

Ashton Preserve Homeowners Association,  
Inc.

Architectural Rules,  
Regulations,  
and Guidelines

As Adopted  
by the Board of Directors  
on

April 20, 2005

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## **INTRODUCTION**

To ensure that your community will always be an attractive and desirable place in which to live, architectural standards must be maintained. These standards are generally outlined in the Declaration of Covenants, Conditions, and Restrictions (“DCCR”), a copy of which should have been provided to each Homeowner upon the purchase of their property in the Association. The DCCR, Bylaws, Articles of Incorporation, and the Rules, Regulations and Architectural Guidelines are collectively referred to herein as “Governing Documents”.

Applying architectural standards benefits all residents and all residents share the responsibility to comply with, support, and contribute to the standards. These Rules, Regulations and Architectural Guidelines (“Guidelines”) are not intended to constrain the pride individual Homeowners have in their property, nor are they meant to unnecessarily restrict creative efforts to enhance the appearance of that property. The purpose of the Guidelines is to protect each Homeowner’s investment and ensure that all members of our community can take pride in living in our community.

These Guidelines are a guidance document to be used as a *supplement* to the DCCR, Bylaws, and Articles of Incorporation. The purpose of the Guidelines is twofold. First, it presents the rules and regulations in an easy to understand format. Second, it provides specific guidance concerning processes and restrictions that may only be generally expressed in the DCCR, Bylaws, and Articles of Incorporation.

It is recommended that every homeowner read the Governing Documents for a full understanding of the rules, processes, and restrictions that apply to our community. If in doubt a change is one governed by this guidelines and rules, the Homeowner must submit an Application prior to commencement of work. As with the other Association documents, this document is intended to be a part of each Homeowner’s permanent records.

We look forward to working with residents to keep an attractive community.

Sincerely,

Members of the Board of Directors

## **ARCHITECTURAL CHANGE REQUEST REVIEW PROCESS**

*Application.* Prior to beginning exterior changes or construction, each Homeowner, if so required by the Governing Documents, shall submit an Application for the addition, alteration, or improvement to his/her lot in writing to the Board of Directors (the “BOD”) or the Architectural Review Committee (the “ARC”) c/o the HOA’s management company. The Application must be submitted on the approved Architectural Change Request form (copy attached as Exhibit A). For the purposes of these Guidelines, the ARC will be presumed to be the reviewing body, although the Board of Directors may also act as such. The Application must be complete for consideration by the ARC. A fee, in an amount not to exceed fifty dollars (\$50.00), may be charged by the HOA for the review of the Application. Incomplete Applications will be returned to the Homeowner for the required information. The ARC has sixty (60) days to review and act (either approve or disapprove) on a complete Application, beginning on the date the Application is received by the HOA’s management company, but will endeavor to act in a more expeditious matter. If an Application is returned to the Homeowner for any reason, the sixty (60) day review period will begin upon the receipt of any revised Application. Oral requests will not be considered and may not be relied upon by any Homeowner. Multiple requests may be made in one application.

*Neighbor Notification.* The ARC requires the signature of three (3) adjoining neighbors, or those who have a view of the Applicant’s property, on the otherwise complete Application, indicating that they are aware of the substance of the Application as it is to be presented to the HOA for approval. Neighbors and other community members are encouraged to provide their candid opinions concerning any proposed architectural changes in writing to the ARC through the HOA’s management company. To ensure that any opinion concerning a proposed architectural change is considered by the ARC during the Application review, neighbors should provide their opinions as soon as they are notified of the proposed change. Neighbor agreement to a proposed architectural change request does not guarantee acceptance. Additionally, neighbor objection to a proposed architectural change request does not preclude the ARC from approving the request. The ARC views neighbor and other Homeowner’s input as one of many factors for consideration in reviewing architectural change requests.

*Voting.* A request is approved or denied by majority. Decisions of the ARC generally are based upon the DCCR and these Guidelines. For unusual circumstances, or for other good cause, and subject to the other Governing Documents, exceptions to the Guidelines may be made on a case-by-case basis.

