

# THE JONATHAN ASSOCIATION ARCHITECTURAL GUIDELINES

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## **SECTION 1**

### **1. GENERAL INFORMATION**

#### **A. Background:**

When Jonathan New Town was created, a number of development standards and covenants were established. As Jonathan has evolved from a “New Town” to a Homeowners Association over the last 40 years, these standards and covenants have helped:

1. Achieve harmony between common areas and private homes
2. Provide residents a high quality of life and respect for each other
3. Encourage a sense of pride in ownership of nicely maintained private properties
4. Ensure that homes and yards have a neat and well-kept appearance
5. Guide external property improvements that are neighborhood-compatible

The rules and guidelines have been written in order to further interpret the neighborhood-specific covenants and assist homeowners in meeting the standards. It is the dual responsibility of the Architectural Review Committee (ARC) to both protect and maintain the architectural standards and to oversee the common sense application of the appropriate rules and covenants; while always considering the well-being of all residents.

Architectural Review Committee guidelines were never intended to be misused (i.e. too much or too little emphasis on applying the appropriate standards) with regard to property maintenance. The Jonathan Association Board of Directors enforces the covenants and related ARC policies. Additionally, there is no over-arching ARC general policy that can ever supersede the legal parameters and procedures outlined in each applicable neighborhood-specific Declaration of Covenants. The Declaration(s) of Covenants filed against each Sub Association contain the development standards upon which these guidelines are based.

This package includes the governing guidelines of the ARC and some of the miscellaneous policies. It reflects the attitudes of our community and incorporates the values of all our diverse neighborhoods and the residents therein. Because the guidelines and policies for the Architectural Review Committee cannot possibly anticipate every single future item or issue into perpetuity, some flexibility may also be needed with ARC and Board discretion; and the Association’s Board of Directors has always reserved the right to change stated policies so as to allow variances and flexibility if and as needed; and to do so within the legal parameters and procedures as outlined in the applicable neighborhood-specific Declaration of Covenants. All proposed landscape improvements of a substantial nature must be consistent and in harmony

with the existing surroundings, so as not to create or cause an adverse condition to occur on adjacent properties.

If your proposed project is not listed in this document, contact the Association office to determine if ARC review is necessary. Residents should consult with the Association office before beginning external improvements in order to make sure that the correct standards are met. The Board reserves the right to change ARC guidelines; however, existing improvements which have been completed with previous approval of the ARC (upon which lies all burdens of proof in any dispute between a homeowner and the Association) shall be deemed to comply with all applicable future guidelines. Some homeowners may believe they have a good-faith reliance on a misleading representation (“promissory estoppels”) via action, silence, or acquiescence of material facts by former ARC and Board members in past years. The passing of years and the ever-changing faces of ARC and Jonathan Board members will never remove the Association’s responsibility to promote a high level of property standards AND simultaneously perpetuate a continuity of ARC policies, all within the parameters and procedures outlined in the applicable neighborhood-specific Declaration of Covenants.

#### **B. Explanation of the Architectural Review Committee ( ARC):**

The ongoing development of each homeowner’s property can enhance or detract from the beauty of both our natural and man-made environment. This Committee has been formed to:

- Respond to questions concerning the residential standards as outlined in the applicable neighborhood-specific Declaration of Covenants
- Aid residents seeking approval of planned exterior property improvements
- Review and approve construction plans and projects
- Serve as a source of informed feedback to the Board of Directors concerning residents’ reactions to existing policies and proposed projects

The ARC should be – and is most responsive when - comprised of Jonathan homeowners with diverse individual backgrounds, who represent a variety of diverse neighborhoods. ARC policies are not intended to unfairly project an overly narrow land-use ideology, nor are they to be used by a few to deny private property enjoyment of the many.

