

# Hearthstone Alteration and Restrictions Policy

*March 10, 2025*

## A. Alterations

Background: Section 15 of the Covenants addresses alterations, additions, and improvements. “Without prior written approval of the Board of Directors, no Owner may make any alterations, additions, improvements, repairs, change of colors, excavation, changes in grade or other work which in any way alters the exterior of any Lot or Patio Home located thereon from its natural or improved state existing on the date such Lot was first conveyed by Declarant to the Owners except as otherwise expressly provided in this Declaration.”

1. Alteration requests may be made in EITHER of the following ways:

- i. The Alteration Request form may be completed and submitted online using the Homeowners’ Portal. (You may attach additional information, drawings, etc. to the form if you wish.) This will then be automatically submitted to the Board. Or,
- ii. Download the Alteration Request form from the Homeowners’ Portal, complete it by hand and then email or mail it to the Property Management Company –or submit it in person to a Board member.

2. To provide objective criteria for the evaluation of alteration requests, the Board will use the HOA Alteration Request Review rules, a policy adopted April 15, 2020.

3. The homeowner will be notified of the Board’s decision.

4. Since section 15 of the Covenants does not define the colors used originally at Hearthstone, this information may be helpful to homeowners:

- a. The roofing is brown.
- b. Siding is sand.
- c. The garage doors are SW 7719, Fresco Cream.
- d. The front entrances have white trim with one of three colors for the door:
  - i. Green: SW 6734, Espalien
  - ii. Blue: SW 6522, Sporty Blue
  - iii. Taupe: SW 7523, Burnished Brandy

Notes:

- The Sherman-Williams color chart was used, but homeowners may obtain the color from the paint manufacturer of their choice.

- The Hearthstone developer granted a variance at 4420 Bridgestone for the use of a special wooden door.

#### 5. Appeal process for Board decisions on alteration requests.

A decision of the Board can be repealed by a seventy five percent (75%) vote of the homeowners at a special meeting. This appeal process applies to paint, screens, storms, etc. as well as any structural changes to the home.

A homeowner seeking to appeal a Board decision should follow the procedure outlined in the By-Laws of Hearthstone Village Homeowners Association, Article III, Section 3 in order to call a special meeting to consider the appeal.

#### Covenants and Restrictions

1. Homeowners are reminded that Section 19 of the Declaration of Covenants, Conditions and Restrictions of Hearthstone Village limits the individual use of lots, homes and the common area for the mutual benefit and protection of the present and future Owners.

These limitations concern a wide variety of topics such as: animals, signs, driveway parking (boats, trailers, certain types of vehicles), etc.

2. In addition, Homeowners are reminded that the Association amended the Declaration of Covenants, Conditions and Restrictions of Hearthstone Village Section 19.12 on February 29, 2016 to limit the rental of a unit for special circumstances for a limited period of time and requires Board approval.

## Hearthstone Alteration and Restrictions Policy

### September 19, 2022

(This policy replaces “Rules for Hearthstone Village Homeowners Association” dated 2000.01.01)

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##### 1. Alteration Requests should be submitted through Tempo Properties.

Alteration Request can be downloaded from the Tempo Web Site or the Tempo Portal; requested by email from the Tempo office, or picked up in person at the Tempo office.

Completed forms should be submitted to Tempo either by email, sent by mail or dropped off at the Tempo office.

If a homeowner prefers, Tempo staff will complete the information for the Alteration Request over the phone and submit the request on behalf of the homeowner to the Board.

##### 2. To provide objective criteria for the evaluation of alteration requests, the Board will use the HOA Alteration Request Review rules, a policy adopted April 15, 2020.

##### 3. Tempo will notify the homeowner of the Board’s decision.

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Effective: April 15, 2020

## **Alteration Request Review Rules**

### **Hearthstone Village HOA**

**Authority:** Section 11 of the Covenants authorizes the Board to adopt rules as the Board deems necessary from time to time.

**Purpose:** The purpose of this document is to provide objective criteria for evaluation of alteration requests.

**Background:** In the last 50 plus years, states and local governments have recognized the advantages of a unified land development plan, commonly called a Planned Unit Development. The PUD is created by a local zoning ordinance. See Indiana Code 36-7-4-1501 and following. Prior to enactment of the zoning ordinance, city officials approve the plat design and the covenants binding upon all owners.