*Homeowner Notification.* The HOA’s management company (or other ARC designate) will notify the Homeowner in writing as to the decision on their request. This written reply will consist of a copy of the Application bearing approval or disapproval, along with an explanation of any restrictions or contingencies, or an explanation as to why the request was denied.

*Approved Architectural Change Requirements.* If a request is approved, the Homeowner may immediately begin to implement the change. The change must begin within 6 months and be completed within 12 months of the approval date. If the project is not begun or completed as specified, the approval is considered lapsed and the Homeowner must reapply for the change.

Approval of any change is not to be construed as approval of the structural integrity of the alteration or addition, nor does it relieve the Homeowner from acquiring the necessary permits and approvals from County or State agencies.

No alterations or additions shall be made which damage drainage patterns or cause damaging runoff onto common areas, adjacent lots, or streets. Homeowners are responsible for any drainage or runoff damage caused by an architectural change.

*Reconsideration/Appeal.* The decisions of the ARC are considered final. However, any decision made by the ARC may be reconsidered by the ARC or appealed to the BOD. The Homeowner may resubmit a request for reconsideration to the ARC on the basis of **new relevant information**, or the Homeowner may appeal the ARC's decision to the BOD in writing within 15 days of the date on the notification letter of the ARC's decision. Requests for reconsideration and appeals must be submitted to the ARC or BOD c/o the HOA's management company. Any appeal to the BOD must provide information to the BOD as to how the Application for an architectural change was not reviewed in accordance with the Governing Documents. A hearing will be scheduled only if specifically requested by the appellant or BOD. Otherwise, the BOD will communicate its decision in writing. Neighbors and other community members who have registered an objection concerning an Application may be notified of the request for reconsideration and/or invited to the appeal hearing. In accordance with the DCCR, a vote of two-thirds of the BOD is required to overturn or modify an ARC decision (in whole or in part).

*Unapproved Changes.* Homeowners may receive written notification of a violation if the Homeowner implemented an architectural change prior to obtaining permission from the BOD or ARC, or has implemented an architectural change that goes beyond what was approved by the BOD or ARC. This letter will state the violation, and, if applicable, provide a date by which the Homeowner must either: (1) bring their property back into compliance (i.e., original condition); or (2) apply for the change. If, after review of the Application the ARC denies the change, the Homeowner must bring the property into compliance in accordance with the Governing Documents, unless the Homeowner: (1) appeals the ARC's decision to the BOD, or (2) requests that the ARC reconsider its decision on the Application as set forth above. Under this circumstance, a Homeowner can request reconsideration only once per application. Homeowners who have corrected a violation and brought their property into compliance must provide written notification of the correction to the ARC.

*Grandfather Clause.* There may be some alterations in existence that do not comply with these Guidelines, but which were previously applied for and approved. They must be maintained as approved. This Grandfather Waiver does not include exterior alterations not approved through the requisite Application process.

*No Waiver Clause.* There may be some alterations in existence that do not comply with these Guidelines, but with respect to which enforcement action, at least at the present time, is inappropriate in the opinion of the BOD. In these cases, the BOD reserves the right to take enforcement action in the future should it determine that what was previously viewed as a de minimis violation is now considered

significant. One example might be a planting placed in a location where it does not obstruct sight-lines for traffic on community streets at the time of planting, but does later on as it grows.

## **ENFORCEMENT**

It is the sincere hope and expectation of the HOA that members of the community will voluntarily adhere to these Guidelines as a demonstration of mutual respect for their neighbors and the community as a whole. However, in the event that a Homeowner does not abide by these Guidelines, the HOA is empowered by the Governing Documents to utilize a variety of methods, including, but not limited to, legal action, to enforce these Guidelines. If the BOD or ARC believes a Homeowner is in violation of these Guidelines, the following process generally will be followed to resolve the issue:

1. The Homeowner will be sent a letter from the HOA's management company (or ARC designee) describing the apparent violation and requesting that the Homeowner bring their property into compliance within 30 days of the letter.
2. If, after 30 days, the Homeowner has not demonstrated that the property was already in compliance, brought the property into compliance, nor provided a reasonable explanation for the delay in bringing the property into compliance, the HOA's management company shall provide the Homeowner (and, if known, other adult person(s) responsible for the violation) with a second letter (sample attached as Exhibit B), sent certified mail, with the following information:
  - a. Identification of the violation
  - b. Enforcement options open to the BOD
  - c. Opportunity for a hearing if requested within five (5) days of the date of the notice. If a hearing has been requested, a hearing date shall be scheduled and notice sent to Owner and any other parties.
  - d. Opportunity to acknowledge violation within five (5) days of the date of notice and correct the violation within a specified date.
3. If the Homeowner's property is not brought into compliance by the specified date, the BOD shall (after a hearing if requested by the Homeowner as set forth above) review the violation and determine the enforcement options. Enforcement options open to the BOD include, but are not limited to:
  - a. Fines and/or liens on property
  - b. Removing or correcting the violation, in which case the Homeowner will be responsible for all costs incurred by the HOA
  - c. Arbitration and legal enforcement
  - d. Suspension of common area privileges
4. If the court or arbiter rules in favor of the HOA, the Homeowner is legally obligated to pay the HOA for all legal fees and any additional enforcement-related costs.
5. The HOA reserves the right to inspect the exterior of the Homeowner property at a reasonable time and in a reasonable manner for compliance with the Governing Documents. The HOA has the right, upon resolution of the BOD, to enter upon the exterior of the Homeowner's property and take steps

to remove or abate the violation. Any costs incurred by the HOA for bringing a property into compliance may be assessed against the owner of the property, and a statement of the amount shall be rendered to the Homeowner. The assessment is due upon receipt. This assessment becomes a lien on the lot until removed by payment. Alternately or simultaneously, the BOD may turn the matter over to legal counsel for resolution.

## **ARCHITECTURAL GUIDELINES**

Below are the Guidelines for the community. It is impossible to draft Guidelines, which will cover all possible exterior changes. The ARC will review, on a case-by-case basis, change requests that are not covered by the Guidelines. Emphasis will be placed on proper scale, materials, and impact on neighboring properties. On a case-by-case basis, the ARC may exempt a Homeowner from these Guidelines for unusual circumstances, or for other good cause, and subject to the other Governing Documents, For instance, given their unique location, vis-à-vis other homes, change requests for corner lots may be reviewed on a slightly different basis than non-corner lots.

Please keep in mind that these Guidelines are a supplement to the DCCR, and are intended to add clarification to the DCCR. If a restriction speaks for itself as written in the DCCR, it might not be reiterated here.

Homeowners are responsible for obtaining all required governmental permits prior to implementing a change.

### **Air Conditioners**

- Window air-conditioning units are strictly prohibited.

### **Aerials, Antennae and Satellite Dishes**

- An approved Application is required for the installation of all television aerial (but not radio antenna) and other devices intended to receive telecommunications signals such as direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS) (collectively referred to as "Antennae").
- Every effort should be made to locate the Antenna so that it is not seen from the street, and, if on the ground, installed as close to the home as possible without interrupting transmission. Landscape screening may be required.
- Antennae shall be of a standard manufacturer color, such as gray, brown, and off white.
- Antennae situated entirely within a dwelling unit, and not visible from the exterior, are permitted without the necessity of an approved Application.

### **Awnings and Sun Trellises**

- An approved Application is required for awnings, sun trellises and/or wooden superstructures. A complete description and picture of the item must be submitted along with a plan showing location.

### **Boats/Trailers/Trucks/RVs/Vehicle Repairs**

- Buses, trailers, junk vehicles, unlicensed, unregistered or inoperable motor vehicles (which shall include, without limitation, any vehicle which would not pass applicable state inspection criteria), campers, RV's, machinery or equipment of any kind of character (except for such equipment and machinery as may be reasonable, customary or usual in connection with the use and maintenance of any dwelling), or any similar items may not be parked or stored on the common areas, parking lots, driveways, or any portion of any lot for any time, other than in garages.
- Major vehicle renovation or repair on any property within the community is prohibited.

### **Compost Bins**

- An approved Application is required for a compost bin.
- Compost bins must be located in the rear yard and if visible from adjoining properties, screened by fencing or landscaping.
- Compost bins must be self-contained, sturdily constructed of durable wood, plastic, or metal, and finished in a dark, muted color or left to weather naturally (if wood).
- Compost bins must be regularly maintained so that they do not create a visual or environmental nuisance.
- Compost bins may not exceed 4' in height and 4' x 4' in dimension.

