

Briarwood Rules and Regulations

Legend

Guidance Provided: The "Guidance" label indicates what the homeowners may do without submitting an Architectural Review Application.

Notification Submittal: The concept of notification implies that HOA oversight is not required, provided the guidelines are followed and, therefore, serve to inform the community. For example, construction people will be around to install a replacement patio within a general timeline. The homeowner gives their notification by submitting the Architectural Review Application. If the resident follows the guidelines below, formal approval is not needed; only an application submission is required.

Approval Required: An approved Architectural Review Application is required before property modification begins.

Contents

Architectural	Antennas and Outdoor Sensors Building Attachments Exterior Doors Replacement Exterior Lighting Exterior Painting Handicap Accessibility Landscape Art Mailboxes And Post Repair Patio And Deck Rooftop Ventilation Shade Solutions Storage Window Replacement
HOA Business	Fines And Assessments
Landscape	Gardening Ground Cover Landscaping Policy Silk Flowers
Neighborly	Bulk Deliveries Dumpsters And Storage Pods Garage Sales Garbage Handling Nuisances Outdoor Fire Pits Pets Seasonal Decorations Vehicle Regulations

Briarwood Rules and Regulations

Architectural	
ANTENNAS AND OUTDOOR SENSORS	<p>Installation: Depending on antenna use type, the Antenna may either be mounted close to the ground, attached to the structure, or using a free-standing flagpole type system. Antennas or sensors of any type are not permitted on the front side of the property. Devices attached to the structure are allowed on the side or rear patio area.</p> <p>Satellite TV Antenna: Current satellite technology has evolved. Traditional Satellite TV Antennas like that used by DISH TV and DIRECT TV are typically mounted close to the ground and relatively small. However, they are not permitted on the front side of the structure.</p> <p>Satellite Internet Antenna: Service providers such as Starlink use a tracking Antenna that sweeps across the horizon because the satellites are not in high orbit like that used by providers like DIRECT TV. This means the Antenna moves close to 100 degrees and then resets for the next satellite to come into view. Due to field of view requirements, the Antennas must be mounted high to see over buildings and trees. A professional installer is advised for installation if mounted to the rear roof. Please note that attachment to the roof may violate existing roof warranties. Total height must not exceed the maximum roofline.</p> <p>Digital TV Antenna and Weather Sensor: These devices must be high enough not to be interfered with by structures or trees. A professional installer is advised for installation if mounted to the rear roof line. However, if mounted using a flagpole-style pole to gain height, the pole must be appropriately anchored within the ground and may require lightning protection. Total height must not exceed the maximum roofline.</p> <p>APPROVAL REQUIRED</p>
BUILDING ATTACHMENTS	<p>The homeowner must submit an Architectural Review form for approval of any permanent non-holiday specific item mounted to or hung from the front of the structure. Exercise caution to appropriately bolt the hanger to the structure to do minimal damage, and select material that will not rust, bleed, or run.</p> <p>APPROVAL REQUIRED</p>
EXTERIOR DOORS REPLACEMENT	<p>Front Entry Doors: Replacement of entry doors, including the garage door, must be at least the same quality as installed initially, painted high-gloss white. If applicable, a metal storm door frame must be white. Architecture Review approval is required before installation. The submission form must include a description of the work, a picture or brochure of the new door, and whether the homeowner or contractor is performing the door replacement. APPROVAL REQUIRED</p> <p>Patio Sliding Glass Door: Sliding Glass door must be white with cross pane mullion. Size must be same as existing constructed opening. The patio door may be replaced with a “French” style (meaning opening out, rather than sliding) provided it is the exact opening, the same cross pane mullion style, and the exterior is white. Architecture Review approval is required before installation. The submission form must include a description of the work, a picture or</p>