#### **C. Procedure for Obtaining Property Improvement Approval:**

1. Obtain the Architectural Guidelines and the Declaration of Covenants legally assigned to your neighborhood from the Association office at 952.448.4700, and familiarize yourself with the requirements or download the documents from the website at [www.jonathaninchaska.com](http://www.jonathaninchaska.com).
2. Some items DO NOT require prior approval of the Jonathan Association Architectural Review Committee (ARC) before construction begins, including the following:
  - Playground Equipment (Section 2.B)

- Pre-Formed Plastic Playhouses (Section 2.C)
- Storage Sheds (Section 2.D)
- Paint and Siding home, if selecting a pre-approved color or re-painting house existing color (Section 3)
- Satellite Dishes (Section 7)
- Landscaping (Section 8)
- Use of Tarps (Section 10)
- The Parking / Storage of Vehicles (Section 11) do not require prior approval of ARC as long as the rules governing those items are followed
- Fencing in the Clover Ridge neighborhoods do not need fencing approval contingent on meeting requirements of (Section 5.B.1). Prior approval of fencing projects in all other Jonathan neighborhoods are contingent upon following the procedures outlined in the Declarations of Covenants assigned to each neighborhood, as well as meeting the requirements of (Section 5.B.1).

Some other items, while requiring approval of ARC, do not require attendance at a meeting. Paint & Siding – if not a pre-approved color (Section 3) - and Driveways & Driveway Extensions (Section 4) will not require a site inspection by an ARC member, if plans are properly submitted. Providing a number where you can be reached during the ARC meeting is requested.

Please call the Jonathan Association Office, (952) 448-4700 to ask if your project needs prior approval before you start work, and/or to be placed on the next agenda for ARC.

- The Association may have blueprints or site plans on file in the Association office for your lot that you can use for reference. The ARC may expect a scale drawing of your proposed improvement depending upon what is proposed. Photographs of your lot and dwelling are also very helpful.
- Submit the required information for your type of improvement in order to have your request for approval considered. Only complete applications will be considered. Generally, ARC meets twice a month in warm weather and less often during the winter. An agenda of the meeting will be mailed to you.
- If necessary, a site visit/inspection by a member of the ARC may be necessary.
- Assuming approval is granted, you will generally be given one year to complete the project.
- Should your application be rejected by ARC, you have the right to appeal your case to the Board of Directors of The Jonathan Association.
- After approval, a building permit (if required) must be obtained from the City of Chaska.

#### **D. Philosophy of Architectural Review**

- The Declarations of Covenants for each neighborhood and the ARC Guidelines and directives of the Association Board of Directors shall guide the decisions of the ARC.
- All improvements, additions, and structures should be as compatible with the surrounding environment, man-made and natural, as possible. The ARC seeks to preserve the unique community character of Jonathan, without impinging upon individual private property rights.
- No improvement, addition, or other structure to be erected shall create or cause an adverse condition to occur on adjacent properties.
- All structures must have an exterior treatment that is consistent in design and appearance with all elevation views of the structure.
- Additions must match the original dwelling in color and material. Structures (other than building siding) should generally be of natural materials as approved by ARC, and allowed in the applicable neighborhood-specific Declarations of Covenants.
- All landscape improvements of a substantial nature shall be consistent with, and in harmony with the existing and proposed surroundings.
- Once commenced, work on any improvement shall be completed in one year, and shall be completed in full accordance with the plans and specifications approved by ARC.
- Residents are encouraged, when building or where possible, to include adequate space for storage in garages, etc. Storage buildings will be permitted according to the current Jonathan Association policy, and the parameters outlined in the neighborhood-specific Declarations of Covenants.
- Existing improvements which have been completed in accordance with a previous approval of the Architectural Review Committee shall be deemed to comply with these guidelines.
- Comments from neighbors and other Jonathan residents may be solicited by the ARC; however, the input from neighbors will NEVER overrule nor supersede the legal parameters and procedures as outlined in the applicable neighborhood-specific Declarations of Covenants.

## **SECTION 2**

### **2. STRUCTURES**

#### **A. General Restrictions :**

Structures which may be constructed on the property are the following: playground equipment, child playhouses, house additions, decks, three and four season porches, covered storage structures, uncovered storage structures, swimming pools, lawn ornaments, permanent barbeque grills, and fences. Any project meeting the below

guidelines may proceed without prior approval of ARC. Members with projects requiring a variance to the guidelines must present plans to ARC prior to commencing construction for review prior to submission to the board for consideration.

