

ACC RULES AND REGULATIONS

INDIAN ROCKS P.O.A. OF LEDGEDALE, INC.

Effective 8/20/23

GENERAL INFORMATION

Health and Safety is always first. In an emergency situation please contact the office regarding the situation and emergency approval can be given. If approval is given, you are still required to file an application.

All assessments must be current on all properties owned by the property owner prior to the application process.

All applications must be complete, with all requirements for said project being met, including payment in full, before it will be reviewed, by the ACC committee.

No work to be started prior to approval of application. Fines may be levied as per the current fines and fees schedule.

Property owners doing construction on one lot that own additional lots may not use these lots for any type of staging, parking or storage area. These lots are to be left untouched, and in their natural state, until construction is approved for said lot. Fines may be levied as per the current fines and fees schedule.

ACC Committee members and Indian Rocks personnel reserve the right to inspect all work from the time of application to the time of completion.

All fines are the sole responsibility of the property owner.

As per our Protective Covenants, nothing beyond general maintenance can be done within the 10-foot easement on all 4 sides of the property, other than the driveway entrance. This easement is measured off of the property lines. The only exception to this would be through the Indian Rocks Hardship Request policy (see page 9). This 10-foot easement is owned by the property owner, and it is their responsibility to maintain it, including swales and culverts.

The ACC has 30 days to consider an application after receiving the completed application with all requirements being met, including payment in full.

All new homes and permanent garages require a Storm Water engineers review. Major additions, or modifications to an existing home may require a Storm Water engineers review. Storm Water engineer reviews are done by an engineer, obtained by Indian Rocks, or the property owner. See page 7 for additional information regarding Storm Water engineer reviews.

Any structure greater than 160 square feet, and certain size dormers may also require a Storm Water engineers review be completed. The ACC also has the authority to have a Storm Water engineer review completed on drainage projects if needed.

If project is not completed within the time frame documented on the approved permit, an extension may be obtained through the Indian Rocks office. Only one extension, for a period of 6 months, will be granted for any project using the maintenance application, including additions, dormers, or garages. There is no charge for this extension. For new home construction you may also obtain one 6-month extension at no charge. Additional extensions may also be granted on a case-by-case basis, (see the current fines and fees schedule).

Anyone unable to complete a painting or staining project because of cold weather will be given until June 1 of the following year to complete said project. Please notify the office if this situation arises. After June 1st a fine will be imposed.

Indian Rocks has the authority to issue a stop work order anytime work is being done without the proper permit being obtained, or if work is being done outside the scope of the granted permit.

All homeowners filing an application with the ACC must make sure that their house is clearly and correctly marked with the approved 911 address sign, and that the address matches the address on the application. If the house is not clearly marked, the ACC reserves the right to deny the application.

All new construction must have a sign with the approved 911 address on it. Sign must be a minimum size of 4 1/2 inches high x 8 inches long, and a minimum number size of 3 1/4 inches high. Dark numbers on a white background, or white numbers on a dark background are acceptable. Sign must be placed as close to eye level as possible, and in a location that is highly visible from the road.

The Indian Rocks office must be notified if any change or modification is to be made that differs from the approved permit, including colors. Otherwise, a fine may be levied as per the current fines and fees schedule.

The Indian Rocks office should be notified upon completion of all projects that require an ACC permit. The ACC reserves the right to inspect the completed project.

The ACC committee has the authority to issue people a warning for anything found to be out of compliance with current ACC rules and regulations.

Any exterior work performed within reasonable accommodation guidelines of the Americans with Disabilities Act (ADA) are permissible. An ACC application must be filed at no charge with the office, for review by the ACC committee. All ADA accommodations to be installed should conform, whenever possible, to ACC guidelines and approved color charts.

Silt fencing is required for any construction where earth disturbances may occur. The ACC may also require silt fencing when they feel it is necessary.