Briarwood Rules and Regulations

	brochure of the new door, and whether the homeowner or contractor is performing the door replacement. APPROVAL REQUIRED
EXTERIOR LIGHTING	<p>Structure Lighting: External lighting is preferred to be in a color temperature range of 2,000 to 4,000 kelvin. A 2,000 kelvin is a warm color temperature, while 4,000 kelvin is considered bright white. Please note that your garage and porch lights are enclosed, and bulbs must be appropriately rated to maximize bulb life. The homeowner should turn on garage and porch lights at dusk for general neighborhood appearance and safety. Guidance Statement</p> <p>Temporary Lighting: Accent holiday bulbs or “in memorial” bulbs are permitted if used for less than 30 days around the holiday or event. Guidance Statement</p> <p>Landscape Lighting: Plans for permanent lighting to highlight shrubbery or trees must be submitted and approved using the Architecture Review approval. The plan should roughly indicate the position of ground fixture(s) relative to the landscape, whether wired or solar, and whether the homeowner or a contractor will perform the installation. It would be best to consider the brightness of a flood or spotlight to not stand out from the structure lighting (e.g., a 5,000-kelvin bulb would not be appropriate) or prove to be a nuisance to immediate neighbors. APPROVAL REQUIRED</p> <p>Decorative Lamp Post: For this discussion, a lamp post is a permanent structure higher than 30 inches. Lamp posts are not permitted in the front yard. Architecture Review approval is required for post-illumination of the patio. If considered, more than one lamp post is frowned upon; however, your plan may warrant two, providing a demonstrated value beyond ornamental. APPROVAL REQUIRED</p>
EXTERIOR PAINTING	The homeowner is responsible for the upkeep and painting all external painted surfaces. Painted surfaces include but are not limited to porch railing, roof fascia, and eaves. A high-gloss white latex is the color choice. Sunrooms are to be painted a similar shade of “SW 3002 Belvedere Tan” Exterior Solid Stain from Sherwin Williams. Guidance Statement
HANDICAP ACCESSIBILITY	<p>The homeowner can install a commercially available ADA (American Disabilities Act) compliant ramp with a Notification. Care must be used to select the appropriate ramp Slope and Cross Slope to match the handicap of the user. The Slope and Cross Slope are significantly different if the disabled individual uses a powered chair, assisted wheelchair, or self-powered wheelchair. Guidance Statement</p> <p>Architecture Review approval is required for an onsite built ramp. The ramp must adhere to ADA Guidelines based on the intended user. Approval Required</p>
LANDSCAPE ART	<p>For this discussion, landscape art includes but is not limited to garden gnomes, globes, statues, bird baths, and water fountains.</p> <p>Front Yard: Generally speaking, landscape decorations in the front should be low in overall height, for example, less than 24 inches. The type and number are subjective; however, it should not be the type and number the average person considers gaudy or overdone. If desired, landscape decorations should be</p>

Briarwood Rules and Regulations

	<p>limited to gnomes, globes, small animals like turtles, and a bird bath or tree-hanging bird feeder. Guidance Statement</p> <p>Rear Yard: In the backyard, objects should not exceed 40 inches in height. The number of objects is subjective; however, it should be, at most, the amount that most would consider gaudy or overdone. Guidance Statement</p> <p>Oversized Art: Architecture Review approval must be obtained for objects over 45 inches. Approval Required</p>
MAILBOXES AND POST REPAIR	<p>All association mailboxes and posts have been recently replaced since the developer installed them. In accidental damage, the homeowner coordinates repair through the Management Company. Any damage must be reported to the Management Company immediately upon noticing damage but not to exceed 30 days. The Management Company will advise the homeowner as to the current supplier and procedure. Notification Submittal</p> <p>The process will likely include an investigation to determine the likely cause, for example, damage due to delivery trucks, snow removal, or visitor negligence. The investigation will evaluate eventual financial responsibility; however, the homeowner will likely have to pay for repair or replacement until responsibility is settled before homeowner reimbursement might occur. The homeowner waives any right to reimbursement if not reported within 30 days. The Association reserves the right to decide on reimbursement for repair or replacement.</p>
PATIO AND DECK	<p><u>Definitions:</u> For this discussion, a patio is generally prepared at ground level using cement, pavers, or material like flagstone. A deck is any raised ground-level structure typically built using traditional wood or wood fiber-polymer composite material. In either situation, Dyer may require a building permit.</p> <p>Replacement Patio: The homeowner can replace the original builder's concrete slab patio without Architectural Review approval, providing it is a direct-size replacement. The homeowner may use a standard concrete finish or a stenciled finish. The homeowner must submit a Notification form describing the project, whether the homeowner or contractor is performing the work, and the approximate timeframe work will be performed. In the interest of neighborly relations, the homeowner should inform their immediate neighbors of work so they will be aware that equipment and workers will be onsite. Notification Submittal</p> <p>Expanded Patio: Extending or replacing an existing patio larger than the builder's concrete slab will require Architecture Review approval. The approval form needs to include a description of the work, the relative size and position of the patio to the residence, and whether the homeowner or contractor is performing the patio expansion. Approval Required</p> <p>Deck: Architecture Review approval is required before installation of the deck. Ideally, the deck should be made of rot-resistant material like cedar or a wood fiber-polymer composite material like Trex. The material should be of a complementary color to the structure and neighborhood. A solid skirting must be constructed around the deck's perimeter to prevent larger animals from nesting. The deck is restricted to one level and no higher than the structure's</p>

