

**Community Association**  
**Handbook**

and

**Architectural Design**  
**Guidelines**

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**Newton Manor LLC.**

**January 30, 2007**

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## **PURPOSE OF THE HANDBOOK**

This handbook is to familiarize homeowners with the design standards, which are intended to maintain the aesthetic appearance and quality of their community.

The handbook provides specific design standards adopted by the Board of Directors of the Homeowners Association. It explains the application and review process for homeowners seeking approval for any exterior modifications or changes to their homes or lots.

## **BASIS FOR AND OBJECTIVES of PROTECTIVE COVENANTS**

The legal documents for the community contain covenants, including those pertaining to architectural controls.

Legally, these covenants are a part of the deed for each home and are binding upon all initial homeowners and their successors in ownership, whether or not these owners are familiar with such covenants.

Design covenants maintain environmental and architectural design standards for the entire community:

- Maintain consistency with the overall design concept for the community;
- Promote harmonious architectural and environmental design qualities and features;
- Promote and enhance the visual and aesthetic appearance of the community.

Their enforcement enhances the physical appearance of the community, and preserves property values. Enforced design covenants protect homeowners from actions of neighbors, which can detract from the physical appearance of the community and diminish property values.

## **ROLE OF THE ARCHITECTURAL REVIEW COMMITTEE**

All homeowners are automatically members of the Homeowners Association. The Association is a non-stock corporation, which owns and maintains all common properties within the community.

The Association also is responsible for the administration and enforcement of all covenants which are applicable to property owners, including design covenants and restrictions. The Declaration provides that responsibility for the enforcement of design standards shall be exercised through a ARC, the members of which shall be appointed by the Board of Directors of the Association.

The ARC consists of three or more persons appointed by the Board of Directors.

The ARC serves as both a Modifications Subcommittee and a Rules Enforcement Subcommittee.

As the Modifications Subcommittee it is responsible for reviewing and approving (or disapproving) all applications for exterior additions, alterations or modifications to the house or the property.

As the Rules Enforcement Subcommittee, the ARC functions as the judicial arm of the Association, with responsibility for reviewing possible violations of the Association's legal documents and rules and regulations (including Design Standards) and recommending appropriate enforcement actions.

The ARC is NOT a policing committee; they are responsible for reviewing complaints not creating them.

## **MODIFICATIONS REQUIRING REVIEW AND APPROVAL BY THE ARCHITECTURAL REVIEW COMMITTEE**

**All changes, permanent or temporary, to the exterior appearance of a structure or lot are subject to review and approval by the ARC.** *The review process is not limited to major additions or alterations, such as adding a room, deck, or patio. It includes such minor items as changes in color and materials. Approval is also required when an existing item is to be removed.*

There are exceptions to this otherwise inclusive review requirement.

Exteriors may be repainted or re-stained provided that there is no color change from the original. Similarly, exterior components may be repaired or replaced so long as there is no change in the type of material and color.

Minor landscape improvements do not require an application. This includes foundation plantings, or single specimen plantings. In general, landscape improvements of a small scale which do not materially alter the appearance of the lot, involve a change in topography or grade and which are not of sufficient scale to constitute a natural structure are exempt from the design review process. If there is any doubt as to whether or not a proposed exterior change is exempt from design review, and approval, homeowners should seek clarification from the ARC before proceeding with the improvement.

## **DESIGN REVIEW CRITERIA**

There is an advantage to design standards and guidelines which provide definitive "do's" and don'ts," with limited resort to judgment or discretion. Such specificity provides clear guidance to homeowners as to whether or not contemplated improvements will be permitted.

To the extent possible, specificity has been incorporated in the design standards. However, complete specificity is neither possible nor desirable. The appropriateness and acceptability of particular improvements, particularly those of a major nature, may depend on a number of circumstances and factors, which must be evaluated on a case-by-case basis. **An improvement which is appropriate for one type of housing, lot size and location may be inappropriate in another situation.**

Specific covenants are not in place to stifle individual creativity and beautification. They must be in sufficient detail as to provide the requesting homeowner and the committee, guidelines as to what is approvable; however, latitude must provide for those who "think outside the box" and develop unique changes which nevertheless are consistent with aesthetics of and protect the values of the community although not specifically spelled out in the design guidelines.