All structures are to be as architecturally compatible as possible with the surrounding environment, whether man-made or natural. Additionally:

- Some properties have easements or restrictions which prohibit anything being placed on certain portions of the property. Please consult the applicable neighborhood-specific Declarations of Covenants.
- Some neighborhood-specific Declarations of Covenants ban any structure, with the exception of fences, to be built within side-yard setbacks (e.g. five feet on the garage side and ten feet on the opposite side).
- All structures must be well maintained in appearance.

#### **B. Playground Equipment :**

Playground equipment defined as swing sets, slides, and sandboxes must be located in the rear yard. Playground equipment does not require prior approval from ARC for installation as long as the playground equipment meets the general restrictions, including setbacks, in subsection A of this document, and the applicable neighborhood-specific Declarations of Covenants.

#### **C. Playhouses :**

ARC approval is required prior to building / placement of a playhouse except that a preformed plastic unit does not require prior ARC approval if it meets the general restrictions, including setbacks, in subsection A of this document, and the applicable neighborhood-specific Declarations of Covenants.

1. One child playhouse is allowed on each site. Playhouses will generally be allowed anywhere in rear yard as long as the general restrictions for structures, including setbacks, in subsection A above are met. A playhouse is not to be used for storage.

Playhouses shall have a maximum side wall height of 5 feet and a maximum footprint not wider than 6 feet, nor longer than 6 feet.

- D. **Storage Structures:** Storage structures are of two types – those with a roof (a covered storage structure) and those without a roof (an uncovered storage structure).

**General Restrictions:**

1. Each property shall be only allowed one covered or uncovered storage structure in addition to the dwelling unit.
2. The storage structure must follow the parameters of the applicable neighborhood-specific Declarations of Covenants including compatibility, quality of materials and harmonious appearance. As an example only, a barn type storage structure would not be allowed unless the dwelling itself has a barn style architecture.

**Covered Storage Structures:**

The covered storage structure does not require prior ARC approval if it meets the following general restrictions as described in items 1-4.

1. A storage structure will generally only be allowed in the rear yard area. Based upon an unusual dwelling or site configuration, the storage structure may be allowed in the side yard, but only with ARC approval for side-yard placement.
2. The siding material and siding color must be a reasonable match of the dwelling. Maximum height of peak of roof is 10 feet. The maximum square footage footprint for a covered storage structure is 120 square feet.
3. All covered storage structures must have a roof that is reasonably close to color and pitch of the roof of the dwelling.
4. A deck may be substituted for a covered storage structure if the area under the deck is completely screened with screening materials approved by ARC.

**Uncovered Storage Structures:**

The uncovered storage structure does not require prior ARC approval if it meets the following general restrictions as described in items 1-6.

1. The uncovered storage structure must be attached to the dwelling or garage, in side or rear yard, or beside a covered structure.
2. The area enclosed shall not exceed 12'x24'.
3. The walls shall have a maximum height of 6 feet. The walls shall have a maximum continuous height off the ground of 6 inches. The walls shall be of a solid screening material on all sides compatible with dwelling siding and color and a matching solid gate. The walls shall have a continuous horizontal cap on

all walls with no protruding spindles or points. The walls must be fastened to corner posts.

4. The floor surface shall be of concrete, blacktop, compacted gravel, or paver brick.
5. No items stored inside may protrude above or out of screen walls.
6. The ARC recommends landscaping on outside of the walls.

### **SECTION 3**

#### **3. PAINT AND SIDING**

- A. When a structure is repainted with the identical color of the existing paint color, no prior ARC approval is required.
- B. All structures being painted a different color, or having siding applied, must have ARC approval of the color and/or siding pattern.
- C. The Jonathan standard for dwelling / structure color is earth-tone; trim should be compatible. Many variations of tone are acceptable, but ARC must approve each individual paint or siding color and siding pattern. Roof colors will also be a factor in determining color.

