

## Table of Contents

<b>ARTICLE I</b>	<b>4</b>
<b>Application Procedure</b>	<b>4</b>
1.1 Submission	4
<a href="#">1.2 Review</a>	4
<a href="#">1.3 Appeal</a>	4
<b>ARTICLE II</b>	<b>5</b>
<b>General Guidelines</b>	<b>5</b>
<b>ARTICLE III</b>	<b>5</b>
<b>Fences / Repair &amp; Maintenance</b>	<b>5</b>
<a href="#">3.1 Location</a>	5
<a href="#">3.2 Height &amp; Materials</a>	5
<a href="#">3.3 Gates</a>	5
<b>ARTICLE IV</b>	<b>5</b>
<b>Outbuildings/ Alterations and Additions</b>	<b>5</b>
<a href="#">4.1 Building</a>	5
<a href="#">4.2 Type</a>	6
<a href="#">4.3. Placement</a>	6
<a href="#">4.4 Playhouses</a>	6
<a href="#">4.5 Material</a>	6
<a href="#">4.6 Condition</a>	6
<a href="#">4.7 Gazebos</a>	6
<a href="#">4.8 Additions</a>	6
<b>ARTICLE V</b>	<b>6</b>
<b>Sun Control Devices, Decks, Patio/Deck Covers and Trellises</b>	<b>6</b>
<a href="#">5.1 Type</a>	6
<a href="#">5.2 Location</a>	6

<a href="#">5.3 Landscaping</a>	6
<a href="#">5.4 Awnings</a>	7
<a href="#">5.5 Easements</a>	7
<a href="#">5.6 Drainage</a>	7
<b>ARTICLE VI</b>	<b>7</b>
<b>Swimming Pools, Whirlpools, Spas, Hot Tubs, and Jacuzzis</b>	<b>7</b>
<a href="#">6.1 Pools</a>	7
<a href="#">6.2 Pool Fence</a>	7
<a href="#">6.3 Pool Equipment</a>	7
<a href="#">6.4 Pool Gates</a>	7
<b>ARTICLE VII</b>	<b>7</b>
<b>Lighting</b>	<b>7</b>
<a href="#">7.1 Security Lighting</a>	7
<a href="#">7.2 Landscape Lighting</a>	7
<a href="#">7.3 Gas Lights</a>	7
<a href="#">7.4 Flood and Spot Lighting</a>	8
<a href="#">7.5 Vapor Lighting</a>	8
<a href="#">7.6 Annoyances</a>	8
<a href="#">7.7 Color</a>	8
<b>ARTICLE VIII</b>	<b>8</b>
<b>Painting</b>	<b>8</b>
<a href="#">8.1 Color</a>	8
<a href="#">8.2 Garage</a>	8
<a href="#">8.3 Landscape</a>	8
<a href="#">8.4 Exterior Brick</a>	8
<b>ARTICLE IX</b>	<b>8</b>
<b>Roofing Materials, Additions &amp; Gutters</b>	<b>8</b>

<a href="#">9.1 Materials</a>	9
<a href="#">9.2 Roofing Additions</a>	9
<a href="#">9.3 Roof Vents</a>	9
<a href="#">9.4 Gutters</a>	9
<b>ARTICLE X</b>	<b>9</b>
<b>Miscellaneous</b>	<b>9</b>
<a href="#">10.1 Miscellaneous</a>	9
10.2 Driveways/Sidewalks	9
<a href="#">10.3 House Numbers</a>	10
<a href="#">10.4 Permanent Basketball Goals</a>	10
<a href="#">10.5 Movable Basketball Goals</a>	11
<a href="#">10.6 Landscape</a>	11
<a href="#">10.7 Trees</a>	11
<a href="#">10.8 Commons Area</a>	11
10.9 Storm Doors and Storm Windows	11
<a href="#">10.10 Interior Window Coverings</a>	11
<a href="#">10.11 Mailboxes</a>	11
10.12 Decorative Yard Fencing	12
<b>ARTICLE XI</b>	<b>12</b>
<b>Local Building &amp; Work Permits &amp; Easement Right of Way</b>	<b>12</b>
<b>ARTICLE XII</b>	<b>12</b>
<b>Completion of Structures</b>	<b>12</b>
<b>ARTICLE XIII</b>	<b>12</b>
<b>Construction Hours</b>	<b>12</b>

## **ARTICLE I**

### **Application Procedure**

#### **1.1 Submission**

Except as provided in Section 1.3 of this Article I, all applications for approval to make any exterior changes, additions, or improvements must be submitted to the ACC) in writing by completing the application form currently in use, a copy of which may be obtained from the Association's managing agent, and on the Association's website.