SPECIFIC INFORMATION

- 1) **ALTERNATIVE ENERGY** - Any alternative energy plan (ex. solar panels, wind turbine) requires a site plan, a township permit, and any other applicable approvals. Project must also be approved by the ACC. If trees are to be removed, a separate tree removal permit must also be applied for, and the ACC may require trees to be planted elsewhere on the property to replace trees that were removed.
- 2) **AWNINGS** - Awnings are permitted and do require an ACC permit. Color must be an earth tone shade of brown or muted shade of red or green, as per ACC color chart.
- 3) **BLASTING** - Blasting of any lot for excavation/foundation purposes, must be approved by the ACC. If applicable, a copy of the state issued permit must be presented to the office before approval can be given by the ACC. A licensed qualified demolition technician, certified by the state of PA, must do the blasting. Forty- eight hours' notice must be given to all property owners within 1,000 feet of blasting area, and a copy of said notice must be filed with the Association office.
- 4) **BUILDING REGULATIONS** - Building plans are reviewed and enforced by the ACC. All exterior building projects require a permit from Indian Rocks. A permit may also be required by Salem Township. The Salem Township permit must be obtained first and included with the application for a permit from Indian Rocks. All building must comply with the Pennsylvania Uniform Building Code, the International Residential Code, and the Salem Township building code.
- 5) **COLORS** - Accurate samples of all colors, along with manufacturer and name of color, must be provided with all applications. If finished color is not a close match to the approved color, the homeowner may be advised to repaint or replace material to better match the approved color. If the material itself is the finished color, a sample of the material or an accurate color match must be provided. These colors are for all structures, including houses, garages, sheds, and other structures.
 - a. - **SIDING COLOR** - Earth tone shades of brown, as per ACC color chart.
 - b. - **FOUNDATIONS** - Earth tone shades of brown, or certain shades of gray, as per ACC color chart.

- c. - DOORS, SHUTTERS, TRIM, ETC. - Earth tone shades of brown, or muted shades of dark red or dark green as per ACC color chart.
 - d. - ROOF - Earth tone shades of brown or dark green.
 - e. - WINDOWS - Brown or tan, as per ACC color chart.
- 6) COMBINING OF LOTS FOR CONSTRUCTION PURPOSES - All lots in Indian Rocks have a 10- foot easement within all property lines and certain setbacks for building, as per ACC rules and regulations on setbacks. Until the lots are legally combined with Salem Township, all easements and setback rules are still in effect. Combining of lots for construction purposes involves (A) Having said lot's surveyed by an engineer or certified land surveyor (B) Having a new deed completed with a complete description of the combined lots and (C) A new survey and deed to be recorded in the Wayne County Courthouse on the county subdivision map and in the recorder of deeds office. Copies of all approvals must be submitted to the ACC and will be kept on file in the Association office. There is no change in assessment after the combining of lots for construction purposes, with the exception of lots that are a combined total of 15,000-square-feet or less. (These lots combined will equal a single assessment).
- 7) CONSTRUCTION APPLICATION - The construction application is required for all new home construction, whether stick built or pre-manufactured. Any structure larger than 160 square feet, garages, dormers, house additions, or additions to any other existing structure, also require the construction application to be filed. It is the responsibility of the homeowner to make sure all requirements are met, and all guidelines are followed as per the construction application. By signing all applicable pages of the construction application, the property owner or owners are stating that they have read and agree to follow all requirements, regulations, and guidelines as written.
- 8) CONTRACTORS - Contractors must have a current certificate of insurance on file in the Association office before a permit will be approved. All contractor, sub-contractor, and employee vehicles must display a current sticker while in Indian Rocks. Contractors and sub-contractors may not commence work before 7:30 a.m. Work hours are 7:30 a.m. to 6:00 p.m., Monday to Friday, certain holidays excluded, and 7:30 to 5:00 on Saturdays, except for specified holidays. No work is permitted on Sunday at any time. Specified holidays are New Years, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas. Violations of said contractor requirements incur automatic fines as per the current fines and fees schedule. Fines are given per incident. All fines are levied against the property owner's account. All subcontractors are the responsibility of the general contractor. All contractors and sub-contractors must use the main entrance (Indian Rocks Road) only. Contractors may post a sign on the property with work being done during time of construction only. Sign must not be larger than 4' x 4' in size and may be displayed on the property until the project is completed. Contractors doing interior work that does not require an ACC permit, are required to have a current vehicle pass displayed on their vehicle before work commences. Passes are available at the Indian Rocks Office.
- 9) CULVERT PIPE – Culvert pipe location including depth and installation is the responsibility of the property owner. A minimum size of 15 inches is recommended, except in certain approved situations. The property owner, in conjunction with the Storm Water Management Engineer, and the Indian Rocks ACC, will determine if a culvert pipe is required.
- 10) DECKS – All new decks require an ACC permit. A Salem Township permit is required if any area of the deck is 30 inches or more off of the ground. A plot plan is required, showing location of deck and any steps or ramps used for accessing the deck. All property lines in the area must also be shown, and dimensions of all new structures and distances to property line must appear on the plot plan. The new structure must be staked out on the property for ACC inspection. A deck that does not allow for any drainage to the ground below (ex. spacing between boards), will count towards the 20% impervious surface allowed on lot. Any deck that is not structurally attached to the house on at least 1 side will be considered a separate structure. An accurate color sample must be provided with the application. Wood may remain its natural color. All other paints, stains or materials must be an earth tone shade of brown as per ACC color chart. Replacement or repair of deck boards and/or steps totaling 30 square feet or less do not require an ACC permit. Any replacements or repairs must meet the ACC approved color chart and not otherwise modify the existing structure.

