

1 Property Standards Committee Procedures

1.1 Objectives of Property Standards Guidelines

This document's objective is to guide homeowners and members of the Property Standards Committee (PSC) in maintaining and enhancing the environment of Colony Lakes. The guidelines set forth in this document address modifications for which homeowners most often submit applications. They are not intended to be all-inclusive or exclusive, but rather to serve as a guide for what is permissible. The specific objectives of this document are:

- To increase homeowner's awareness and understanding of the Covenants, By-Laws, and Rules & Regulations for Colony Lakes.
- To focus on all exterior modifications made by owners.
- To assist homeowners in preparing an application to the ASC.
- To provide uniform guidelines to be used by the PSC in reviewing applications.

1.2 Protective Covenants

The basic authority for maintaining the aesthetics of design in Colony Lakes is founded in the "Declaration of Covenants and Restrictions for Colony Lakes Property Owner's Association," which is part of the deed to every property within the Colony Lakes Subdivision. The intent of Covenant enforcement is to ensure residents that the standards of design quality will be maintained. This, in turn, protects property values and enhances the community's overall environment. Every Colony Lakes homeowner should have a copy of the Declarations. All too frequently, the homeowner does not read this information. Since these Covenants "run with the land," they are binding on all owners, whether or not they have been read. They should be periodically read and fully understood. The Declaration of Covenants established the Colony Lakes Board of Directors, which in turn has established the PSC.

1.2.1 Transfer of Ownership/Disclosure

The homeowner is required to notify the managing agent of a pending sale twenty-one (21) days prior to closing. At this time a disclosure Packet will be provided, stating the current status of assessment payments and the existence of any architectural violations.

Any exterior modifications made by the homeowner must have an approved PSC application in the lot file for that address. Lack of an approved application constitutes a violation.

To notify the agent and obtain a disclosure packet, send a written request to the Association's management company.

Colony Lakes Property Owner's Association
P.O. Box 9096
Aurora, IL 60598

2.2.2 Nonconforming Issues

A review of the property will be made by PSC Chairperson and/or a PSC member to verify that all modifications are on file for the property before release of the disclosure documents.

Items found not to be in compliance with the Covenants or PSC approvals will be noted on the disclosure documents. This will apply to existing modifications, which are not compliant; landscaping that has not been maintained to the minimum standards set forth in the Rules & Regulations or other exterior items found to be in disrepair.

The selling homeowner will have the option of:

Rectifying the compliance issue(s) before the transfer of ownership of the home, or;
Have the fair market value of the cost of services and materials to correct the compliance issue(s) withheld at the time of closing. These funds will be held until the documented issue(s) are satisfactory resolved and the PSC provides release.

If the homeowner elects to utilize the fair market value option, the PSC will determine the costs required, utilizing the services of an outside vendor, to bring the property into compliance.

The lump sum amount of these costs will be held as a deposit or placed into an escrow account, in care of Colony Lakes Homeowner's Association. These funds are to be placed in escrow at time of closing if the issues remain uncompleted.

Once the noncompliance issue(s) have been resolved, the funds will be released to:

- The Seller, if the Seller performs the corrections at their expense.
- The buyer, if the Buyer performs the corrections and their expense.
- The Colony Lakes Homeowner's Association, if the association performs the corrections at the Association's expense.

1.3 The Role of the Colony Lakes Property Owners Association and the PSC

The role of the Colony Lakes Property Owner's Association, of which every homeowner is a member, is not only to own and maintain common elements, but also to provide residents with specific information that guides them as they strive to enhance the value of their property, which, in turn, enhances the value of all property with Colony Lakes.

The Association accomplishes its functions, in part, through the PSC, and with the support and dedication of homeowners, who agree that the property standards created by the PSC only serve to protect property values and therefore an asset to our community.

1.4 What Changes Must Have PSC Approval

The Board of Directors for the Colony Lakes Property Owner's Association has created the PSC to give homeowners a straightforward process for notifying the Board of an intent to modify the property and an understanding of the application that must be filled with management company.

Each application is reviewed on an individual basis by the PSC and presented to the Board for approval. There are no "automatic" approvals; a homeowner requesting to construct a fence identical to one already approved by the PSC must still submit an application.

1.4.1 Application Submittal

The application submittal provides information useful to the PSC in determining the scope and detail of the proposal. It may be necessary, as in the case of a Duplex owner, to notify the adjoining neighbor of the proposal, and have the neighbor sign off to indicate awareness.