The application should include the plans and specifications for and specifically describe each exterior change, addition, or improvement you are requesting approval for. The ACC reserves the right to request any additional information deemed necessary to properly evaluate the application. All applications shall be submitted to the office of the managing agent of the Association.

Applicants are responsible for meeting statutes, ordinances, and building codes.

#### **1.2 Review**

The application shall be approved or denied within thirty (30) days from the date of its receipt. Should the ACC request additional information, the application will be held open until the information is received or until the expiration of the thirty (30) days. Should the requested information not be received then the application will be denied. The applicant may submit a new application with the requested information to the ACC for its review.

If an application is denied, a written denial shall be provided to the owner by certified mail, hand delivery, or electronic delivery, and shall describe the basis for the denial in reasonable detail and changes, if any, to the application or improvements required as a condition to approval; and inform the owner that the owner may request a hearing with the Board of Directors on or before the 30th day after the date the notice was mailed to the owner. No improvement shall be started until written approval is received from the ACC. Except as provided in Article XI or unless otherwise stated in the ACC's written response, all approved exterior changes, additions, improvements or landscaping shall be completed within thirty (30) days of the date of construction, installation or erection has commenced.

#### **1.3 Appeal**

In the event that the ACC denies an application, the applicant may submit a written request for an appeals hearing to the Board of Directors. The Board shall hold a hearing not later than the 30th day after the date the Board receives the owner's request for a hearing and shall notify the owner of the date, time, and place of the hearing not later than the 10th day before the date of the hearing. Only one hearing is required under this subsection. During a hearing, the Board or the designated representative of the association and the owner or the owner's designated representative will each be provided the opportunity to discuss, verify facts, and resolve the denial of the owner's application or request for the construction of improvements, and the changes, if any, requested by the architectural review authority in the denial notice provided to the owner. The Board or the owner may request a postponement. If requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be

granted by agreement of the parties. The property owners' association or the owner may make an audio recording of the meeting. The Board may affirm, modify, or reverse, in whole or in part, any decision of the ACC as consistent with the subdivision's dedicatory instruments, including the Declaration of Covenants, Conditions and Restrictions.

## **ARTICLE II General Guidelines**

2.1 The ACC shall consider the following factors upon the review of each application for an exterior change, addition or improvement:

- (a) Size and dimension;
- (b) Color and harmony with existing structures and improvements;
- (c) Quality of materials;
- (d) Location;
- (e) Harmony and appeal of exterior design;
- (f) Elevation; and
- (g) The provisions of applicable covenants, conditions and restrictions.

Provided, however, that the approval of an application shall not be construed as a warranty or representation by the ACC of the fitness, design or adequacy of the proposed construction.

## **ARTICLE III Fences / Repair & Maintenance**

### 3.1 Location

Unless otherwise provided herein, fences shall: (i) be located wholly within the property lines of the homeowner's lot; (ii) not extend into the front yard beyond the original fence line for the main residence upon such lot; and (iii) in the opinion of ACC, must not interfere with the general harmony and external design of the Subdivisions.

### 3.2 Height & Materials

Unless otherwise provided herein, fences shall conform to the following requirements:

- (a) Materials must be cedar or wolmanized (i.e. pressure-treated) wood;
- (b) Fencing must be installed so the finished surface faces the public with dog eared top;
- (c) Pickets must be no more than six (6') feet tall, with or without a rot board not to exceed twelve (12") inches;
- (d) Fencing may be treated with a clear coat protective covering as long as it doesn't change the original color of the wood.

3.3. Front Yard Fences – Only decorative fencing may be erected in the front yard building setback area, and only if all of the following requirements are met:

- (a) Front yard fencing must be constructed of wrought iron or wood:

- (b) No front yard fence shall be erected to a height greater than three (3) feet above the finished lot grade;
- (c) The solid area of the front yard fence shall not exceed fifty (50) percent of the total area of the fence, with no massing of solid material widths greater than six (6) inches, except for corners or posts.
- (d) No front yard fence shall be constructed on a corner lot that does not afford proper visual clearance for traffic approaching the intersection in either direction. Proper visual clearance shall be maintained for a distance of not less than thirty (30) feet on each street.