- 11) DOORS - Replacing or installing any new door or storm door requires an ACC permit. Color must be earth tone shade of brown, or muted shades of dark red or dark green as per ACC color chart.
- 12) DORMERS - The addition of one or more dormers to any existing structure requires an ACC permit. A Salem Township permit may be required, and the ACC may require a Storm Water Engineers review to be completed if they suspect a change in the flow of water from an additional roof surface may have a negative impact on neighboring properties.
- 13) DRAINAGE PROJECTS - Any project affecting the natural flow of water (a change in the path of natural water, and/or water from gutters, leaders, or any impervious surface), requires a permit. The ACC may require a Storm Water Engineers report to be completed.
- 14) DRIVEWAY - The width of all driveways is not to exceed 30 feet at the entrance. No part of a driveway, whether gravel, asphalt, or other material, may be within the 10-foot easement on all property lines. A property owner may blacktop their driveway past the property line to where the driveway abuts the edge of the road, providing said property owner signs a release and submits an application to the ACC, including a dimensioned plot plan showing location and size of driveway, and all property lines near the driveway location. All driveways must be fully staked out and a description of all materials used must be included. Paved driveways, paver stone driveways, and driveways made in such a way that does not allow drainage through it, will be counted towards the allowable 20% impervious surface restriction.
- 15) FENCING - No fencing of any kind is allowed without an ACC approved permit.
 - a. DECORATIVE FENCING - Up to 3 sections of split rail fence may be used with items such as flowerbeds or shrubbery but must not be all encompassing of the total property. A section of fence is defined as either (A) 2 posts and 1 section of horizontal rails, or (B) 1 post and 1 section of horizontal rails with ends resting on the ground. Maximum length of a section of fence is 10 feet. Maximum allowable length of the total decorative fencing allowed per property is 30 feet.
 - b. PET FENCING - Pet fencing is allowed with the following requirements. Must be attached to house on one side. Minimum height of 3 feet to top of fence. Maximum height of 6 feet to top of fence. Maximum 300 square feet of fenced in area allowed for pet fencing. Fence posts shall be metal or wood. Must be brown, black, or dark green in color. Wood may remain its natural color. Posts shall be no larger than 3.5 inches x 3.5 inches. All posts must be securely anchored in the ground, and fence must be securely attached to house. Fencing material must be vinyl-covered chain link, or wire that is vinyl or plastic coated in brown, black, or green. Fencing must be located in rear or side of house.
 - c. PROTECTIVE FENCING - Fencing is allowed to protect individual plants, shrubs, and trees. Height of fencing not to exceed 6 feet. Fencing in front yard is limited to individual trees and flowerbeds. Any large fenced area must be located in back or side of house. Total area not to exceed 300 square-feet per lot. Fence posts shall be no larger than 2 inches x 2 inches. Posts can be wood, metal, or any other approved material. Must be brown, black, or dark green in color and securely anchored, in the ground. Wood may remain its natural color. Fencing material must also be brown, black, or green in color. Only materials intended for the purpose of protecting vegetation from animals may be used. Such as netting, vinyl or plastic-coated wire in an acceptable color. Wood, chain link, chicken wire or other bare metal material may not be used.
 - d. - ROCK WALLS – Rock walls higher than 2 feet are considered fencing and will be reviewed on a case-by-case basis.
- 16) FOUNDATIONS - Construction of a full height foundation or basement in place of a crawl space or pier type of support is considered an addition and requires the construction application be used. A Salem Township permit is required. If there is no change to the footprint of the foundation a Storm Water Engineers report should not be needed.