The criteria listed below provide the basis for both the development of design guidelines and the evaluation of individual design proposals by the ARC.

Design Compatibility. The proposed modification or improvement should match the architectural characteristics of the applicant's house, and be compatible with adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, and similar use of materials, color and construction details.

Scale. The scale of the proposed improvement should relate to the size of the applicant's home, the location and size of the lot, adjoining homes and surroundings. This criterion applies to both structural and landscape modifications.

Impact on Neighbors. The proposed improvement should relate favorably to the landscape, the applicant's home, adjacent homes and the neighborhood. Consideration will be given to both visual and functional impacts on neighbors. Visual impact refers to the aesthetic appearance of the proposed improvement, which includes consideration of design quality, scale, location and architectural compatibility. Functional impact refers to such concerns as view, sunlight, ventilation and drainage. Examples of adverse functional impacts include structural additions, which would cause a material loss of sunlight or ventilation to a neighboring dwelling, and an alteration in topography, which would change natural drainage patterns to the detriment of a neighboring property.

Color and Materials. Continuity or compatibility of color and finishing materials with the original construction and surrounding dwellings will be a specific consideration in evaluating the appropriateness of proposed improvements.

## **APPLICATION AND REVIEW PROCEDURES**

Application and review procedures which will be used by the ARC are detailed below.

Applications. All applications for proposed improvements must be submitted in writing using the application form authorized by the ARC. A copy of this form is included as an exhibit to this handbook. Applications must be complete in order to commence the review process.

**Incomplete applications will be returned to the applicant with a statement of deficiencies, which must be remedied in order to be considered for review. No application will be considered or be deemed filed until correct and complete.**

Supporting Documentation. The application must include a complete and accurate description of the proposed improvement(s). In order to permit evaluation by the ARC, supporting exhibits are required, including a site plan showing the location and dimensions of the proposed improvement and the distances to each property line, front and side elevations; detailed description of the improvement; architectural drawings or plans, if applicable; landscape plan; material and/or color samples and as appropriate, photographs. The architectural guidelines and application form provide guidance with respect to the supporting documentation required for

various types of improvements.

Time Frame for Completion of the Review. The ARC is required to provide notification to homeowners of the approval or disapproval of any proposed improvement within thirty (30) days after the receipt of a properly completed application. However, the thirty day review period will only commence upon the **receipt of a complete application form, including any required exhibits**. It is therefore advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application.

Notice of Approval/Disapproval. Homeowners who have submitted design review applications, and non-applicant homeowners with objections to an application, will be given written notice of the decision of the ARC.

### Appeals Procedure

#### Applicant homeowners

An applicant may appeal a decision of the ARC by submitting a written request to the Committee, within fifteen (15) days after receipt of notice of an action by the ARC. This request should include any new or additional information, which might clarify the requested change or demonstrate its acceptability. Applicants may be present at any ARC meeting to present their appeal. The ARC must respond, in writing, to a request for reconsideration within thirty (30) days from the date of receipt of such a request. However, failure by the ARC to respond to an appeal within thirty (30) days shall not constitute approval of any request made as part of such an appeal and shall not alter the prior decision of the Covenant Committee.

The applicant will be notified of the Committee's decision. Once the ARC has ruled on an appealed application the applicant may appeal the ARC decision in writing, within fifteen (15) days of receipt of notice of the decision, to the Board of Directors. No appeal to the Board of Directors will be considered unless a prior appeal has been made to the ARC. Upon receipt of an appeal the Board shall notify the applicant of the appeal by certified mail, return receipt requested. This notice shall inform the applicant that the Board of Directors is reviewing the decision of the ARC pursuant to an appeal and that the applicant should not proceed with any improvements until notified by the Board of their decision.

The Board must provide a written response to the applicant and non-applicant homeowner within fifteen (15) days after the next scheduled Board meeting. This response shall be sent by certified mail, return receipt requested.

## **ENFORCEMENT PROCEDURES**

The ARC and the Board of Directors are legally empowered to enforce compliance with the Association's design standards, rules and regulations, and association documents. The following enforcement procedures will be used to ensure compliance.