3.4 Gates – Gates shall not be constructed of chain link or wire. Gates should be built from the same material as the fence to which it is attached

## **ARTICLE IV Outbuildings/ Alterations and Additions**

### 4.1 Outbuilding

Any type of building on a lot which is not attached to the residential dwelling shall be considered an outbuilding. ACC approval must be received in writing prior to construction, installation, or placement of an outbuilding. All outbuildings shall be maintained in good condition.

### 4.2 Sheds and Greenhouses

Sheds and greenhouses may not be more than eight (8') tall. Placement must conform to the set-back restrictions established on the plat and in the Declaration.

### 4.3 Gazebos

Playhouses are only allowed in the backyard. No exterior portion of a playhouse shall be made of tin, contain electrical wiring, or antennae and no higher than the equivalent of the first story roof line.

### 4.4 Playhouses

Playhouses are only allowed in the backyard. No exterior portion of a playhouse shall be made of tin, contain electrical wiring, or antennae and no higher than the equivalent of the first story roof line.

### 4.5 Additions

On any room additions, roof shingles shall be of a uniform design and same color as primary residence. The standard, type, quality and color of the materials must conform to the type, quality and color of the materials used in the construction of the main residence.

## **ARTICLE V Sun Control Devices, Decks, Patio/Deck Covers and Trellises**

### 5.1 Materials

The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence. Fiberglass, tin, steel, PVC, aluminum, stainless steel, corrugated metal and lattice patio covers shall not be permitted under any circumstance. ACC approval must be received in writing prior to beginning all construction.

### 5.2 Location

Patio covers are to be constructed only in the area of the patio and must be located at the rear of the residential dwelling.

### 5.3 Landscaping

Landscaping lattice and trellis shall be consistent with the visual scale, design, and harmony of the dwelling to which they are attached.

### 5.4 Awnings

Awnings are only permitted on the back of the house and no higher than the equivalent of the first story roof line.

### 5.5 Easements

Owners who install or maintain decks that encroach into any utility easement without the utility companies' written consent do so at their own peril.

### 5.6 Drainage

No patio cover or deck shall be permitted to adversely affect drainage on the lot or any adjacent property, including any common area.

## **ARTICLE VI**

### **Swimming Pools, Whirlpools, Spas, Hot Tubs, and Jacuzzis**

#### 6.1 Pools

All pools shall be appropriately permitted by the local government. No pool shall be permitted to create an adverse drainage impact upon an adjoining property.

#### 6.2 Pool Fence

Pools shall be completely enclosed in a fenced area.

#### 6.3 Pool Equipment

Pool pumps and equipment must be contained within the fenced back yard and must not be visible from any street.

#### 6.4 Pool Gates

Gates opening directly into the pool area must be equipped with self-closing and self latching devices designed to keep, and capable of keeping such doors or gates securely closed at all times when not in actual use. Said latching devices shall be attached to the upper quarter of such gates or doors.

## **ARTICLE VII Lighting**

### **7.1 Security Lighting**

Exterior wall, soffit or mounted security lighting shall be permitted with the ACC's approval, so long as each lighting fixture does not exceed 2,600 lumens.

### **7.2 Landscape Lighting**

Exterior landscape lighting shall be permitted, so long as the lighting is located within the flower beds, shrubs and/or trees.

### **7.3 Gas Lights**

Gas lights shall be permitted provided the gas lighting color is white.

### **7.4 Flood and Spot Lighting**

Flood and spot lighting shall be permissible with the ACC's approval so long as:

- (a) Each lamp does not exceed 2,600 lumens and the fixture does not exceed 5,200 lumens.
- (b) All fixtures are mounted below the roof line.

### **7.5 Vapor Lighting**

Vapor lighting shall not be permitted.

### **7.6 Annoyances**

Exterior lighting shall not be directed in such a manner as to create an annoyance or nuisance to the neighbors. All new lighting approved by the ACC, shall be subject to a sixty (60) day trial period. If at the end of that period the ACC determines that the lighting is not unreasonably offensive or an annoyance to surrounding residents, the ACC's approval shall be final; otherwise, the lighting shall be removed or modified as directed by the ACC.