- 17) GARAGES - All garages that are permanent in nature with a foundation and or footings and a concrete slab require a Storm Water Engineers review. Garages of the prefab or similar style are treated on a case-by-case basis, as to whether a Storm Water Engineers review is required. Garages may only be built on a lot where there is an existing home. Lots must be legally combined through Wayne County to allow for building on an adjoining lot. See combining of lots for construction purposes. Maximum size not to exceed 40 feet x 30 feet or 1,200 square feet, and with no side to exceed 40 feet in length. Maximum height to be no more than 27 feet ridge height. Anyone building a detached garage with a loft area or a second story will be required to sign a statement that these areas will not be used for sleeping quarters. A Salem Township permit is required and must accompany construction application and engineer's report to be reviewed by the ACC. Structure to be staked out along with nearby property lines, all trees to be clearly marked, and all other requirements met as per construction application. Garages must meet all setbacks as per location of structure and are not allowed within the 10' easement that exists on all property lines.
- 18) GREENHOUSES - Greenhouses are allowed provided they meet all ACC requirements. They are not to exceed 100 square feet in size and must not be more than 10 feet in ridge height. They must be constructed of wood or an ACC approved wood look alternative. Colors must meet ACC color requirements. Window material must be made of a clear material (glass, acrylic, polycarbonate, etc.). Must not be opaque, but clear, without tint or color. Must be located in back yard or in side yard of house. Not to be within the 10' easement and must meet setback requirements for given location within Indian Rocks.
- 19) GUTTERS - Replacing or installing new gutters and/or leaders requires a permit. Plot plan must accompany application, showing location of gutters and or leaders and must clearly show where all water will be directed. Water must be kept on the homeowner's property or be directed towards an existing swale or culvert. Colors of gutters and leaders must be an earth tone shade of brown. Replacement or repair of gutters and/or down spouts totaling less than 15 feet in length do not require an ACC permit. Replacement and repairs must conform with ACC approved colors.
- 20) GAZEBOS - Gazebos are allowed and do require an ACC permit. Color must be earth tone shade of brown as per ACC color chart; wood may remain its natural color. Maximum height of gazebo to its peak must not exceed 16 feet. Plans for the gazebo and a plot plan showing location of the gazebo and distance to nearby property lines must be submitted with the application. All setbacks exist and the gazebo does count as one of the four allowable structures.
- 21) PROPERTY OWNERS ACTING AS THEIR OWN CONTRACTORS – Property owners that act as their own contractors must follow all contractor guidelines but are granted additional working hours per the following: Property owners may work from 7:30 a.m. to 8:00 p.m. on Monday through Friday, excluding specified holidays, and from 7:30 a.m. to 6:00 p.m. on Saturdays, Sundays, and specified holidays. No heavy machinery, equipment or tools producing excessive noise (cranes, jackhammers, etc.) may be used on Sundays and specified holidays. Heavy machinery is defined as any vehicle with a GVW of 10,000 pounds or over. The property owner may do interior work at any time, if it does not produce exterior noise. Specified holidays are New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas. Any subcontractor doing work for a property owner that is acting as their own contractor must abide by all contractor requirements, (See Contractors). Property owners must provide a list of all subcontractors to the Indian Rocks Office, with current insurance information.
- 22) HOT TUBS - Only hot tubs that have a filter system and are designed to filter and circulate the same water are allowed and do require an ACC permit. The hot tub must be placed on the primary deck or patio, located in the rear of the property, and structurally attached or adjacent to the house on at least 1 side. Color of hot tub surround must be an earth tone shade of brown, dark green, dark red or natural wood color. All hot tubs must be installed with a locking cover, and surrounded by a railing or enclosure that makes it inaccessible to young children. No Salem Township permit is required for the installation of a hot tub. An electrical inspection is required by Salem Township, and proof of a passed inspection must be supplied to the Indian Rocks office before said hot tub can be used. If a new deck is being built for installation of hot tub, all ACC guidelines must be met, and an ACC permit and (Salem Township permit when applicable), must be obtained for the new deck. Pump, filtration system, heating system, and any other peripherals that are needed must be installed in a concealed manner. A plot plan is required, showing location of hot tub and all peripherals that are being installed. See DECKS or PATIO if a new deck or patio is being built for the installation of said hot tub.
- 23) IMPERVIOUS SURFACE - The square footage of all structures and other impervious surfaces, such as a driveway, some patios, walkways, etc., must not exceed 20% of total square footage of the property. If you own

