homes/garages until the morning of/or night before the scheduled curb pick up from the city.

DD. Trellises and Arbors

All freestanding trellises and arbors that are more than 18 inches away from the dwelling require an ARC application.

EE. Utilities

Any utilities lines need to be run underground and any cable lines, phone lines, etc. need to be tightly secured to the house. No

approval is need to run utility lines, although homeowners must contact the utility companies before they plan on digging to find out where the underground utility lines are.

FF. Exterior Appearance

Reference Section 7.14 from The Dec's & By-Laws – Exterior Appearance and Lights for Exteriors Residences

No curtains, drapes or shade shall be displayed in/or from any window or glass door of a building without the prior written consent of the Board unless part thereof within view from the exterior of a building is white, near white or beige in color.