

Enclave of Carmel ACC Guidelines

Development History: The Enclave was developed as a Zero-Lot-Line community. Zero-Lot-Line communities are more restrictive than traditional residential communities but not as restrictive as condo communities. The covenants describe design & color elements done for aesthetic characteristics unique to the Enclave, such as privacy fences. The color scheme requirement was established by the developer to achieve a harmonious look. The Enclave was also developed with specific landscape easements and outdoor living space descriptions.

Covenants Article III, Section 3.06. *Adjoining Lot Outside Living and Landscape Easements.* “The Lots within this Subdivision vary in dimension and configuration... Most (if not all) of the Lots are to be improved on a **zero-Lot- line basis** in order to maximum the amount of outdoor living area available to each Lot Owner...,”

Role of the ACC Committee:

Article IX, Section 9.2 of the Enclave Code of Bylaws states:

“...The Architectural Review Board shall make recommendations to the Board of Directors for the regulation of the external design (such as replacing windows, garage doors, siding, driveways, etc.), use, location and maintenance of the Development and of Improvements thereon in such manner as to ensure compliance with the provisions of Articles VII and VIII and to preserve and enhance values and to maintain a harmonious relationship among structures, improvements and the natural vegetation and topography...”

Three Major Areas of Focus for ACC Process Per the Covenants:

1. Exterior Maintenance:

– **Article VII, Section 7.02 (c)** “Each Dwelling Unit constructed on a Lot shall have a front exterior which is substantially or such other percentage approved by Declarant) or greater of all areas perpendicular to the ground (excluding garage and entry doors and windows)) brick or stone and a side and rear exterior of wood or hard board siding, brick, stone or stucco (which shall also include stucco board), all non-brick or stone portions of the exterior shall be painted a color approved by Declarant, and the roof shall have a shingle color approved by Declarant. Further, once approved, colors shall not be changed upon repainting or re—roofing without Declarant's or the Association's, as the case may be, approval.”

Approved paint color samples are available only at Sherwin Williams,

823 S. Rangeline, Carmel, 317-843-1088. They can be seen on line at: <https://www.sherwin-williams.com/homeowners/color/find-and-explore-colors/hoa/carmel/in/the-enclave-of-carmel/>

Deck rails, banisters, spindles & trim boards are to be same color as the house unless Trex colors Rope Swing or Gravel Path are used per 2021 Color Modernization Plan.

Deck floors are to be lighter shades of brown/tan/gray/stains or

natural clear stains. Deck flooring may be treated wood or composite such as Trex.

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-Article VIII, Section. 05. Maintenance or Lots and Improvements. “The Owner of any Lot in this Subdivision shall at all times maintain the Lot and any improvements situated thereon in such a manner as to prevent the Lot or improvements from becoming unsightly; and, specifically each such Owner shall:

- (i) Remove all debris or rubbish
- (ii) Prevent the existence of any other condition that reasonably tends to detract from or diminish the aesthetic appearance of the Subdivision;
- (iii) Keep the exterior of all improvements properly painted and/or otherwise in such a state of repair and maintenance as to avoid their becoming unsightly and in disrepair, including (but not limited to) exterior lighting fixtures, gutters, soffits, windows, doors, storm doors, glass, siding, decks, patios, driveways, walkways, fences (subject to Section 7.10 of this Declaration) and the like; and...”

2. Landscape Changes:

– **Article VIII, Section 8.12, Landscaping Conformity Throughout Subdivision.** “In order to maintain and foster reasonable conformity and appearance throughout this Subdivision and minimize the cost of lawn and landscape maintenance, the Declarant during the Development Period and the Board of Directors thereafter, shall have the right to adopt reasonable rules and regulations governing the type, size, dimensions, location, species, etc. (as and to the extent applicable) of any plants, trees, flower beds, vegetable gardens and other similar landscaping of landscaped areas, as well as any bird baths, garden or lawn ornaments or statues and other similar artifacts installed, maintained, placed or permitted to remain on any Lot.”

3. Tree Removal – A Developer Commitment to Tree Preservation:

– **Article VII, Section 7.03 Tree Preservation.** “Existing mature trees (having a trunk in excess of six inches in diameter measured at a point of three (3) feet from undisturbed ground) shall be preserved to the extent the removal thereof is not mandatory in connection with the construction of an approved Dwelling Unit, driveway, walkway, patio or deck, unless the removal thereof is otherwise specifically approved by Declarant or any such tree is dead or decayed or dangerous.

The Enclave of Carmel Architectural & Landscape Control Approval Request Form can be found under the HOA Documents/Architectural Guidelines Documents tab on the Enclave of Carmel Website:

<https://theenclaveofcarmel.com/wp-content/uploads/Architectural-Landscaping-Change-Request-Form>