or purchase a lot or lots adjacent to the lot containing the primary structure, the impervious surface area will increase only when said lot or lots are legally combined as per combining of lots for construction purposes.

- 24) LANDSCAPING - Landscaping projects that have an effect on grade, topography, or the natural flow of water require a permit. Any large planting or allowable wall project requires a permit. No work is to be done within the 10-foot easement.
- 25) MAINTENANCE APPLICATION - The maintenance application is used for most general maintenance and small construction projects. Staking out of the project, including nearby property lines, and a hand drawn plot plan, are usually adequate. All applicable dimensions must be included along with distances to nearby property lines. All other ACC requirements must also be met as per each application.
- 26) MAXIMUM HEIGHT OF ANY STRUCTURE - 27-foot ridge height, 32-foot ridge height allowed for certain A-frame style homes. Measurement to be taken from the lowest point of the front or street side of the house to the highest point of the house. Houses built on a steep drop or slope will be treated on a case-by-case basis.
- 27) MINIMUM SQUARE FOOTAGE REQUIREMENTS - The foundation area for the primary structure (living quarters) must meet the minimum square footage requirements for the following areas.
 - i. - Bear Tract and Tanners Point - 675 Square Feet
 - ii. - Five Mile Creek and sections 1, 2, and 3 – 715 Square Feet
- 28) MISCELLANEOUS - To make sure that all ACC requirements are met, a permit is required for things such as, but not limited to, arbors, light posts, pillars, fountains, bridges, generators and chimney or foundation repairs. Anything else that may have an effect on impervious surface, such as sidewalks or walkways, also require an ACC permit.
- 29) PAINTING AND STAINING - Any exterior painting or staining project requires an ACC permit. Samples of all colors along with name of manufacturer and what is being painted or stained must be provided. Colors must be ACC approved colors as per the ACC color chart.
- 30) PATIO – All new patios require an ACC permit. A plot plan showing location of patio and any steps or ramps used for accessing the patio. All property lines in the area must also be shown, and dimensions of all new structures and distances to the property lines must appear on the plot plan. The new patio must be staked out on the property for ACC inspection. A patio that does not allow for any drainage to the ground below (i.e., cemented) will count towards the 20% impervious surface allowed on lot. Any patio that is permanent in nature will be considered one of the four allowable structures on the property. An accurate color sample must be provided with the application. All materials must be natural stone or earth-tone colors. Repair of an existing patio does not require an ACC permit. Any repairs must not otherwise modify the existing structure.
- 31) PERCOLATION TESTING - Permission for percolation testing must be on file in the Indian Rocks office prior to testing being done. A current certificate of insurance for the excavator, and a certified survey of the property are also required. Upon completion of inspection by the Sewage control Officer, the office must be notified, and all holes must be backfilled. **Backfilling of holes is the responsibility of the property owner.** If not backfilled within 30 days a fine may be levied per the current ACC fines and fees. No ACC permit is needed for conducting a percolation test.
- 32) PERGOLAS - Pergolas are allowed and do require an ACC permit. If placed on a deck or patio that is attached or adjacent to the existing house, they will not be considered an additional structure. If placed in yard or not on any existing structure, they will be considered 1 of the 4 allowable structures. Salem Township permit may be required. Color must be earth tone shades of brown, as per ACC color chart, or wood may be left its natural color. All other ACC guidelines must be followed. A plot plan showing all applicable dimensions and all distances to nearest property lines must be submitted with application, along with construction plans for the pergola itself. Pergola must meet all setbacks and must not be within 10-foot easement.
- 33) PROPERTY STRUCTURE LIMIT - Properties containing a dwelling are limited to 3 additional structures. An additional structure may be, but is not limited to a garage, shed, gazebo, greenhouse, carport, permanently installed play set, etc. One complete side of a deck or patio must be attached or adjacent to the existing dwelling

to be considered part of said dwelling. Otherwise said deck or patio will count as an additional structure. Total impervious surface must not exceed 20% as per ACC impervious surface regulations.