A violation may be observed and reported to the ARC by a member of the Board, the managing agent, Association staff or a homeowner. In the case of homeowners wishing to report a potential violation, a written notification should be transmitted to the ARC.

If the alleged violation is of a fleeting nature (dog running loose, etc.) and cannot be readily confirmed, no further action will be taken unless **owners of at least two homes** report the violation in writing.

If the alleged violation can be confirmed by a site visit by a member of the ARC, Association staff responsible for monitoring covenants violations or the managing agent, the resident in violation will be notified by letter of the violation and requested to remedy the violation. Notice will be sent by certified mail where the violation is deemed to involve an immediate emergency or where such violation, if not remedied, will increase or enhance with the passage of time.

If the violation continues for thirty days after notification to the resident in violation (or if no substantial progress is made in curing the violation, where such remedy would require more than thirty days) a letter will be sent by certified mail to the resident in violation. This letter will provide notice that the violation must be remedied within fifteen days from the date of mailing of the letter (or alternatively, that within 15 days the resident in violation must submit to the ARC a written plan, including timing, for the abatement of the violation within a reasonable period of time, where such violation cannot be cured within the fifteen day period).

If the violation is not abated within fifteen days from the date of mailing of the certified letter (or if progress is not being made to abate such violation in accordance with a plan agreed to by the resident in violation and the ARC) the Committee will send the resident in violation a certified mailing informing the resident of the time and place of a formal hearing by the ARC. Such notice should be sent 14 days prior to the hearing. The ARC may reschedule any hearing within its discretion upon good cause shown by the respondent. Notice of the rescheduled hearing date will be provided to the member at his or her address of record. The respondent shall have the right to be heard at the hearing and to be represented by counsel and to present any evidence that the respondent deems relevant to the violation. Failure to attend the hearing constitutes a waiver of the opportunity to be heard.

As a result of this hearing, the ARC may take appropriate actions, which include:

Suspending the right of the resident in question to use the Association's recreational facilities for so long as the violation continues;

Referring the matter to legal counsel for appropriate action to secure compliance with the Association's Legal Instruments;

As applicable and in accordance with the Declaration, voting to have the Association enter the property of the resident in violation, correct the condition(s) which constitute the violation and impose a special assessment upon the lot for the full costs incurred by the Association in correcting the violation.

In accordance with the Declaration imposing a charge in the form of a special assessment upon the lot;

The above procedures do not preclude taking accelerated measures in the case of a violation which constitutes an emergency situation, provided that the resident in violation has been provided such adequate notice as the circumstances permit and that the actions are consistent with the provisions of the Association's legal documents.

Decisions of the ARC may be appealed to the Board of Directors within fifteen (15) days of receipt of notification of an action by the ARC. The Board shall make a preliminary review of the case and determine whether or not it will hear the appeal.

The above procedures apply to the failure of an owner to maintain a lot in good order and repair and free of debris, as required by the Declaration. **All owners must maintain their lots in accordance with the general maintenance standards detailed below. In the event of non-compliance with maintenance standards, the Board may, after ten (10) days written notice to the owner (or such longer notice period as determined by the Board), authorize the Association to enter upon the owner's lot and to perform any required maintenance at the expense of the owner.**

# ARCHITECTURAL

## DESIGN

### GUIDELINES

These *rules and regulations* have been adopted by the Board of Directors.

Changes not requiring approval include:

The re-staining or repainting of an exterior object with the same color and shade. (See **EXTERIOR PAINTING**)

Flagpoles

Gardens meeting the standard. (See **GARDENS**)

Minor landscaping.

Tree Removal meeting the standard. ( See **TREE REMOVAL**)

Outdoor or lawn furniture.

Storm/screen doors meeting the standard. (See **STORM\SCREEN DOORS**)

**Approval by the ARC does not imply approval by the County building division, and vice versa. NOTE: If your contractor says, "I'll get all the approvals," he means the county approvals. ONLY YOU can apply for COVENANTS APPROVAL!**

## ADDITIONS

Sunrooms, screened porches, greenhouses, bay windows, and room additions must incorporate the same materials, style and colors of the existing structure. The size of the addition will depend on the size of the lot and style of the home.