### **Decks**

- An approved Application is required for decks and must show their location.
- Handrails must be installed when required by law. In addition, Homeowners are strongly encouraged to install handrails whenever the deck is twelve inches or more above the adjacent ground
- Materials allowed are wood, vinyl, and Trex or similar synthetic material.
- A sample of the color to be used on the deck flooring, handrails, stairs, benches, etc. must be included with the Application.
- Any lattice, sun shields, privacy screening, benches, and other decorative items must be described in the Application and will be reviewed on a case-by-case basis.

### **Dog Houses and Dog Runs**

- An approved Application is required for dog houses and dog runs.

### **Driveways and Driveway Aprons**

- An approved Application is required for driveway extension, widening or rerouting.

### **Flagpoles**

- Permanent, freestanding flagpoles will not normally be allowed.
- Temporary flagpole staffs, which do not exceed six feet (6') in length and are attached at an incline to the front wall or pillar of the house, need not have an approved Application.
- Flags must be properly maintained.

### **Fences**

- An approved Application is required for fences.
- Depending on the location of the fence, Homeowners may be required to add appropriate landscape screening on the outside of the fencing as a condition of approval with the understanding that the required screening will be planted as promptly as weather permits once the fence has been installed, and then maintained for the life of the fence.
- Homeowners are strongly encouraged to use the same type of fence used by the adjoining neighbor. Fencing on shared property lines shall not be "doubled" to create a fence-to-fence situation. If an existing fence is bordering a proposed fence installation, the new fence should simply meet the existing fence, and not construct an additional fence on the same property line.

- Fences may be of the following types: board on board with or without lattice top (wood), split rail (wood with non-rusting wire mesh on the inside), or picket (wood, vinyl or other similar synthetic material, metal (aluminum, iron or steel)). See Exhibit C for examples of approved fence types.
- Fences must not exceed six (6) feet in height.
- Homeowner shall have the sole responsibility for compliance with all county or other governing authority code or regulations.
- Fencing shall be constructed on the property lines, and enclose substantially the entire rear yard. A waiver of this requirement may be granted if the ARC believes that extenuating circumstances exist such as a prohibitive easement, berm area, swale, woodlands, etc.
- No fencing shall be permitted in the front yard of any Lot **that obstructs the view of the adjoining neighbor**. The location of fences on pipestem Lots, corner Lots, and Lots that adjoin pipe-stem driveways, Lots adjoining extended driveways, and corner Lots require special consideration regarding fence location. Each request will be reviewed on a case-by-case basis.
- Stockade, chain link or any type of wire fencing (except for that which is approved for use on the inside of split rail fencing) is strictly prohibited.
- Fencing must not interfere with the flow of drainage in swales or within surface drainage easements. A Homeowner who installs a fence within an easement area does so at their own risk and the HOA assumes no liability.

### **Firewood**

- Firewood may be stored outside if stacked neatly on a platform directly behind the house. Firewood may not be stacked in the front of the house, side of the house, or on Common Areas.

### **Garages**

- Detached garages are prohibited.
- Conversion of garages to living areas is prohibited.

### **Grills and Fireplaces**

- An approved Application is required for all permanent grills or fireplaces.
- Permanent grills or fireplaces, wherever possible, should not be visible from the street.
- Temporary (moveable) grills must be stored out of direct sight when not in use.

### **Hot Tubs/Spas**

- An approved Application is required for an outside hot tub or spa. The Application shall include the following information:
  1. A site plan showing the location of the hot tub or spa and its relationship to existing structures, drainage, and property lines. Adequate drainage must be carefully evaluated for site selection approval.
  2. Dimensions, type and color of proposed materials.
  3. Proposed screening and landscaping plan.
- Hot tubs and spas shall be located only in the rear yard behind the house and within 20 feet of the dwelling.
- Hot tubs and spas shall be of a material that will blend with surrounding structures.

