

TRIANGLE HOMEOWNERS ASSOCIATION, INC.
PROCEDURES FOR SUBMISSIONS OF DESIGN PLANS
INSTRUCTIONS

March 1, 2013

The Declaration Of Protective Covenants And Restrictions For The Triangle P.U.D. ("Declaration") provides that buildings, landscaping, and other improvements on a lot must comply with specifications set forth in the Declaration. The Declaration further provides that buildings, landscaping, and other improvements on a lot must be approved by the Triangle Homeowners' Association, Inc. ("Association") Architectural Review Committee ("ARC") based on these specifications. In this Description of Procedures for Submissions of Design Plans, the term "Architectural Guidelines" refers to Exhibit C of the Declaration and the term "Architectural House Styles" refers to the American Colonial, American Foursquare, American Vernacular, Craftsman, Dutch Colonial, and Tudor House Styles described and illustrated in the Architectural Guidelines.

The ARC has established the following procedures for the review of architectural and landscape designs. Property owners, architects and builders are encouraged to participate fully and actively in the architectural review process. In addition to the required design review steps, the applicant for design review is encouraged to contact the ARC during the design review process for clarification of the Architectural Guidelines and Architectural House Styles or discussion of the ARC's design review comments. All plans for new homes shall be prepared by licensed professionals or otherwise qualified architects, landscape architects, engineers or other qualified home designers. It is highly recommended that a team of qualified professionals be used in the preparation of plans.

The ARC will review design submissions in the order they are received and respond to them in a timely manner. After the submissions have been reviewed, one set of the submissions and written comments from the ARC will be returned to the applicant. If an application for design approval has been denied or the approval issued by the ARC is subject to conditions which the applicant feels are unclear or unacceptable, the applicant may request a meeting with the ARC or their designated agents to discuss the plans and the ARC's reasons for imposed conditions or overall denial.

CONTACT INFORMATION

All submissions and correspondence shall be sent to:

Triangle Architectural Review Committee
C/o Jeffrey Gibney
South Bend Heritage Foundation
803 Lincoln Way West
South Bend, IN 46616
(574) 289-1066 x 209
(574) 289-4550 (fax)
jeffgibney@sbheritage.org

THE DESIGN REVIEW PROCESS

STEP ONE: COURTESY REVIEW

A Courtesy Review by ARC staff may be held upon special request by any applicant. Applicants may submit plans to ARC staff for general guidance prior to the Preliminary Design Review. This meeting may also cover the Architectural Guidelines, House Model Designs, the design review process, and general information about building a house in the Triangle. The applicant's architect and builder, if selected, are encouraged to attend this meeting.

STEP TWO: PRELIMINARY ARCHITECTURAL DESIGN REVIEW

The Preliminary Architectural Design Review is the first detailed review of the proposed plans for the new home. The applicant must submit Form A, "Preliminary Architectural Design Review Application" (attached) and two (2) sets of the required documents listed along with either an email version (PDF) of the plans or a CD. The ARC reserves the right to request additional information in order to review the proposed plans.

Upon completion of this step in the design review process, the design will be (i) approved without exception, (ii) approved with conditions, or (iii) rejected.

If the design is approved without exception, Final Architectural Design Review (Step Three below) is not required. The Association will provide to the applicant a Certificate of Compliance (Appendix A) which certifies that the architectural design complies with (i) all applicable design guidelines set forth in the Declaration Of Protective Covenants And Restrictions For The Triangle P.U.D. and (ii) the Northeast Neighborhood Design Guidelines set forth in the City of South Bend Zoning Ordinance. Upon receipt of the Certificate of Compliance, the applicant may apply for a Building Permit. Upon receipt of a Building Permit and submission to the Association of a signed Agreement Regarding Construction Rules For Owners And Contractors (Appendix B), the applicant may proceed with construction.

If the design is conditionally approved, the applicant may proceed to Step Three - Final Architectural Design Review provided all design changes are made per the ARC's recommendations. The required changes must be validated by the ARC prior to the Association's issuing a Certificate of Compliance and the applicant's applying for a Building Permit.

If the applicant does not agree to make the required changes, the design shall be considered rejected. If the design is rejected, the applicant shall re-design and re-submit the design to the ARC for consideration for approval, again following the procedures for Preliminary Architectural Design Review.