Briarwood Rules and Regulations

	rear entry. Depending on deck height from ground level, Dyer's building code may require a railing. Approval Required
ROOFTOP VENTILATION	The homeowner cannot install additional rooftop ventilation to cool attic space on the street-facing roof line. Rooftop ventilation, whether powered or passive, may be considered if placed on the side or rear roofline; however, the homeowner must submit an Architecture Review form. The form should roughly indicate the position of the vent on the intended side or rear roofline, whether powered or passive, whether the installer is the homeowner or a contractor, and a picture or brochure of the model under consideration. Ideally, the homeowner must select a vent that does not clash with the shingle color. For example, you could see an approved side roofline installation at 1933 Corinne Drive. Approval Required
SHADE SOLUTIONS	<p>Awnings: The homeowner may consider retractable patio awnings permanently attached to the structure, providing Architecture Review approval is received. The retractable awnings must be powered and installed with a high wind detector, which automatically retracts under certain conditions. When retracted, the awning will fit entirely under the roof eave, with colors and patterns that complement the structure and neighborhood. The Architectural Review form should indicate the awning's relative position to the structure, the awning width, and the maximum extended distance from the home; ideally, a picture or brochure showing the color and pattern being considered and whether the homeowner or contractor will perform the installation. Dyer may require a building permit since the awning would be attached to the structure.</p> <p>Homeowners with the sunroom option are less likely to benefit from a retractable awning due to obstructions and limited size options. In this situation, a detached Pergola might be more appropriate as a permanent option. Approval Required</p> <p>Umbrella: Cantilever patio umbrellas are permitted without Architectural Review approval, providing they are appropriately weighted down or otherwise fastened to prevent becoming a hazard during high wind situations. Guidance Statement</p> <p>Pergola: Stand-a-lone commercially available Pergolas are permitted without Architectural Review approval, providing they are appropriately weighted down or otherwise fastened to prevent becoming a hazard during high wind situations. On-site stick-built Pergolas or Pergolas attached to the building require Architectural Review approval. Approval Required - If attached to house, otherwise Guidance Statement</p>
STORAGE	<p>Construction: Ideally made using materials such as plastic or aluminum.</p> <p>Vertical Storage: Typical shed-like storage solutions have a 5 to 12 square feet footprint but should not exceed 22 square feet.</p> <p>Deck Box Storage: Also called “storage benches,” should not exceed 300-gallon capacity. Deck boxes should not exceed 40 inches in height.</p>

Briarwood Rules and Regulations

	<p>Placement: Vertical storage higher than 40 inches will be placed directly next to the building without obstructing entrances or windows or along the privacy divider fence. Deck box storage solutions may be placed no further away from the structure than its patio extends; however, preferred placement is as close to the residence as possible.</p> <p>Guidance Statement</p>
WINDOW REPLACEMENT	<p>The frame must be white and include cross-pane mullions to appear like the original windows. Size must be same as existing constructed opening. Approval Required</p>
HOA Business	
FINES AND ASSESSMENTS	<p>All Homeowners are subject to the provision of the Covenants, Conditions & Restrictions (CC&R). The Homeowner shall be held responsible for any infractions. Repeated infractions are considered separate events and subject to separate warnings, and it is possible to be fined several times for the same infraction if the Homeowner repeats the infraction on different occasions.</p> <p>Notification: The Property Management Company will attempt to inform the Homeowner of a violation with a phone call to allow them to resolve the issue within a reasonable time. No further action will be taken if the infraction is immediately resolved. Otherwise, a Warning Letter is sent to the Homeowner.</p> <p>First Warning Letter: If corrected within thirty days, written notice of an infraction will not result in a fine. The Homeowner may respond in writing within ten days with reasons for an objection or with a corrective action plan if it will take longer than 10 days to remedy. The HOA Board has 7 days to review a complaint and respond in writing.</p> <p>Second Warning Letter: The second notice of the same infraction includes a \$200 fine if the violation has not been remedied within 10 days of the initial warning, or the offense is repeated, or the Homeowner has not submitted proof remedy will take longer due to material and/or contractor induced delay. If not remedied within 10 days, the initial fine is \$200 total fine due.</p> <p>Third Warning Letter: The third notice of the same infraction will add a \$500 fine if the violation has not been remedied or is repeated within 20 days of the initial infraction notice. Suppose the issue continues beyond 20 days past the initial warning letter: \$200 + \$500 or \$700 total fine due.</p> <p>Fourth Warning Letter: A fourth notice of the same infraction adds \$1,000 to the total fines due. Suppose the issue continues beyond six months past the First Warning: \$200 + \$500 + \$1,000 or \$1,700 total fines due.</p> <p>Owners will be assessed a \$500 fine plus any cost for repairs or replacements on any violation of the CC&R to be restored to its original state.</p> <p>Notice: The Homeowner's transfer of property is subject to an automatic lien that prevents the transfer and sale unless all quarterly assessments and fines are settled with the HOA.</p>