All documents (i.e., drawings, site plans, ect.) submitted with an application become part of the Association's permanent file for the property. Homeowners are cautioned not to submit their only copy of a document, as it will not be returned.

1.4.2 Site Plan

A site plan is required as part of most applications. A site plan is a scaled drawing of your lot, which shows the exact dimensions of the property, adjacent properties if applicable, and all modifications, including those covered by the application. In most cases the site plan should be developed from the plat of survey provided at the time of purchase of the home. Applications that are more complex may require a larger scale detail of the plat of survey.

1.4.3 Review Procedures

All applications will be filed with the Management Company at the address listed below:

C.L.P.O.A. Property Standards Committee
P.O. Box 9096
Aurora, IL 60598

The PSC will review each application. If any pertinent information is missing, the application will be returned.

If the PSC determines that the application is complete, the review process will begin.

- The application will be reviewed by a quorum of the PSC at its next scheduled meeting.
- The PSC must act upon all applications within thirty (30) days of receipt. The date of receipt is defined as the day when the Management Company turns over the mailed application to the chairperson of the PSC. The application will be date stamped as received.
- If necessary, applicants with special cases will be requested to attend the meeting concerning their case.
- A letter to the address on the application will express the decision(s) of the PSC, even if an applicant attends a meeting.

The applicant should realize that the PSC decision is not binding until thirty (30) days after the receipt to allow for any appeal.

1.4.4 Appeal Procedures

An appeal procedure exists for those affected by a SPC decision; the first appeal is to the PSC; a second appeal can be made to the Board of Directors.

- To start the appeal procedure, the applicant or other affected resident must submit a written request to PSC to be addresses within thirty (30) days of the applicant receiving the PSC decision.
- The PSC must review the appeal at the next regular PSC meeting following receipt of the appeal.
- The Home owner may make a final appeal to the Board of Directors if the results of the initial appeal to the PSC are unsatisfactory.

1.5 Review Process

The PSC evaluates all submissions on the individual merits of the application. Besides evaluating the particular design proposal, the PSC considers the characteristics of the housing type and individual site, since what may be acceptable design for one structure may not be appropriate for another. Design decisions made by the PSC in reviewing applications are not based on any individual's personal opinion or taste. Judgments of acceptable design are based on the following criteria:

1.5.1 Validity of Concept

The basic idea must be sound and appropriate to its surroundings as well as compliant with City of Aurora's Code of Standards.

1.5.2 Design Compatibility

The proposed modifications must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

1.5.3 Location and Impact on Neighbors

The proposed modifications must be compatible with the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage.

1.5.4 Scale

The size (in three dimensions) of the proposed modifications must be compatible with adjacent structures and surroundings. For example, a large edition to a small house may be inappropriate.

1.5.5 Color

Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house, such as roof and trim, must be matching in color.

1.5.6 Materials

Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance horizontal siding on the original house should be reflected in an addition. However, an addition with siding may be compatible with a brick house.

1.5.7 Workmanship

The quality of work should be equal to or better than that of the surrounding area. Poor practices can be visually objectionable to others and cause safety hazards to residents.

1.6 Amendments to the property Standard Guidelines

These guidelines may be amended to provide clarifications, or to reflect changed conditions or technology. The PSC will conduct an annual evaluation of the guidelines to determine if amendments are required. Owners may submit to the PSC written requests for changes to the guidelines. Upon review, the PSC will make a recommendation to the board of directors. Amendments will require final adoption by the board of directors.

1.7 Compliance Procedures

The declaration of Covenants and Restrictions for Colony Lakes authorizes Board of Directors to ensure compliance of all lots within Colony Lakes. The Board of Directors has adopted the following enforcement procedures:

- Upon receipt of a written complaint to the Property Manager from a homeowner, the Board will acknowledge the complaint promptly via a letter from the Property Manager.
- The Board will consider the validity of the infraction through interpretation though interpretation of the rules of the Property Standards, and decide the appropriate resolution. (For a detailed discussion of this issue, refer to the section entitled “Policies and Procedures Regarding Violation Enforcement,” found in the Colony Lakes Property Owner’s Association Rules and Regulations document.)