STEP THREE: FINAL ARCHITECTURAL DESIGN REVIEW

The Final Architectural Design Review has been established to ensure that the applicant's designs for the new home comply with the specifications set forth in the Declaration. In addition, this step is to

verify the incorporation of any recommendations made by the ARC during the Preliminary Architectural Design Review. The applicant is to submit Form B, "Final Architectural Design Review Application" (attached) and two (2) sets of the required documents listed along with either an email version (PDF) of the plans or a CD. The ARC reserves the right to request additional information in order to review the proposed plans.

Upon completion of this stage of the design review process, the design will be (i) approved without exception, (ii) approved with conditions, or (iii) rejected.

If the design is approved without exception, the Association will provide to the applicant a Certificate of Compliance (Appendix A) which certifies that the architectural design complies with (i) all applicable design guidelines set forth in the Declaration Of Protective Covenants And Restrictions For The Triangle P.U.D. and (ii) the Northeast Neighborhood Design Guidelines set forth in the City of South Bend Zoning Ordinance. Upon receipt of the Certificate of Compliance, the applicant may apply for a Building Permit. Upon receipt of a Building Permit and submission to the Association of a signed Agreement Regarding Construction Rules For Owners And Contractors (Appendix B), the applicant may proceed with construction.

If the design is conditionally approved, the applicant must submit the required modifications and additional information requested by the ARC prior to applying for a Building Permit. Once the ARC validates this information, the Association will provide to the applicant a Certificate of Compliance (Appendix A) which certifies that the architectural design complies with (i) all applicable design guidelines set forth in the Declaration Of Protective Covenants And Restrictions For The Triangle P.U.D. and (ii) the Northeast Neighborhood Design Guidelines set forth in the City of South Bend Zoning Ordinance. Upon receipt of the Certificate of Compliance, the applicant may apply for a Building Permit. Upon receipt of a Building Permit and submission to the Association of a signed Agreement Regarding Construction Rules For Owners And Contractors (Appendix B), the applicant may proceed with construction.

If the applicant does not agree to make the required modifications, the plans shall be considered rejected. If the plans are rejected, the applicant shall re-design and re-submit the plans to the ARC for consideration for approval.

STEP FOUR: LANDSCAPE DESIGN REVIEW

The Landscape Design Review has been established to ensure the applicant's landscape design complies with the landscape standards specified in the Declaration. The applicant must submit Form C, "Landscape Design Review Application" (attached) and two (2) sets of the documents listed along with either an email version (PDF) of the plans or a CD to the ARC prior to the commencement of the installation of any landscape improvements. The ARC reserves the right to request additional information in order to review the proposed plans. The same re-submittal process as outlined above for the Final Architectural Design Review will apply to the Landscape Design Review. Upon the ARC's approval of the landscape design, the Association will provide to the owner a Certificate of Compliance (Appendix A) which certifies that the landscape design complies with (i) all applicable design guidelines set forth in the Declaration Of Protective Covenants And Restrictions For The Triangle P.U.D. and (ii)

the Northeast Neighborhood Design Guidelines set forth in the City of South Bend Zoning Ordinance.

STEP FIVE: FINAL INSPECTION

Upon completion of construction and prior to obtaining a Certificate of Occupancy, the applicant must submit Form D, "Request for Final Inspection" (attached) to the ARC at least seven (7) days prior to the requested inspection date. During the Final Inspection, a representative of the ARC will review and verify that the house and landscaping were built and installed in substantial compliance with the approved design.

CHANGES TO APPROVED DESIGNS

Any changes prior to or during construction to the design plans that were submitted and approved by the ARC at the Final Architectural Design Review, must receive written approval from the ARC prior to execution. In the event the applicant desires a change to the approved design plans, the applicant must submit Form E, "Changes to Approved Design" (attached) with appropriate drawings and other information to communicate the proposed changes. If changes are made without prior written approval from the ARC, the ARC has the right to require the applicant to remove, revise, or replace the unauthorized changes at the applicant's expense.