Briarwood Rules and Regulations

Landscape	
GARDENING	<p><u>Notice</u>: Plant at your own risk; landscapers are not responsible for damaging your plants.</p> <p>Flowers: Perennials and annual flowers can be planted along the side of your home and in the back of your home within the mulched area surrounding the perimeter of your house. Also, flowers may be planted around the park lawn tree, but please stay within a 24-inch dirt ring.</p> <p>Pots for flowers may be placed on your front porch, back patio, and one pot by the mailbox. Remember to ask your neighbor if it is agreeable to them for a pot by the mailbox. Guidance Statement</p> <p>Replacement: The replacement of perennial plantings between/center of driveways are a shared responsibility of the adjoining units; however, the maintenance is the responsibility of the Association. Architecture Review approval is required before any changes are made. Approval Required</p> <p>Vegetable: Gardens may be planted in the back or on the side of your home within sunny areas. Please ask the neighbor who can see it from their kitchen window if they object to the side garden. A raised bed garden within proximity to your patio is permitted. Guidance Statement</p> <p>Trees: No additional trees may be planted in the front of your home. Trees may be planted on the side or back of your home but require prior Architectural Review approval to avoid varieties with a growing pattern unsuitable for the space. Approval Required</p> <p>Property Replacement Plants: This discussion includes front landscaping; original pavers and river rock placements must remain in place in their original design. Replacement of Day Lilies and Black-eyed Susan's are allowed, providing you use like-size perennial plants. The homeowner may replace existing roses, lilac bushes, flowering crab, golden vicary, trees, and shrubs with the same type of plant. Guidance Statement</p> <p>The homeowner must submit for Architectural Review any plans to replace any street facing plants or shrubs with other than the previous mentioned varieties. Approval Required</p> <p>Park Lawn Trees: They should be replaced with the same type of tree (Cleveland Flowering Pear). The builder chose these trees because of their vertical growing pattern, which will not grow to obstruct the street. Replacement is at the owner's expense. Approval Required</p> <p>The homeowner may do the above plantings (other than trees) without prior Architecture Review Approval. Guidance Statement</p>
GROUND COVER	<p>Mulch: Mulch around park lawn trees and the Briarwood sign will be maintained and refreshed annually. The homeowner is responsible for all other mulch on the resident's side and backyard.</p> <p>River Rock: The ground covering surrounding the mailboxes and placed between the set of driveways per unit will remain river rock, being refreshed as</p>

Briarwood Rules and Regulations

	<p>needed by the Association. The river rock ground covering the front, sides, and back of homes will remain river rock and be refreshed as required by the homeowner. However, river rock along the side and rear of the residence may be replaced with mulch at the homeowner's expense.</p> <p>Replacement river rock must be of a shade of gray, and there are three suitable sizes:</p> <ul style="list-style-type: none"> • 3/4" river rock - Most used in pathways, walkways, and garden paths • 1" river rock - Commonly used in walkways, patio areas, backfilling behind retaining walls, and water features. • 1-3" river rock - mainly used and suited for decorative property features and landscaping enhancements and as a replacement for mulch. <p>Guidance Statement</p>
LANDSCAPING POLICY	<p>Grass cutting is the responsibility of the Association. Trimming of trees, bushes, and shrubs in front of the home is the responsibility of the Association. The homeowner is responsible for trimming trees, bushes, and shrubs on the home's side and back.</p> <p>The homeowner is responsible for the replacement cost of all landscaping items, including trees, shrubs, bushes, and grass.</p> <p>The homeowner is responsible for maintaining the area between/center of the driveway and around the mailbox area. The homeowner should remove any objects they may have been placed on the lawn on the grass cutting days.</p> <p>The Association is responsible for maintaining landscaping around the subdivision entry sign.</p> <p>Guidance Statement</p>
SILK FLOWERS	<p>Silk flowers will not be allowed as a permanent landscaping feature. However, silk wreaths and silk flower seasonal decorations are permitted. Guidance Statement</p>
Neighborly	
BULK DELIVERIES	<p>No landscaping material delivered in bulk to the homeowner, i.e., River rock, mulch, dirt, sand, bricks, etc., is to be left in a pile on the property (including driveway) exceeding two weeks (14 days) after delivery (weather permitting).</p> <p>GUIDANCE STATEMENT</p>
DUMPSTERS AND STORAGE PODS	<p>The use of dumpsters and storage pods for remodeling projects is allowed for a limited time. Using a dumpster for longer than seven days requires Architecture Review approval. Using a storage pod for longer than 30 days requires Architecture Review approval. APPROVAL REQUIRED</p> <p>Placement of dumpsters or storage pods is limited to the garage or driveway providing it is not on the sidewalk or the grass. Guidance Statement</p> <p>Any damage resulting from the placement or recovery of the unit is the homeowner's responsibility. The homeowner will be responsible for cleaning up</p>