### **7.7 Color**

All exterior lighting shall be white in color.

## **ARTICLE VIII Painting**

### **8.1 Color**

An ACC application shall be submitted stating the house and trim color. The following family of colors is allowed: muted neutral natural tones such as Tan, Terra-Cotta, Light Brown, Olive Brown, Cool Gray, Warm Gray. Further, the existing exterior color of a house, garage or other improvement on a lot shall not be repainted without an approved application.

### **8.2 Garage**

The doors of a garage on a lot shall always be painted the same color as the principal color of the residential dwelling. Garage doors shall be all of one color; patterns, checkerboard or other designs will not be allowed. The garage door shall always be maintained in good repair and in a



neat, attractive manner.

### 8.3 Landscape

Landscape timbers shall not be painted under any circumstance.

### 8.4 Exterior Brick

Exterior brick shall not be painted under any circumstance.

## **ARTICLE IX Roofing Materials, Roofing Changes, & Gutters**

### 9.1 Materials

A sample of the proposed shingle to be placed on any existing roof of any improvement must be attached to each application submitted to the ACC. Proposed shingles must be an acceptable type and quality and a color that is harmonious with the color scheme established for the Subdivisions. Roof shingles shall be of a uniform design and color over the entire residence. All composition shingles used on the roof of a home must have at least a twenty (20) year manufacturer's warranty. "White", "Terracotta" or colors other than earth tone are not permitted.

### 9.2 Roofing Additions

No skylights or similar types of additions shall be permitted on the front of the roof ridgeline and/or gable of a structure.

### 9.3 Roof Vents

Roof vents or turbo vents shall be installed on the back side of the residence where permitted by roof design. Roof vents or turbo vents shall be installed according to the manufacturer's specifications for installation not to exceed the ridgeline by more than fifteen inches.

### 9.4 Gutters

Gutters, when installed, must be painted the same color as the residence or the trim thereon and shall be kept in good repair. All existing gutters shall be kept in good repair as to not detract from the overall appearance of the residence or surrounding neighborhood.

### 9.5 Solar Panels

Solar panels must be approved prior to installation. The qualified installers installation details must be included in the application.

## **ARTICLE X Miscellaneous**

### 10.1 Miscellaneous

Upon ACC approval, a maximum of 8 items are allowed to be visible from the street, inclusive of benches, swings, lawn ornaments (e.g. birdhouses, planters/fountains), flag poles, lawn decorations, and lawn furniture, subject to the following restrictions:

- (a) Birdhouses shall not be freestanding or pole-mounted, and must be no longer than two ft. (2') in any dimension;

- (b) Birdbaths, water features, statuary, sculptures and the like shall not exceed two feet (2') in any dimension and must be consistent with the visual scale, design, and harmony of the dwelling;
- (c) Flags and flagpoles shall conform to all current statutory requirements;
- (d) TV antennas and satellite dishes shall conform to all current statutory requirements;
- (e) External TV antenna shall be located in the rear of the house; and
- (f) Ham / amateur radio antennas are not allowed.

#### 10.2 Driveways/Sidewalks

- (a) Unless the ACC grants a variance in writing, each lot shall have driveway access to the street on which the lot faces and shall not have driveway access to a street on the side of the lot.
- (b) Subject to the foregoing limitation, the Owner of each lot shall construct and maintain at his expense a driveway from his garage to an abutting street, including the portion in the street easement and he shall repair at his own expense any damage to the street occasioned by connecting his driveway thereto.
- (c) An approval for a widened driveway or a new sidewalk shall be considered on an individual basis.
- (d) Cement material must blend with the existing structure and must be carried out in a workmanlike manner.
- (e) Circular Driveways are not permitted under any circumstances.
- (f) Surface treatments will be approved on a case by case basis.

#### 10.3 House Numbers

House numbers and similar material used in the Subdivisions must be harmonious with the overall character and aesthetics of the community.