**TRIANGLE HOMEOWNERS' ASSOCIATION, INC.
ARCHITECTURAL DESIGN REVIEW APPLICATION**

FORM A

Submittal Date: _____

Lot Address: _____

Applicant/Owner: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

Architect/Designer: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

General Contractor: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

- Proposed Site Plan, at 1"=30' scale, illustrating the following:
 - North arrow and scale
 - Lot number and accurate lot lines, including dimensions
 - Easements and street and alley rights-of-way located on or immediately contiguous to the lot
 - Building footprint(s) with the overall dimensions and distances between each proposed building and property lines
 - Driveway, walkway, and Back Yard fence locations

- Proposed Elevations, at 1/4"=1'0" scale, illustrating the following:
 - Front, rear, left, and right elevations
 - Windows and doors
 - Main Floor elevation in relation to finished exterior grade
 - Finished ceiling height on each floor
 - Detached garage (if any)
 - Labeled finish materials
 - Labeled dimensions of eaves, trim, siding/cladding, columns, and gutters/downspouts, etc.

- Proposed Floor Plans, at 1/4"=1'0" scale. illustrating the following:
 - Labeled interior rooms, exterior porches, decks, stairs, HVAC enclosures, etc.
 - Total enclosed heated and cooled main floor and second floor area (square feet)
 - Overall exterior dimensions, including offsets
 - Overhangs of floors and roofs shown as dashed lines
 - Detached garage (if any)
 - Lower one-story roofs on Second Floor Plan (if any)

- Proposed Roof Plan, at 1/4"=1'0" scale, illustrating the following:
 - One-Story and Two-Story layout(s) with ridge and valley conditions; include detached Garage
 - Chimneys
 - Dormers
 - Skylights
 - Attic vents
 - Parapets
 - Second floor decks
 - Labeled slope(s), finish material(s), overhang dimensions relative to the exterior walls (indicate perimeter exterior walls with dashed lines)

- Proposed Exterior Materials- Describe below:
 - Roofing: _____
 - Soffits: _____
 - Gutters & Downspouts:

 - Cladding: _____
 - Trim: _____
 - Foundation & Chimney:

 - Windows: _____
 - Doors: _____
 - Shutters: _____
 - Front Porch or Portico:
 - Columns: _____
 - Railings: _____
 - Ceiling: _____
 - Steps: _____
 - Lighting: _____
 - Address Numbers: _____
 - Mailbox: _____
 - Back Yard Fence:
 - Height _____ Material: _____

Proposed Exterior Colors – Describe below and provide either a sample of the actual material, a color chip, or a color photograph for each of the following:

Roofing: _____

Gutters & Downspouts:

Cladding: _____

Trim: _____

Foundation & Chimney:

Windows: _____

Doors: _____

Shutters: _____

Front Porch or Portico:

- Columns: _____
- Railings: _____
- Ceiling: _____
- Steps: _____

Back Yard Fence: _____

**TRIANGLE HOMEOWNERS' ASSOCIATION, INC.
LANDSCAPE DESIGN REVIEW APPLICATION**

FORM C

Submittal Date: _____

Lot Address: _____

Applicant/Owner: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

Architect/Designer: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

General Contractor: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

TRIANGLE HOMEOWNERS' ASSOCIATION, INC.
LANDSCAPE DESIGN REVIEW APPLICATION
SUBMITTAL REQUIREMENTS

Please check all boxes of required information provided.

- Completed Form C
- Proposed Landscape Plan, at 1/16" (minimum) = 1' scale, illustrating the following:
 - North arrow and scale
 - Lot lines, including dimensions
 - Easements and street and alley rights-of-way located on or immediately contiguous to the lot
 - Building footprint(s)
 - Locations of driveway, walkway, patio, and Back Yard fence
 - Location of existing trees to remain
 - Location, number, species, and planting size of all landscape materials to be installed
 - Location of areas to be seeded or sodded with grass
- Back Yard Fence Details (if not previously approved in Architectural Design Review):
 - Height: _____
 - Material – Describe below and provide a sample of the actual material or a color photograph:

- Color – Describe below and provide a sample of the actual material, a color chip, or a color photograph

TRIANGLE HOMEOWNERS' ASSOCIATION, INC.
ON SITE INSPECTIONS AGREEMENT
FORM D

LOT # _____ ADDRESS _____

To assure that the house on the above stated lot is constructed in **compliance with the plans and specification approved by the Architectural Review Committee**, a representative of ARC will conduct inspections at the following stages of construction. It will be the responsibility of the General Contractor to schedule these inspections at the appropriate times.

