

Overbrook Shores Homeowners Association

Community Standards and Guidelines

Be a good neighbor!

Everyone wants to live in a neighborhood that is safe, comfortable, and attractive. Please be mindful of the effect your actions have on others.

Reservations and Restrictive Covenants

Article IV: “No building or other structure or projection therefrom shall be erected upon or extended within forty (40) feet of the front property line”.

Clarification: A fence is considered a structure. Hardscape structures require prior written HOA approval before installation. The intent of Covenants 4 and 5 is to retain the community’s open front-yard appearance and prevent structures that obstruct front-yard areas.

Article IX: “No trailer, tent, shack, barn, or any similar structure shall be erected or placed upon any of the lands above described”.

Clarification: Applies to vacant lots.

Property Upkeep

Homeowners are responsible for maintaining the exterior of their homes.

- The yard should be free of debris such as fallen branches and dead trees. Grass should be trimmed regularly during summer months.
- Landscaping equipment should be stored out of sight when not in use.
- Discarded appliances and bulk items such as stoves, refrigerators, furniture, tires, pallets, construction materials and equipment for home improvement projects must be removed promptly.
- Sports equipment such as portable nets and basketball hoops should not impede traffic during use and should be removed from the road after use.

Pets

Homeowners are accountable for the actions of pets that they own as well as those that may be visiting their property. Animal Control will be called regarding unattended pets, as this is a safety concern.

- Delaware law requires that dogs must be secured by means of a leash that is capable of physically restraining the movement of the dog.
- Excessive, persistent barking is a nuisance and may be grounds for calling Animal Control.
- For health reasons, animal feces should not be allowed to accumulate on the homeowner’s property.
- If you allow your dog to defecate on another homeowner’s property or on community property, your dog’s feces must be picked up immediately.

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Noise Control

The homeowner is responsible for preventing excessive noise that would disturb neighbors.

- Loud music, vehicles, parties, or other noise-generating activities should be managed at all times. The regulation for noise control in Sussex County states that quiet hours are between 10:00 p.m. and 7:00 a.m.
- Construction noise should start after 7:00 a.m. on weekdays and 8:00 am on Saturdays. Contractor work should not begin before 9:00 a.m. on Sundays.

Parking

Whenever possible, please park in your driveway. On-street parking impedes services such as ambulance, fire trucks, mail and other delivery trucks, trash and recycling pickups, and snow removal. The board will maintain consistent enforcement on letters and fines.

- The streets in Overbrook Shores are owned and maintained by DelDOT. Persistent on-street parking violations will result in towing and fines. No rolloff containers, dumpsters or PODS should be parked on the street.
- No Parking at the Boat Ramp. Unattended vehicles will be towed at the owners' expense.

Street Safety / Trees / Line of Sight

Delaware Department of Transportation (DelDOT) has right-of-way to an 8 to 10 foot strip between our property lines and the paved street. This space is reserved for road widening, swales (ditches that are part of our storm drainage system), and drain openings for underground rainwater culverts. Low-growing plants (up to 2 feet high) can be planted in the right-of-way, as long as they don't obstruct vision and can be sacrificed if DelDOT needs to use the space.

Shrubbery, trees and greenery overhanging or intruding into the street must be maintained for clear lines of sight and access.

- Driveways will be maintained to be free of obstruction by greenery.
- Greenery may not overhang the asphalt or into the street, nor may it obstruct nor block sightline or access.
- Tree limbs may not jut or overhang into the street, obstruct or block sightline or access. Trees shall not obstruct right-of-way or create a hazard. Tree and limbs overhanging the street must be trimmed to facilitate safe passage.

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Businesses / Commercial Activity

The HOA does not want to restrict homeowners from making a living but we do care about maintaining a community free of unnecessary noise, traffic and unpleasant appearances.

The guidelines below are a reference, but is not limited to, violations of the policy.

- Customer and/or employee traffic may not frequent your home.
- More than (1) branded company vehicle may not be parked on the property.
- Equipment not related to work in progress on your home may not be stored on your property.
- Hazardous or waste material may not be brought into the community
- Excessive noise, vibrations, odors, glare, or smoke that disturbs the quiet enjoyment of other residents may not emanate from your property.

Drones

“Drones” include any remotely controlled or unmanned devices such as toy helicopters or planes, video recording devices, or other unmanned aircraft.

- Private drone use must comply with all applicable local, state, and federal laws, regulations, licensing, and approval requirements.
- Drones may not be used to conduct surveillance or observe any person or property on Association Common Elements, or the privacy of property owned or occupied by others, without that party’s knowledge and consent.
- Limited drone use is permitted for:
 - Damage evaluation by insurers or their agents; or aerial photography of a home by a licensed real estate agent or broker (or their agent) for the purpose of marketing and selling a home within the Overbrook Shores community.

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Violations

Upon receiving a complaint, the HOA will investigate the incident being reported. If it is found to be in violation of the governing documents, (HOA covenants/restrictions, by laws or rules, regulations & resolutions) a letter will be sent to the property owner(s) listing the violations found and a timeframe to correct it. Should the violation persist after given the time period to correct, a second letter will be sent. Failure to correct the violation after the second notice may then be subject to a fine.

- The cost of the first fine is Fifty Dollars (\$50.00) for each violation.
- The cost of the second fine for each violation increases to One Hundred Dollars (\$100.00) if the violation has not been resolved.
- The cost of the fine increases to One Hundred Fifty Dollars (\$150.00) for each month thereafter until the violation is corrected.

Any monetary fine(s) assessed will be treated the same as an assessment under Article X of our Bylaws and may be foreclosed in the same manner as assessments.

- Safety violations will not be tolerated.

Important Phone Numbers

Constable (302) 855-7819

- * Responsible for enforcement of County Code, and is charged with investigating public complaints related to property maintenance and zoning issues. Property maintenance issues can include tall grass, trash, unregistered or inoperable vehicles, excess tires, and inoperable appliances. Zoning issues can include setback violations, building without a permit, living in a camper/shed, and failure to obtain a Conditional Use or Special Use Exception.

State Police (302) 644-5020 (Troop 7 - non-emergency)

- * Responsible for traffic regulation and law enforcement across the state, especially in areas underserved by local police departments.

Animal Control (302) 255-4646 (dogs & cats only)

- * The role of the Delaware Animal Services (DAS) is to enforce state codes, rules, and regulations related to companion animals, and to investigate animal neglect and cruelty cases. They do not respond to nuisance or injured wildlife, barking dogs, stray or outdoor cats or dead animals.