### **Landscaping and Lawns**

- An approved Application is required for exterior brickwork, stonework, structures, etc.
- An approved Application is required for all decorative water features (example: lily ponds, water gardens, fountains, etc.).
- An Application is not required for planting shrubs, lawn, flowers (including freestanding flowerpots). The exception to this is the planting of trees, hedges or rows of plants used as a blockade or screen, which requires ARC approval.
- No tree, hedge, or landscape feature can be placed in a location where it will obstruct traffic sight-lines on community streets, either at the time of planting or as the plants grow. Homeowners are responsible for maintaining any tree, hedge, or landscape feature on their property such that they do NOT obstruct traffic sight-lines on community streets.
- No planting or structure may interfere with any easement for the installation or maintenance of utilities, or which may unreasonably change, obstruct, or retard the direction or flow of any drainage channel.
- No wire or other lawn edging shall be placed or maintained on any Lot which would impede the HOA's ability to perform its obligations as set forth in the Declaration, or which would be inharmonious with the aesthetics of the community.

### **Lawn Furniture**

- All lawn furniture not maintained on a deck or patio must be maintained only within the rear yard or that portion of the lot that is screened from public view.
- Lawn furniture is not allowed to remain overnight within any front or side yard of any lot or in the common areas.
- Benches not on a patio or deck or porches are considered lawn ornaments, and must meet the Guidelines listed under "Lawn Ornaments and Benches".

### **Lawn Ornaments and Benches**

- An approved Application is required for any lawn ornament, statuary, or bench. The Application must include a complete description of size, location on lot, materials, color and design. A drawing or picture should be included.
- The ornaments shall be No larger than three (3) feet in height and two (2) feet in horizontal length or width.
- Single-family birdhouses and small feeders (bird and squirrel) in the rear yard are not restricted. However, large birdhouses, bird-hotels, and large decorative feeders are considered lawn ornaments and require an Application. Deer or other animal feeders are prohibited.

### **Lighting**

- An approved Application is required if a change in style, shape and color or positioning is desired or if additional light fixtures are to be installed.
- An approved Application is required for permanent exterior lighting and wiring, including walkway lighting.
- All fixtures are to be of similar color and style.
- Lamppost (including globe) must have a single fixture and be no larger than 7 feet in height.

- An approved Application is not required if replacing an existing light fixture with one similar in size, shape, and color to the old fixture.
- All exterior lighting will be installed so as not to shine on adjacent property or public space and the ARC may require relocation or other mitigation if such lighting is deemed to be a nuisance by the ARC.
- Permanent walkway lighting must be an inconspicuous size and design. It should not be easily noticed from the curb during daylight. Only low-level lighting will be considered. This restriction does not apply to approved security lights or floodlights.
- Temporary decorative holiday and festive lighting does not require approval. However, lighting shall be installed no earlier than one month prior to use and must be removed within one month after the holiday or function.
- Permanent party lights, fluorescent lights used outdoors, and large bug lights are prohibited. This does not prohibit replacement of incandescent light bulbs with unitary fluorescent energy-efficient light bulbs nor is an approved Application required for same.

### **Mailboxes**

- An approved Application is needed to alter the original Mailboxes.

### **Painting and Staining**

- Repainting or staining doors, shutters, decks, or fences a color that is different from the existing color requires ARC approval.
- Applications for painting or staining must include a sample of the color.

### **Patios**

- An approved Application is required for construction of a patio.

### **Play Equipment, Basketball Backboards, Play Structures, Etc.**

- Play Equipment – Play equipment such as bikes, wagons, skateboards, etc. should not remain overnight within any driveway, front yard, or side yard.
- Basketball Backboards - One temporary or one permanent basketball backboard may be erected on a Lot, and shall only be permitted on the driveway or in the back yard. Permanent basketball backboards require an approved Application. Portable backboards must be properly secured, repaired as necessary, and may not be placed on the sidewalks or streets and do not require an approved Application.
- Play Structures - An approved Application is required for permanent play structures such as play sets, swing sets, playhouses, and jungle gyms. Height of any play structure may not exceed 12 feet and are restricted to the rear yard.
- Exceptions can be made for lots larger than 5 acres on a case by case basis.