### **SECTION 4**

#### **4. DRIVEWAY / DRIVEWAY EXTENSIONS**

##### **A. General Restrictions:**

1. A sketch of the lot must be submitted showing the location of the house, garage, existing driveway and planned extension; distances to lot lines must be shown.
2. The sketch should describe the materials used and what will be used to define the border of the extension (timbers, brick, edging, etc.). The sketch should also show any grade changes. If the information provided is complete and the request meets ARC requirements, attendance at an ARC meeting is not necessary.
3. Color of a driveway or driveway extension, if other than normal black of blacktop or white of concrete, must be approved by the Architectural Review Committee.
4. All parking surfaces must be maintained in good condition capable of supporting vehicles to be parked on it. Broken up concrete or blacktop or scattered or rutted gravel must be repaired and re-compacted as necessary.

5. All driveways and driveway extensions must abide by the parameters of the applicable neighborhood-specific Declarations of Covenants, and also meet Chaska City Code.

**B. Driveway Extensions:**

1. The purpose of a driveway extension is to allow additional off-street parking of cars, trailers, seasonal vehicles such as boats and trailers, snowmobiles and trailers.
2. A driveway extension may have the same hard surface as the driveway or may be constructed of class 5 gravel, or other rock material which can be compacted to support vehicles normally parked on driveways.
3. Grass or weeds growing through gravel parking extension constitutes a lawn. It must either be repaired with new gravel or converted fully to lawn area (which involves seeding and maintenance as a lawn), at which time nothing may be parked on it.

**SECTION 5**

**5. FENCES/WING WALLS/SCREENING**

**A. General Restrictions:**

1. Plans for a fence, wing wall or screen will be approved by the Architectural Review Committee as long as the proposed project(s) are in compliance with the guidelines of (Section 5.B.1) of this document and the specifications outlined in the Declarations of Covenants for the applicable neighborhood. Plans must include a copy of the property survey or sketch showing the location of the dwelling, garage and fence on the property, as well as the color, material and design of the panels or fence units. Homeowners in the Clover Ridge neighborhoods do not need ARC approval when in compliance with the guidelines of (Section 5.B.1). Homeowners in all other Jonathan neighborhoods should consult the applicable neighborhood-specific Declarations of Covenants, in addition to complying with the guidelines of (Section 5.B.1) of this document.
2. All approved fences, wing walls and screens must be completed within one year of approval by ARC.
3. No fence, wing wall or screen may be built within 10 feet of a Jonathan walkway or tot lot. Please consult the applicable neighborhood-specific Declarations of Covenants as some neighborhoods designate fences to be the only structure allowed within property setbacks/perimeters.

4. Fences, wing walls and screens will be evaluated as a part of a comprehensive landscaping plan to minimize any negative impact the entire scope of the landscaping plan might possibly have on adjacent properties. Landscaping plans must be completed, along with any fencing, within one year of commencement of construction.
5. Some neighborhood-specific Declarations of Covenants state that fences, wing walls or screens are the only structure allowed to be built within property setbacks and/or perimeters.
6. Chain link is not allowed except in animal enclosures.
7. Design of any fence, wing wall or screen shall be compatible in design, material, pattern, and color to the dwelling to which it is related.

## **B. Fences:**

The selection of all fence construction materials is restricted in Jonathan. Fence materials are based upon the type of fence you wish to install – privacy fences or decorative fences. Only fence construction materials that meet these rules are allowed.

### 1. Definitions:

- Privacy fencing is fencing that screens or encloses a portion of your yard.
- Decorative fencing is small fencing (less than 24 inches high) used as a lawn accent feature. Examples of decorative fencing would be small fencing to enclose a garden plot or a short run of split-rail fencing acting as a landscape feature.
- Please be sure to consult the applicable neighborhood-specific Declarations of Covenants for parameters (if any) which apply to the construction of fences in your neighborhood.
- Gates shall match the fence.

Fencing in the Clover Ridge neighborhoods is restricted only by City of Chaska regulations and the following additional requirements:

- Fences shall not exceed 6' in height at any point from the ground level to the top of the fence
- Fences must be constructed of wood, vinyl, plastic, aluminum or wrought iron.
- No fencing is allowed within ten (10) feet of a Jonathan path/trail.
- Review and approval by ARC is not necessary for fencing in these neighborhoods when the above requirements are met.