- 34) ROOFING - All roofing repairs or replacement over 30 square feet require an ACC permit. Repairs or reroofing projects totaling 30 square-feet or less do not require an ACC permit. All roofing colors must be earth tone shade of brown or dark green as per ACC color requirements.
- 35) SATELLITE DISHES / TV ANTENNA - Satellite dishes are allowed, provided they are located in an inconspicuous area, preferably in the back of the house. Permit is required with plot plan showing location of dish or antenna. Not to be within 10' easement. Maximum diameter of dish is 36 inches. Antenna for the purpose of television, radio, phone, etc. are permitted and do require an ACC permit. They will be treated on a case-by-case basis, and must meet all FCC, Salem Township, and Indian Rocks rules and regulations.
- 36) SEPTIC SYSTEM - Septic mounds, if possible, should be located in the rear or on the side of the property. If the only location deemed suitable is in the front of the property, a signed statement from the S.E.O. of Salem Township is required. As per PA Code Chapter 73 requirements, the absorption area (berm) must be located 10 feet from any property line or easement when they exist. Since a 10-foot easement exists in Indian Rocks, the absorption area must be 10 feet from said easement or 20 feet from all property lines. No part of septic system (Tank, Field, or Slope) allowed within 10-foot easement. Minimum slope of bed 2:1. Septic system must be clearly staked out and located on plot plan. A new septic system must be a minimum of 100 feet from an existing well. If the new septic is uphill from an existing well, it may be required to be as much as 200 feet from an existing well. See local and state codes for these situations.
- 37) SETBACKS - Any improvement or construction must comply with the following setbacks. Setbacks include any overhang, cantilever, chimney, or projection as viewed from above. All setbacks are measured from the property line.
 - i. - Bear Tract and Tanners Point - 25 feet front, 10 feet side and rear
 - ii. - Five Mile Creek, and sections 1, 2, and 3 - 40 feet front, 10 feet side and rear
- 38) SKYLIGHTS - Skylights are allowed and do require an ACC Permit. Color to be earth tone shade of brown as per ACC color chart for exterior windows.
- 39) SIDING / SIDING REPLACEMENT – No ACC permit is required for replacing 30 square feet of siding or less. Replacing more than 30 square feet of siding does require an ACC permit. All finished colors must be ACC approved colors as per the ACC color chart. All horizontal siding must have a wood grain look and feel. No smooth surfaces are permitted. Vertical board and batten appearance siding is permitted. Spacing between battens not to exceed 12 inches.
- 40) STORM WATER ENGINEERS REVIEW – Any time a Storm Water Engineers review is required by the ACC Rules and Regulations, or by the ACC Committee, the property owner has 2 options.
 - i. Property owner will pay current engineer's fee to Indian Rocks (currently \$850) for the initial report. Any additional engineering needed is the responsibility of the property owner.
 - ii. License and insurance information for an engineer chosen by the property owner must be submitted to the Indian Rocks office prior to work being done. The final report must include a Storm Water management plan, showing a design that outlines how the water will be controlled on the property, and have no impact on surrounding properties.
- 41) STRUCTURES - Construction of any structure requires an ACC permit. All setback requirements must be met, and no structure may be within the 10 - foot easement. All applicable pages of an application must be signed by the homeowner and the contractor. By signing these pages, you are stating that you have read, understand, and will adhere to all requirements and will abide by all ACC rules and regulations.
 - a. Any structure 160 square feet or less requires a maintenance application. Structures over 100 square feet require a Salem Township permit. Structure is to be staked out, a plot plan showing location of

structure, and all necessary dimensions, including distances to nearby property lines, and all other ACC requirements must be met.

- b. Any structure greater than 160 square feet requires the use of the construction application. A Salem Township permit and any other applicable permit must accompany the construction application. All other requirements must be met as per the application.
- c. Any secondary structure under 264 square feet can be no higher than 14 feet ridge height. Structures 264 square feet and up must meet the P.A. Building code and are not to be used as sleeping quarters. Plans showing all dimensions must be included with application.