### **Security Doors and Windows**

- Security doors will only be allowed on rear doors not visible from the street.
- Security windows will only be allowed on the interior and screened by curtains or blinds so that they are not visible from the outside of the house.

### **Screened Porch**

- An approved Application is required for screened porches.

- Screened porches and steps must be confined to the rear yard (i.e., the space behind the home between the two planes created by the sides of the house) and may not protrude from the side of the home.
- Wooden portions of screened porches must be stained or sealed, unless such staining or sealing is specifically prohibited by the manufacturer. If other than a clear stain or seal is used, a sample of the color should be included with the Application.
- Roof shingles must match those on the house.
- Siding must match the house.
- Any lattice, sun shields, privacy screens, benches, and other decorative items must be described in the Application and will be reviewed on a case-by-case basis.
- Screening must be of a non-rusting type.

### **Sheds**

- An approved Application is required for sheds.
- Sheds must be located in the rear yard and may not be metal.
- Only one (1) shed per Lot will be approved.
- The material, style, and color must be consistent with the home.
- Must be of a size, location, and situated to least impact neighbors and surrounding community.
- Additional landscaping to conceal sheds from the public or neighbors' view may be required.

### **Skylights**

- An approved Application is required for skylights unless installed by the builder at the time of house construction. A picture of the proposed skylight, dimensions, color and a plan showing where it is to be installed must be submitted with the Application.

### **Storm Doors**

- An approved Application is required for storm doors.
- Storm doors must be rustproof metal or wood with clear glass panels (or fiberglass screening in the summer). They must be attached flush to the original doorjamb. Raw aluminum storm doors will not be considered.
- Any modifications to the original doorjamb necessary for installation of a storm door must be specified on the change Application.
- Storm doors must either be white in color or must be painted to match the entry door or the trim around the entry door.
  1. Storm doors on the front of the house must be full view clear glass.
  2. Storm doors on the rear or side of the house must be of traditional design, must be either full view or three quarters view clear glass.

### **Storm Windows**

- An approved Application is required for storm windows.
- Storm windows must either be white in color or must be painted the same color as the window trim.

### **Swimming Pools**

- An approved Application is required for in-ground swimming pools. The Application shall include the following information:

- 1) A site plan showing the location of the swimming pool, its relationship to existing structures, drainage, and property lines. Adequate drainage must be carefully evaluated for site selection approval.
  - 2) Dimensions, type and color of proposed materials.
  - 3) Proposed screening and landscaping plan.
  - 4) Proposed fencing.
- Aboveground swimming pools are prohibited.
  - Portable children's wading pools in rear yards are allowed and do not require an approved Application.

### **Tennis Courts**

- An approved Application is required for tennis courts.

### **Vegetable Gardens**

- Vegetable gardens must be placed in the rear yard.

### **Water Features**

- An approved Application is required for all decorative water features (example: lily ponds, water gardens, fountains, etc.).
- Water features must be installed in the rear yard.

### **Window Flower Boxes**

- An approved Application is not required for window boxes.

**EXHIBIT A - APPLICATION**

### ARCHITECTURAL CHANGE APPLICATION

- TYPE or PRINT - Please READ INSTRUCTIONS and COMPLETE ALL SPACES. USE A SEPARATE APPLICATION FOR EACH REQUEST.
- County laws require you to obtain a Building Permit on most structural changes to your home and some on your lot. This may include fences, decks, patios, sheds, etc. You are responsible for contacting the County to determine if a permit is required. Approval or denial of a request is based on the Homeowners Association criteria. Property owner has sole responsibility for compliance with County codes and regulations.
- Owner must contact "Miss Utility" at 800-257-7777 prior to digging.
- ATTACH a detailed, scale drawing plat map or blueprint of the lot, with proposed alterations indicated IN RED (A copy of your lot location drawing received at settlement is ideal.). Include all lot and alteration dimensions, color changes, materials and design information.
- Any variation from the original Application must be resubmitted for approval.
- ATTACH structural drawings, including elevation measurements, the color and material list and photo if available, of proposed alteration.
- INCOMPLETE APPLICATIONS, OR APPLICATIONS SUBMITTED WITHOUT PLANS, ETC., WILL BE RETURNED.
- Use the reverse side of Application if more space is needed.
- SUBMISSION OF APPLICATION DOES NOT GIVE AUTHORIZATION TO BEGIN WORK. WRITTEN APPROVAL MUST BE OBTAINED PRIOR TO COMMENCING ALTERATIONS.