#### 10.4 Permanent Basketball Goals

Basketball goals shall be permitted subject to the prior approval of the ACC and the following;

- (a) Only one basketball goal per residence shall be permitted.
- (b) A nylon or chain net shall be maintained on the rim at all times. The net shall be replaced in the event that it becomes frayed or torn.
- (c) A steel or aluminum rim shall be affixed to the backboard at all rims. The rim shall be repaired or, if necessary, replaced in the event that it becomes broken or bent.
- (d) The backboard must be kept in good repair. The backboard shall be repainted, repaired or replaced in the event that the surface of the backboard becomes chipped or cracked or the backboard becomes warped or unaligned.
- (e) Basketball goals may not be erected in such a manner as to encroach upon any building line on any lot or in such a manner as to encroach or interfere with a neighboring property. The basketball goal should be installed in such a manner to prevent a basketball or basketball play from entering a neighboring property.
- (f) The pole shall be no closer to the street in front of the premises than one-half ( $\frac{1}{2}$ ) the distance between the curb and the front of the building line of the primary

residence.

- (g) The goal backboard shall be parallel to the driveway slab, and the metal pole shall be installed no further than eighteen inches (18") from the driveway slats.
- (h) With the exception of maintenance and repair, a basketball goal shall not be modified in any respect nor shall its location be changed from that approved by the ACC.

#### 10.5 Movable Basketball Goals

Movable basketball goals shall be subject to the same guidelines as described in 10.4. Moveable basketball goals in general do not require ACC approval. Equipment must be returned to the property for storage daily and not impede traffic.

#### 10.6 Landscape

Flower bed borders, sidewalk borders, and landscape planting in general do not require ACC approval. Grass and landscape beds shall be kept trim and neat, free of weeds and well maintained.

#### 10.7 Trees

Trees and shrubs that restrict sight lines or vehicular traffic shall not be allowed. All trees shall be maintained to a minimum canopy height of 13 feet above the street surface when they extend over the street.

#### 10.8 Common Areas

On Association Common Ground; No tree (dead or alive) shall be removed from Association common ground. The Association's management company shall be contacted to begin the process for having a dead tree on Common Property removed by the Association. Generally, only dead trees on Common Property that pose a threat to person or property will be considered for removal.

#### 10.9 Storm Doors and Storm Windows

- (a) Storm doors and storm windows should be without ornamentation. Full-view storm doors are preferred. Security doors/windows (or the addition of security bars to doors/windows) are not allowed.
- (b) Storm doors shall be constructed of aluminum or wood. The color should be in harmony with the existing color of the residence.
- (c) Storm doors will be approved with the condition that they be kept in the proper state of repair at all times; i.e. broken glass must be replaced, screens must be properly secured.
- (d) All storm doors shall be maintained in a manner as not to detract from the overall appearance of the residence or of the neighborhood.

#### 10.10 Interior Window Coverings

Interior window coverings visible from the street shall be neat and attractive and of an industry standard design and material. Aluminum foil, bed sheets, newspaper and any other material that is not a normal window covering (i.e. curtains, window blinds, etc) are not permitted.

#### 10.11 Mailboxes

Mailboxes are a functional necessity, not a decorative item. Since they are typically in a high visibility location, mailboxes shall be functional, conservative, and representative of the architecture of our neighborhood. No mailbox that is considered inconsistent with the surroundings will be permitted. No appurtenances, such as newspaper delivery tubes, shall be attached to the mailbox or supporting post.

### **ARTICLE XI**

#### **Local Building & Work Permits & Easement Right of Way**

11.1 Approval of any project by ACC or Association does not waive the necessity of obtaining the required local permits.

11.2 Obtaining a local permit does not waive the need for ACC or Association approval.

11.3 The ACC or Association will not knowingly approve a project, which is in violation of the local building or zoning codes.

11.4 The ACC or Association is not responsible for ensuring construction of any type does not interfere with any and all easements. This is the property owner's responsibility.

### **ARTICLE XII**

#### **Completion of Structures**

12.1 Construction in accordance with an approved plan must be completed within thirty (30) days of the time that construction is begun unless otherwise specifically agreed to by the ACC or Association. If not completed within the time allotted, the Association shall proceed against the homeowner as if a violation of the Declaration had occurred.

12.2 Any addition or modification which meets the guidelines and standards, but which is erected with "poor workmanship" and that detracts from the overall appearance of the Subdivisions, will be deemed to have been erected in contradiction to the approval of the Architectural Control Committee; in such case the Association shall proceed as if a violation of the Declaration had occurred.

### **ARTICLE XIII**

#### **Construction Hours**

13.1 Except in an emergency or when other unusual circumstances exist, as determined by the Board of Directors of the Association, outside construction work or noisy interior construction work shall be permitted only between 7:00 a.m. and 9:00 p.m.