

Resolution - Rules & Regulations on Outdoor Play Equipment and Toys

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Background

Recommendation

The Board of Directors wishes to add more specificity to the Rules and Regulations as it applies to Outdoor Play Equipment and Toys. This is intended to preserve the aesthetic qualities of Indigo Run and to provide better direction to the Architectural Review Board in the development of guidelines for approval of outdoor play equipment.

Proposed Resolution

WHEREAS, Article 12.01 of the Declaration of Covenants, Conditions, and Restrictions of the Indigo Run Community Owners Association, Inc. states:

“Subject to the provisions hereof, the Board of Directors may establish Rules and Regulations concerning the use of Lots, Dwellings, and the Common Areas and facilities located thereon.”...

NOW, THEREFORE, BE IT RESOLVED, on motion duly made and seconded, that Section III. Property Rules, paragraph 10. Outdoor Play Equipment and Toys, shall be amended on this date, March 15, 2018 and will take effect on April 15, 2018 as shown below:

Current language states:

“10. Outdoor Play Equipment & Toys

- A. Basketball backboards, swing sets, trampolines or other outdoor equipment must be approved by the ARB prior to installation. Application to the ARB must include descriptions/photos of the equipment, its color, type, dimensions and proposed location. The application will require the following:
 - Equipment must be “nature blending” in color
 - Location should be as unobtrusive as possible and not in any neighbor’s view line
- B. Portable equipment, such as soccer goals, badminton/volleyball nets and small play equipment do not require ARB approval. Such equipment and toys visible from the street must be removed at night.
- C. Tree houses, play houses, swimming pool diving boards/slides and skateboard ramps are prohibited.”

New language:

“Play equipment installed on any part of the property outside of the dwelling which is structurally permanent in nature, and used for recreation or play, must have approval of the Architectural Review Board (ARB) prior to installation. Locations must be sensitive to visual impacts on street and neighboring property, including golf courses and common areas.

Such play equipment includes, but is not limited, to:

- Basketball backboard and hoop (Only portable, no permanently affixed are allowed)
- Swing set
- Gym set
- Slide or teeterboard (seesaw)
- Trampoline
- Soccer goal set
- Lacrosse goal set
- Golf or other target/goal
- Horseshoe court
- Sandbox

Semi-Permanent Play Equipment

Play equipment must be nature blending in color. Natural finish or earth-toned components are preferred. Bright color metal, plastic or fabric components will not be approved. Examples of

Semi-Permanent play equipment:

- Volleyball net and court
- Badminton net and court

The preferred location for play equipment is in the rear yard area directly behind, and as close as possible, to the house. The Property Owner shall take into consideration proximity to adjacent neighbors' view and recreational areas relative to the type of play activity. Approved play equipment may only be used during daylight hours after 7:00 a.m. After dark activity is prohibited. Play must always be mindful and respectful of the neighbors.

Play equipment must be maintained and kept in the condition for which it was originally endorsed by the ARB.

Such equipment should be removed from the property (or stored) when no longer in use. (Example: If a minor child has used a basketball hoop in the driveway and has now moved or gone to college, then the item should be stored or otherwise removed.)

Personal exercise equipment may be used outside the home on a temporary basis, provided it is located in a location on the property that avoids direct visibility from the street. However, such equipment must be stored when not in use and at night, either in the home or in a garage.

Tree houses, play houses, swimming pool diving boards/slides and skateboard ramps are prohibited.