1.8 Exterior Maintenance Requirements

Homeowners are responsible for maintenance of all structures and grounds of their property. This includes, but is not limited to, mowing grass, removal of trash, structural maintenance and overall appearance. Violations of maintenance standards are violations of the Rules and Regulations. Dumping of debris or lawn clippings on common elements is prohibited.

1.8.1 Dwelling and Structures

Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, playground equipment, or sheds.

While it is difficult to provide precise criteria for what the Association deems as unacceptable conditions, the following examples represent some of the conditions that would be considered a violation:

- Peeling paint on exterior trim.
- Dented, loose, damaged, or missing siding.
- Water damaged, warped, or buckled panels on a garage door.
- Damaged or broken sections of fence.
- Broken, hanging, or missing sections of gutters and downspouts.

Most residents would not allow any of the above conditions to exist, as they seek to preserve and protect the investment in their homes. The Association expects that residents will do all maintenance necessary to prevent any of the above conditions, or the like, from occurring in Colony Lakes.

1.8.2 Premises Identification

Each home shall have its address numbers placed in a position to be plainly visible from the street. These numbers shall contrast with the Background. Numbers shall be a minimum of four (4) inches high and minimum width of one-half (0.5) inch.

1.8.3 Driveways

Residents are responsible for maintenance of their driveway. The PSC recommends sealing the driveway every twenty-four (24) months to ensure longevity. Replacement should be considered if the driveway has cracks or sections of gravel that cannot be patched. Notification of intent to replace a driveway must be filed with the Management Company.

1.8.4 Roofs

Roofs should be maintained to ensure their resistance to weather. Missing shingles should be replaced as soon as possible, weather permitting. If an entire roof is to be replaced, an application must be filed with the Management Company.

1.8.5 Mailboxes

Mailboxes should be maintained so as to remain in sturdy condition. If damaged, it should be replaced as soon as possible, weather permitting. The numbered address should appear on the mailbox.

1.8.6 Mowing

Turf areas need to be mowed at regular intervals. Control of unsightly weeds is encouraged through use of fertilizer and/or herbicides. Apply fertilizer in appropriate amounts to avoid runoff to lakes and other areas. Lawn debris must be cleared from sidewalks and should not be blown into the street. Weeds or overgrown grass should be regularly trimmed along fences. Additionally, weeds and grass should not be permitted to grow in the cracks of a driveway.

1.8.7 Recreational Equipment

Recreational equipment such as bicycles, "bigwheels", balls, and the like should not remain in the front yard overnight. They should be stored in the garage or in the backyard out of view of neighbors. Also care should be taken to prevent portable basketball hoops from tipping over and causing damage to a neighbor's property. The PSC suggests securing them or laying them on their side during high wind days.

1.8.8 Newspapers

Newspapers should be retrieved from the driveway on the day of delivery. Accumulation of more than one paper is not acceptable.

1.8.9 Seasonal Decorations

Seasonal decorations should not be displayed more than thirty (30) days before and must be removed no later than thirty (30) days after the holiday, weather permitting. All multi-colored lighting, with the exception of permanent landscape lighting, is considered seasonal and must adhere to this policy.

2 Exterior Modifications and Structural Changes

2.1 Major Exterior Changes

Major alterations are generally considered those that substantially alter the existing structure either by additions or subtractions. Major building alterations include, but are not limited to; rooms, screened porches, garages, driveways, decks, sheds, and fences. Several types of changes may be combined into one application.

The design of major alterations should be in scale, materials and color with the applicant's house and adjacent houses. The location of major alterations should not impair the views of adjacent properties.

Applications are required for all exterior modifications to the property or house.

2.1.1 Application Contents

In most cases only a single application is required and should include:

- Site plan, showing location of proposed modification and relationship to property lines and adjacent houses.
- Detailed drawings and plans.
- Description of materials.
- Estimated start and completion dates.
- A duplicate of those documents required for a City of Aurora Building Permit.

2.2 Fences

Fences should be appropriate for its purpose. Fencing material within Colony Lakes must be made of wood or chain link. Any other material is subject to approval by the Board of Directors and must meet City of Aurora Codes and Requirements. Applications are required for all fencing.

- Fences should be installed with the finished side facing out towards other homes.
- Fence material must be consistent throughout the entire structure.
- Fences constructed on property adjacent to the lakes cannot exceed four (4) feet in height. Fences constructed on property not adjacent to the lakes cannot exceed six (6) feet in height
- Fences must adjoin the neighboring fences, no parallel fences.