- Foundation outline staking / setbacks / utilities
- Foundation placement / porch elevation / house elevation
- Wall-roof framing / door-window rough openings
- Exterior finishes materials / colors / doors / windows
- Final Construction inspection including hardscape
- Landscaping / fencing (Protective Covenants and Restrictions: Section 4.4 (B)
Landscaping shall be installed in the Front Yard and, on a corner lot, in the Side Corner Yard within six (6) months of occupancy. The landscaping shall be formal in design and include a lawn and shrubs.)

The undersigned Owner and Contractor agree to the above schedule of on site inspections and certify that they will comply with the results of the inspections in order to assure that the house is being constructed in accordance with the plans and specifications approved by the ARC.

<p>Owner Signature: _____</p> <p>Printed Name: _____</p> <p>Date: _____</p> <p>Contractor Signature: _____</p> <p>Printed Name: _____</p> <p>Date: _____</p>

TRIANGLE HOMEOWNERS' ASSOCIATION, INC.
CHANGES TO APPROVED FINAL PLANS
FORM E

Submittal Date: _____

Lot Address: _____

Applicant/Owner: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

Architect/Designer: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

General Contractor: _____

Mailing Address: _____

Telephone: _____

Email Address: _____

Use this form to submit a description of the requested changes to final plans previously approved by the ARC or modifications to existing structures. Attach appropriate drawings or other information to communicate the proposed changes.

TRIANGLE HOMEOWNERS' ASSOCIATION, INC.
APPENDIX A
CERTIFICATE OF COMPLIANCE WITH DESIGN REQUIREMENTS

Triangle Lot Number: _____

Owner's Name: _____

Owner's Address:

This is to certify that the design of the items with boxes checked below, which the Owner identified above proposes to build on the Lot identified above, complies with (i) all applicable design guidelines set forth in the Declaration Of Protective Covenants And Restrictions For The Triangle P.U.D. and (ii) the Northeast Neighborhood Design Guidelines set forth in the City of South Bend Zoning Ordinance. Evidence of such compliance, in the form of drawings, reports, and other documentation, is on file with the Triangle Homeowners' Association, Inc., 803 Lincoln Way West, South Bend, IN 46616

- House and exterior equipment enclosures such as HVAC
- Garage
- Driveway
- Walkways
- Back Yard Fence
- Landscaping

Triangle Homeowner's Association, Inc. Authorized Official:

Signature: _____

Printed Name: _____

Title: _____

Date: _____

TRIANGLE HOMEOWNERS' ASSOCIATION, INC.

APPENDIX B

AGREEMENT REGARDING CONSTRUCTION RULES FOR OWNERS AND CONTRACTORS

1. Applicability

The rules ("Rules") set forth below shall apply to all Triangle Lot Owners and Contractors and any reference herein to an Owner shall also apply to the Owner's Contractor and Subcontractors. During the construction process at the Triangle, all Owners shall abide by these Rules and such other rules as the Triangle Homeowners' Association ("Association") and the City of South Bend may establish from time to time.

2. Construction Hours and Noise

All construction activities must be conducted and all deliveries must be made from 7:00 a.m. until 7:00 p.m. Monday through Saturday. Any construction activities conducted or material deliveries to the Triangle outside these hours must be approved by and scheduled with the ARC twenty-four (24) hours in advance. No loud radios or distracting noises will be permitted during construction.

3. Rubbish and Debris

In order to maintain a neat and orderly appearance at all times throughout the Triangle, the following rubbish and debris rules must be strictly followed:

- a) *Domestic Refuse* - At least one (1) trash container must be located at all times inside each residence under construction. All domestic refuse such as food scraps and packaging, cups, plates, napkins and similar items which at any time exist in the residence or on the Lot must be placed in the trash container. The trash container shall be emptied regularly and its contents disposed of properly.
- b) *Interior Construction Debris* - All parties are strongly encouraged to frequently clean up and remove rubbish and construction debris located within the footprint of a residence under construction.
- c) *Exterior Construction Debris* - With regard to all construction debris located on a Lot outside the footprint of the residence, the following rules shall apply:
 - (i) By the end of each day on which work occurs on the Lot, all lightweight construction debris such as roofing paper, insulation bags, foam sheathing, polyethylene, etc., must be placed in a Dumpster unit provided by a trash disposal company and located on the Lot;
 - (ii) By the end of the day on each Friday, all non-blowable construction debris such as wood scraps, shingles, steel bands, drywall, bricks and masonry blocks must be gathered and placed in the Dumpster; and
 - (iii) The Dumpster must be emptied and the debris hauled away on an as-needed basis

and before it is filled to overflowing.

d) *No Burning or Burial* - Onsite burning or burial of construction debris or vegetation is prohibited.