Hearthstone Village is a PUD. It is governed by covenants, bylaws, and policies. Section 15 of the covenants addresses alterations, additions, and improvements.

Without prior written approval of the Board of Directors, no Owner may make any alterations, additions, improvements, repairs, change of colors, excavation, changes in grade or other work which in any way alters the exterior of any Lot or Patio Home located thereon from its natural or improved state existing on the date such Lot was first conveyed by Declarant to the Owners except as otherwise expressly provided in this Declaration.

## **Review Factors and Applicable Questions**

### **1. Sight- Architectural Unity**

- a. Is the alteration consistent with the design of the community? In other words, to what degree will the alteration stand out in the community? Does the overall look and feel of the alteration match that of surrounding properties and of the neighborhood? Does the alteration significantly alter the natural landscape or the achieved man-made environment?
- b. How does the alteration affect the neighbors? How many neighbors will actually see the alteration? Does the alteration reduce a neighbor's line of sight?
- c. Does the three-dimensional size of the proposed change relate satisfactorily to adjacent structures and their surroundings?
- d. Will the alteration use the same materials as those used in the existing home?
- e. Will the color of the alteration be consistent with community design?
- f. How long will the construction of alteration be visible to community?

### **2. Sound – Peaceful Environment**

- a. Will the alteration increase noise level in the community?
- b. Specifically, will it increase noise for immediate neighbors?
- c. Will the construction of the alteration affect the noise level of the community? If yes, how long.

### 3. Financial or Liability or Safety

- a. How will the quality of work be guaranteed to equal or exceed that of the existing community?
- b. What effect might the alteration have on owner's property value?
- c. What effect might the alteration have on the value of other homes in the community?
- d. Will the alteration effect HOA costs, e.g., liability or oversight of maintenance?
- e. Is the owner willing to indemnify the HOA from any and all liability associated with the alteration?
- f. Will the alteration increase the risk of injury to Hearthstone Village residents or guests?

### 4. Accessibility

- a. Will the alteration make the home more usable for the owner, e.g., awning to permit use of deck on hot, sunny days?
- b. Does the alteration increase the owner's access to the home, e.g., ramp, etc.?
- c. Will the alteration address owner's safety concerns?
- d. Is the alteration necessary for any other owner disability?



## 5. Feasibility

- a. Is the alteration feasible?
- b. What appropriate professionals have been consulted? What concerns, if any, have they expressed?
- c. Will the appropriate professionals review and approve the design, e.g., builders, architects, engineers, etc.
- d. Have City and County permits, if applicable, been approved. If not, what is status?

Approved by the Board on April 13, 2020

Yes: 5 No: 0 Abstention: 0

  
\_\_\_\_\_  
Joanne Frye, Board Secretary



## Hearthstone Alteration Request Form

*March 10, 2025*

Hearthstone Village Homeowners Association: Without prior written approval, no Owner may make any exterior alterations, additions, improvements, repairs, change of colors, excavation, changes in grade or other work which in any way alters the exterior of any Lot or Patio. This includes changes to the Lot (e.g. landscape) as well as changes to the home (e.g., changing the color of outside paint).

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Unit Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

**Briefly describe the proposed change and the time frame for this change:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please include a drawing or sketch on the back of this sheet depicting location and dimensions of the structure, alteration, fence landscaping, etc.:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Approval is based on the Review Guidelines found on the Homeowners' Portal in the folder "1Governing Documents" within the Documents section.

Once approval is granted, any changes to the request must be resubmitted on a new request form. It is the responsibility of the homeowner to obtain all necessary City and County permits and comply with their building codes. Your request will act upon within 30 days.

Approved: \_\_\_\_\_

Denied: \_\_\_\_\_

Approved with the following stipulations: \_\_\_\_\_

Reason for disapproval if request is denied: \_\_\_\_\_

\_\_\_\_\_  
Hearthstone Village HOA Representative

\_\_\_\_\_  
Date

If you complete and submit this form online, it will automatically be submitted to the Board.

Or, If you downloaded this form and completed it by hand, you may email or mail it to the Property Management Company –or submit it in person to a Board member.