## 2. Privacy / Containment Fences:

- a. Fences shall not exceed 6' in height at any point from the ground level to the top of the fence.
- b. Privacy fences must be capped (as opposite to stockade style), and the top of the fence must follow a consistent horizontal line.
- c. Privacy fences must be constructed of wood, vinyl, plastic, aluminum, and wrought iron.

## 3. Decorative Fences:

Allowable styles/materials are split rail styles (wood or plastic), picket styles (wood or plastic), and wrought iron. Decorative fences are intended to be small accent features only and part of a landscape plan.

## 4. Wing walls:

Extensions of major or structural walls of a unit, not more than 10 feet beyond its perimeter walls for privacy screens, will be permitted where a need exists (such as between attached town homes with adjoining patios or decks). They should be considered and treated as part of the overall house design and shall be compatible in design material, pattern and color to the house to which they are related.

## 5. Screening:

A small run of architectural screening (less than 10 feet in length) may be permitted for privacy of entrances and windows. Screening is also allowed for utility meters, satellite dishes and trash receptacles. Such screens shall be considered as part of the overall house design and shall be compatible in design, material, pattern and color to which they are related.

## **SECTION 6**

### **6. ANIMAL ENCLOSURES**

- A. Plans for animal enclosures must abide by the parameters outlined in the applicable neighborhood-specific Declarations of Covenants, and be approved by the ARC prior to construction. Plans must include a copy of the property survey or a sketch showing the location of the house, garage, and animal enclosure on the lot. A picture of sketch of the screening material must be included, along with color and size. All enclosures and screens must be completed within one year of ARC approval.

- B. Animal enclosures will be allowed only when their location and design minimize their physical/aesthetic impact (such as under decks or behind garages in proportions that match the adjoining structure). Animal enclosures are not to exceed 150 square feet in area, unless specified otherwise in the applicable neighborhood-specific Declarations of Covenants.
- C. Freestanding animal enclosures are discouraged but may be allowed if located within 3 feet of the house or garage and all other requirements are met, and setback requirements must be met (five feet on garage side and ten feet on opposite side), unless specified otherwise in the applicable neighborhood-specific Declarations of Covenants.
- D. Chain link may be allowed in animal enclosures only if the chain link is screened by an approved freestanding wood or vegetative screening. The wood screening must be similar to fencing, with freestanding corner posts and a horizontal cap on all panels. Wood facing may be kept natural or stained or painted with a color that is compatible with house colors. Gates need not be screened. Vegetative screening will be used to help minimize visibility of animal enclosure.
- E. Animal enclosures shall not exceed 6' in height at any point from the ground level to the top of the animal enclosure, unless specified otherwise in the applicable neighborhood-specific Declarations of Covenants.

## **SECTION 7**

### **7. TRASH / TRASH RECEPTACLES**

No trash or debris shall be left on any portion of the property except in approved containers. No trash receptacles, or incinerators, or garbage cans shall be located outside of a building unless completely screened from view.

## **SECTION 8**

### **8. ANTENNAE / SATELLITE DISH POLICY**

Antennae of 12 feet in mast height or less and satellite dishes of one meter or less in diameter are allowed in Jonathan without further approval of the Jonathan Architectural Review Committee, except that no antennae or satellite dish shall be built within 10 feet of a Jonathan walkway, tot lot area, city path, or sidewalk; unless specified otherwise in the applicable neighborhood-specific Declarations of Covenants.

In addition, no antennae or satellite dish shall be within side yard or rear yard setbacks of ten feet unless such a restriction:

1. Unreasonably delays or prevents installation, maintenance or use
2. Unreasonably increases the cost of installation, maintenance or use
3. Precludes reception of an acceptable quality signal

Antennae greater than 12 feet in mast height and/or satellite dishes greater than one meter in diameter must abide within the parameters as they are outlined in the applicable neighborhood-specific Declarations of Covenants, and also be approved by the Architectural Review Committee for placement and screening. Residents are also encouraged to locate antennae and/or satellite dishes as near to the dwelling as possible and to also landscape the surrounding area if at all possible and/or financially feasible.