4. Street Cleaning

Owners shall be responsible to minimize the tracking of dirt, mud, gravel or cement from their Lot onto the public roads or Association common areas within the Triangle during their construction process. The Association shall have the right, without notice, to clean up any significant amounts of dirt, gravel, cement, etc., left on any street or Association Common Areas if the same is not immediately removed by the Owner responsible. The cost of such clean up shall be charged to the responsible Contractor who shall reimburse the Association for the expense of such clean up.

5. Silt Fences

Silt fences or other devices for sedimentation control shall be installed and maintained at the perimeter of any lot during the entire construction process.

6. Materials Storage

No construction materials, equipment or debris of any kind may be stored on any street, curb, sidewalk, public right of way, Association Common Areas or any adjacent lot except as approved in writing by the ARC.

7. Trailers

No construction office trailers may be placed, erected or allowed to remain on any Lot or in any other area in the Triangle, except as approved in writing by the ARC and the City of South Bend.

8. Construction Access and Sidewalks

During the time a home is being built, all construction access shall be confined to the approved driveway location for the Lot unless the ARC approves an alternative lot access way. Any public sidewalks, street trees, streetlights, curbs, fencing, etc. damaged by construction equipment must be replaced by the responsible party. Any Contractor, Subcontractor or Supplier in violation shall be subject to a fine(s) and/or revocation of building privileges in the Triangle as determined by the ARC at its sole discretion.

9. Parking

All vehicles must be parked so as not to impede traffic or damage street trees, vegetation, roadside curbs or sidewalks. No construction vehicles (trucks, vans, cars, trailers, construction equipment, etc.) may be left parked on any public street within the Triangle overnight. Construction vehicles may be left on a Lot overnight only if additional use of the vehicle will be made within the following three (3) days.

All construction, owner, and supplier vehicles must use the alley unless otherwise notified.

10. Accidents

The NNRO and the Association shall be notified immediately of any accidents, injuries or other emergency occurrences. Subsequent to a 911 or other emergency calls, The NNRO and the Association shall be notified at (574) 289-1066

11. Portable Chemical Toilets

An enclosed and regularly serviced portable chemical toilet must be provided at each residence under construction, in as inconspicuous a location as possible. Entry doors must face away from the public right of way.

12. Property Damage

Each Contractor shall be responsible for any damages their construction activities cause to adjacent lots, public roads and Association Common Areas. The Association may direct the Contractor to repair any damage at the responsible Contractor's sole cost. The Association, at their sole discretion, may elect to repair any damage to streets and curbs, sidewalks, irrigation systems, street trees, drainage inlets, street lights, street markers, mailboxes, walls, fences, etc. which costs of such repairs will be billed to the responsible Contractor.

If any telephone, cable TV, electrical, water, sewer, storm drain, or other utility lines are cut, the party causing damage shall (i) report the matter within thirty (30) minutes to personnel at the NNRO and at the respective utility company and (ii) bear any cost incurred in connection with repairing such damage. All damages must be repaired in a timely fashion as determined by NNRO.

13. Failure to Abide

Failure to abide by any of the above rules may result in a loss of a Contractor's privilege to enter the Triangle on a temporary or permanent basis.

This affirms that I am the Owner of Lot Number ____ in the Triangle, and

is the Builder/Contractor for my house. By affixing our signatures below, we acknowledge receipt of and agree to comply with the Rules set forth above. Furthermore, we will notify all parties we employ to work on this property of these Rules. We understand that failure to abide by any of the above rules may result in the Triangle Homeowners' Association, Inc. imposing a fine on the Owner and/or temporarily or permanently terminating the Contractor's privilege to enter the Triangle.

Owner's Signature: _____

Printed Name: _____

Date: _____

Contractor's Signature: _____

Printed Name: _____

Date: _____