Name: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Address: \_\_\_\_\_

Work Telephone: (\_\_\_\_\_) \_\_\_\_\_

\_\_\_\_\_

Home Telephone: (\_\_\_\_\_) \_\_\_\_\_

Signature: \_\_\_\_\_

E-Mail Address \_\_\_\_\_

\_\_\_\_\_

Lot #: \_\_\_\_\_ Block: \_\_\_\_\_

Date Work to Begin: \_\_\_\_\_

Date Work to be Completed: \_\_\_\_\_

A. Proposed Alteration: \_\_\_\_\_

B. Types of materials: \_\_\_\_\_

C. Dimensions: \_\_\_\_\_

D. Colors: \_\_\_\_\_ House \_\_\_\_\_ Trim \_\_\_\_\_ Door \_\_\_\_\_ Other \_\_\_\_\_ Stain

E. Additional Details: \_\_\_\_\_

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

Signature and comments from adjoining property owners. Their signatures indicate an awareness of your intent and do not constitute or indicate approval or disapproval. Signers are encouraged to write to the Association if they have additional comments.

Address	Signature	Comment, if any
_____	_____	_____
_____	_____	_____
_____	_____	_____

--- FOR ARC USE ONLY ---

Date Received: \_\_\_\_\_ Date Action Taken: \_\_\_\_\_ Reviewed/ Approved by: \_\_\_\_\_

APPROVED: \_\_\_  
With these EXCEPTIONS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOT APPROVED: \_\_\_  
For these REASONS  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

INCOMPLETE/PENDING APPLICATION: \_\_\_  
\_\_\_ Incomplete  
\_\_\_ Returned to Owner  
\_\_\_ Provide the following:  
\_\_\_\_\_  
\_\_\_\_\_

**EXHIBIT B – SAMPLE VIOLATION LETTER**

CERTIFIED MAIL – RETURN RECEIPT REQUESTED  
AND FIRST CLASS MAIL

Record Owner or Tenant/Invitee

Re: Homeowners Association, Inc.  
Second Notice of Covenant Violation

Dear Record Owner or Tenant/Invitee:

This letter shall serve as notice that you remain in violation of the Association’s covenants, specifically Article \_\_\_ of the Association’s (Declaration, Bylaws or Rules, Regulations and Architectural Guidelines), due to \_\_\_\_\_ (describe violation). As initial violation notice was previously sent to you.

If you fail to correct the above violation within \_\_\_ days of the date of this letter, the Board of Directors is authorized to impose a fine against you for your violation of Article \_\_\_ of the Associations (Declaration, Bylaws or Rules, Regulations and Architectural Guidelines). Please be advised that each recurrence of the above violation or each day during which it continues shall be deemed a separate offense, subject to a separate fine not to exceed a reasonable amount as established by the Board of Directors for each offense. Please note that the Board is also authorized to suspend your membership privileges due to the above violation.

You have the right to request a hearing before the Board of Directors if you wish to dispute or explain the above violation. Such request must be made in writing and must be received by the Board within 5 days of the date of this notice. If you request a hearing, the Board will schedule a hearing for you and notify you of the date and time.

In lieu of requesting a hearing, you may respond to this notice within 5 days of the date of this notice, acknowledging in writing that the violation occurred as alleged and promising that you will immediately correct the violation and will not allow the violation to recur. Such acknowledgement and promise, as well as correction of the violation no later than \_\_\_\_\_ shall terminate the enforcement activity of the Association with regard to this particular violation.

Thank you for your cooperation with this matter. If you have any questions, you may contact the undersigned at \_\_\_\_\_.

Sincerely,  
HOMEOWNERS  
ASSOCIATION, INC.

By: \_\_\_\_\_

ARC: Record Owner (if not already listed above)

**EXHIBIT C – APPROVED FENCE TYPES**