## **SECTION 9**

### **9. LANDSCAPING**

- A. Box Elder, Cottonwood and Russian Olive trees are not permitted on properties or as part of a landscape plan.
- B. Any landscaping, garden or other plant material is discouraged within 10 feet of a Jonathan walkway or tot lot. Plantings, rock, or any other landscape materials placed within 10 feet of a Jonathan walkway or tot lot face the possibility of destruction by snow removal, path maintenance or other heavy equipment. Homeowners are advised that the Jonathan Association has no financial liability for the loss of such materials in these locations. In addition, homeowners are strongly encouraged to check with the applicable neighborhood-specific Declarations of Covenants, and the City of Chaska for information concerning easements or other restrictions that may restrict placement on certain portions of the property.

## **SECTION 10**

### **10. MULTIPLE DWELLINGS**

**Definition:** Multiple dwellings include apartments, condominiums, duplexes, attached housing units, and townhouses.

**Uniformity/Guidelines/Timeframes:** Multiple dwellings must have uniform siding, doors, storm doors, windows, trim and roofs. All units must be consistent in design, color and materials. In addition, all projects or improvements must meet all other architectural guidelines relevant to the project or improvement. The ARC will determine timeframes for completion of phased projects.

## **SECTION 11**

### **11. USE OF TARPS**

- A. Tarps may only be used to cover woodpiles, construction materials while construction work is being done on a structure, or summer lawn furniture when stored under a deck. (For example, tarps may not be used to cover vehicles.) ARC approval is not required for the pre-approved uses.

## **SECTION 12**

### **12. PARKING/STORAGE OF VEHICLES**

#### **A. General Restrictions:**

Nothing other than vehicles (winter season, summer season, and all season vehicles as defined) shall be parked or stored outside anywhere on property within Jonathan unless stored or parked on a driveway or driveway extension in conformance with these rules or parked inside an ARC approved storage structure (for Storage Structures see Section 2.D of this document).

#### **B. Definitions:**

For purposes of this section, vehicles are defined as the following:

1. "Winter Season" vehicles are defined only as snowmobiles and any trailer upon which they are stored or transported and fish houses on wheels.
2. "Summer Season" vehicles are defined only as all boats (motorized or non-motorized including sailboats, pontoon boats and houseboats), canoes, rafts, surfboards, wind-surfers, jet skis, go carts, ATVs, campers, trailer homes, and any trailer upon which the above are stored or transported.
3. "All Season" vehicles are defined only as cars, trucks, motorcycles, vans and utility trailers.

**C. Timing of Storage:**

1. The storage or parking of “Winter Season” vehicles is only allowed upon the driveway or driveway extension of the property and is only allowed from November 1 through March 31.
2. The storage or parking of “Summer Season” vehicles is only allowed upon the driveway or driveway extension of the property and is only allowed from April 1 through October 31.
3. The storage or parking of “All Season” vehicles is only allowed upon the driveway or driveway extension of the property and is allowed all year.

**D. Manner of Storage:**

No vehicle may be stored outside, covered by a tarp or any other material except that a vehicle may be covered by a fitted fabric cover. Covers of neutral colors are preferred. No “winter season” or “summer season” vehicles may be stored on an appurtenant street. No vehicle may be used for outside storage.

**E. Number of Vehicles:**

No more than a total of two “winter season” and “summer season” vehicles combined, shall be parked or stored outside anywhere on property within Jonathan at any one time.

**SECTION 13**

**13. SIGNAGE/MURALS**

No sign shall be placed on the Property, except political campaign signs and/or one normal rental or “for sale” sign.

**SECTION 14**

**14. OUTSIDE STORAGE**

Outside storage of any item is restricted to uses allowed under Storage Structures (Section 2.D), use of tarps (Section 11), and the Parking/Storage for Vehicles (Section 12) of this document.