- 42) TANKS (PROPANE, OIL, ETC.) – Only above ground tanks used for propane and fuel oil are allowed. Tanks used for any other purpose will be treated on a case-by-case basis. For installation of in ground tanks all DEP/Industry guidelines must be adhered to. Check with the office. Tanks must be located in an inconspicuous location in the rear of the house. All tanks must be hidden from view. Shrubbery or a wood or wood look enclosure may be used. Color of enclosure must be earth tone shades of brown, as per ACC color chart, or wood may be left its natural color. No ACC permit is required for tank installation. All ACC guidelines must be followed, and no tank can be installed within the 10-foot easement. An ACC permit is required for the tank enclosure.
- 43) TEMPORARY STRUCTURES - Temporary collapsible canopies and temporary gazebo like structures are permitted. These units must be securely fastened to an ACC approved deck or patio. Color must be earth tone shades of brown or muted shades of dark red or dark green. An ACC permit is required for these temporary structures. Temporary structures of this nature are meant to be seasonal and can be in place for no longer than an 8 month period. No temporary or self-supporting structure may be used for overnight lodging or for the purpose of storage. Other temporary, or self-supporting structures that do not meet all ACC requirements are not permitted. Any structure that remains in place throughout the year, must be a permanent structure, and meet all ACC requirements for a permanent structure. Including but not limited to: siding, roofing, colors, etc. A self-supporting structure is defined as a structure that can stand alone, without the support of what it covers, or what is inside said structure. Permission for temporary use of more substantial temporary structures for a special event (i.e. large tent for a wedding) can be obtained through the association office.
- 44) TREE REMOVAL APPLICATION - All trees greater than 3 inches in diameter when measured 3 feet above the ground require an ACC Permit to be removed. Any tree that is laying on the ground or has fallen over on its own does not require a permit. Only trees that are dead, diseased, infested with insects, within 10 feet of existing house or garage, or pose a serious threat, as determined by a certified arborist, or documented by an insurance company can be removed. Trees being removed for construction purposes must be included on the tree application part of the construction permit, or maintenance application when applicable. No trees can be removed in anticipation of future construction. Additional trees will not be approved for the sole purpose of making it easier to install modular style houses. Total number of trees being removed, location of trees, and reason for their removal must be included on the application. All trees to be removed must also be clearly marked with ribbon, paint, etc. The ACC committee has the authority to have the homeowner plant new trees when deemed necessary. These trees must be at least 4 feet tall and surrounded with protective fencing. Timeframe to be determined by the ACC committee. The ACC has the authority to tag all trees that will remain standing and take pictures of trees approved for removal or trees that should remain standing after completion of construction. It is the sole responsibility of the property owner to make sure only approved trees are removed. Removal of any tree greater than 3 inches in diameter without approval by the ACC will result in a fine for each tree removed as per the current fines and fees schedule. It is also the responsibility of the property owner to replace the total number of unapproved trees that were removed. **Absolutely no clear-cutting of lots is permitted.** Fine as per current ACC fines and fees schedule will apply. All tree work is the responsibility of the property owner, and all fines will be assigned to said property owner. It is the responsibility of the property owner to contact the Indian Rocks office to advise them of the date and time of the approved tree removal. The association reserves the right to have a member of the ACC present at the time that the trees are to be removed.
- 45) WINDOWS - New window or storm window installation, and replacement of windows or storm windows requires an ACC Permit. Color must be an earth tone shade of brown as per the ACC Color chart.

ACC EASEMENT/SETBACK “HARDSHIP” REQUESTS

Each of the following Criteria must be met for allowing a hardship variance in an easement or setback:

1. There must be unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to this particular property, and that the hardship is due to such conditions.
2. Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the Community’s governing documents as related to setbacks and easements.
3. Such hardship has not been created by the property owner.
4. The hardship will not alter the character of the Community, nor substantially nor permanently impair the use or development of adjacent properties, nor be detrimental to the Community’s welfare, nor obstruct or interfere with easements.
5. The hardship will represent the minimum hardship that will afford relief and will represent the least modification possible to the setback and easement requirements.