Briarwood Rules and Regulations

	any debris from the dumpster scattered in the development by winds or other means. Guidance Statement
GARAGE SALES	<p>Owners can have two (2) garage sales per calendar year in addition to the annual subdivision garage sale</p> <p>All items for sale will be displayed on the homeowner's driveway or garage. No sale items shall be displayed on the lawn or sidewalk. Banners and streamers will be allowed on the days of the sale only. Guidance Statement</p>
GARBAGE HANDLING	Refer to The Town of Dyer website for rules pertaining to garbage. Beyond garbage collection days, the homeowner must store refuse and recycling containers in the garage. Guidance Statement
NUISANCES	Homeowners are not allowed permanent placement of basketball hoops, swing sets, volleyball, or soccer nets. Guidance Statement
OUTDOOR FIRE PITS	<p>The use of open flame heat sources on the rear side of the property has limitations. The first limitation is the current or future Town of Dyer fire code. Smoke is another limitation. The homeowner must consider the impact of drifting smoke toward immediate neighbors by avoiding the use of fire starter sticks, charcoal starters, excessive paper, and species of wood known to produce abundant smoke, like pine.</p> <p>While Architectural Review is not required; however, you need to get consent of adjacent neighbors before installing a wood burning fire pit.</p> <p>Other limitations include the following.</p> <p>Fire pit: Owners are allowed to use fire pits year-round. Wood-burning fire pits must utilize a spark screen. Raging fires akin to bonfires are not allowed.</p> <p>Fire pit Variations: Solo bonfire and Biolite Fire pits are open flame near smokeless devices. Additional variations include propane, LP, or natural gas fire pits.</p> <p>Fire pit Pagoda: Typically enclosed with spark screens installed on all sides, including the stack.</p> <p>Chimineea: Owners can use their chiminea year-round if they employ a spark screen.</p> <p>Guidance Statement</p>
PETS	<p>All dogs or cats must be licensed and maintained by the ordinances of the Town of Dyer.</p> <p>Call of Duty: All pets will be on a leash while outdoors. Pets shall be discouraged from defecating or urinating on property other than the homeowner's. Pet owners must clean up after their pets immediately, including the pet owner's property, streets, and sidewalks.</p>

Briarwood Rules and Regulations

	<p>Visitors Pets: Homeowners are responsible for the actions of pets belonging to anyone residing with or visiting them. The homeowner will assess the cost of repairing any damage caused by such pets.</p> <p>Long-term Disturbances: Pet owners are required to maintain them in a clean, safe, and quiet manner. The homeowner will be fined if disturbances become frequent and long-term. Additionally, the board may request that the pet to be removed from the property.</p> <p>Kennel: Homeowners cannot have a "doghouse" or outdoor kennel for their dogs.</p> <p>Fenced Dog Walk: The homeowner may erect a temporary low-height fenced area in the backyard, providing it is removed on the day of regular grass cutting or when fertilization is applied.</p> <p>Electric Dog Walk: The homeowner may install an underground electric fence intended to be used with a unique dog collar, provided they train their animal to respect the boundary.</p> <p>Guidance Statement</p>
SEASONAL DECORATIONS	<p>Seasonal decorations may be displayed within 45 days before the holiday. However, they must be removed by 15 days after the holiday date, weather permitting.</p> <p>So as not to interfere with snow removal, no seasonal decorations are allowed on the driveway or walkway. The Association is not responsible for damage from snow removal to decorations adjacent to concrete surfaces.</p> <p>Guidance Statement</p>
VEHICLE REGULATIONS	<p>All vehicles (including minibikes, mopeds, motorcycles, golf carts, and ATVs) are restricted to paved surfaces. No vehicle may be operated, maintained, or parked in any grass area. Snowmobiles shall not be operated anywhere in the development.</p> <p>Motor homes, campers, and boats shall be allowed in driveways for up to 72 hours for loading and unloading purposes only.</p> <p>Any vehicle parked in a driveway must be operable and properly licensed. Vehicles should not be parked in such a way that the sidewalk is blocked.</p> <p>Guidance Statement</p>