## ANIMALS

All animals not living in owners home will have the following rules applied:

- 1) No more than 1 animal per 3 acres of cleared – non-forest conservation – land.
- 2) No more than 2 animals per home stead
- 3) Shelter approved by the county and ARC.
- 4) Weekly maintenance of property to control odor.

## ANTENNAS

Our goal is to provide you with the best possible commercial reception but keep the antennas as unobtrusive as feasible. **Antennas and satellites meeting the following criteria do not require an application.**

Satellite dish antennas (i.e. DirectTv) shall be one metric meter (thirty-nine inches) or less, in diameter.

Properly screened ground installation is preferred.

Elevated antennas may be used if ground installation cannot provide adequate signal reception, or the elevated location is the least obtrusive visually. Elevated antennas must be of a color, or changed to a color, that is reasonably compatible with the color of the exterior of the home adjacent to the installation.

All wiring and materials associated with installation of antenna shall be concealed and as unobtrusive as possible.

Local station television receiver antennas should be mounted inside the house attic if adequate signal reception is possible. If not, the preferred type antenna for outdoor installation is one designed to be mounted unobtrusively on the back of the satellite antenna. The single flat bar type can also be mounted unobtrusively on the roof.

Every attempt must be made to preclude either the satellite antenna or the broadcast receiver type antenna from extending above the ridgeline of the roof, unless there is no other reasonable location, which will provide the required signal.

When any antenna is no longer in continuous use as such, it will be in violation of this guideline and shall be removed by the owner of the property upon which it was installed.

Satellite dish antennas do not convey upon sale of the home.

If an owner cannot receive an adequate signal while complying with the requirements set forth, the owner may request an exemption to install the satellite dish in another location. Any owner requesting an exemption must submit (i) a written certification that installation based on the above provisions would not attract sufficient signal strength and (ii) a precise statement describing the alternate location where significant signal strength is adequate for reception.

All antennas must be equipped with the proper filters as to not bleed through other receiving devices.

### **ATTIC VENTILATORS**

Attic ventilators and turbines are generally permitted if painted to match the color of the roof (if roof mounted) or the color of the house siding or trim (if mounted on a gable end). Ventilators and turbines should be mounted on the least visible side of the ridge line so as to minimize their visibility. Roof ventilators should not extend more than 12 inches above the roof surface.

### **AWNINGS**

Small, exterior, retractable awnings over patios or decks may be approved. The shield or cover into which the awning retracts must be permanently mounted on the house. The awning hardware must be heavy-duty hardware painted the same color as the house or trim. The awning must be of a material, which will not fade from the sun, mildew or mold. **Awnings must be fully retracted when not in use.**

### **CHIMNEYS AND METAL FLUES**

Chimneys must either be masonry or enclosed in the same finish material as the exterior of the home to which attached. Masonry elevations require masonry chimneys. Metal flues and chimney caps must be painted and any vent protruding through the roof must be painted the same color as the roof. Vents may protrude through the wall of the home for gas fireplaces only. These vents must be painted to match the exterior of the home. Through-the-wall vents may only be installed on the side or rear of the home.

## **COMPOST BINS**

Visual and olfactory impact on neighbors must be considered. Only tree leaves and grass clippings may be composted. Screening with landscaping may be required.

Location and Size: Bins shall be in the rear of the lot, at least 10 feet from property lines. The bin shall not be over four feet high and not exceed 16 square feet.

Materials: Bin shall be of unpainted pressure treated naturally weather resistant wood or plastic with tones of black, tan or green in color.

Maintenance: Compost must be properly covered and turned periodically to ensure odor control.

## **CONVEYANCE**

Approval for the following items does not convey to new owners or from tenant back to owner.

Play equipment, to include basketball backboards attached to the home.

Satellite and TV antenna locations and appurtenant structures.

## **COURTS**

Courts such as basketball, tennis or sport courts may be approved on a case-by-case basis. Special consideration will be given to the scale and location of the court in relation to the lot and to the concerns of adjacent neighbors.

## **DECKS/GAZEBO**

Location: Decks and gazebos must be located in backyards, behind the back plane of the house.

Elevated decks will not normally project beyond the side planes of the house unless the lot is large and the deck and or gazebo will not be closer than 10 feet from a side property line.

**Exceptions may be approved by the ARC based on lot size, orientation of home and surrounding homes, adjacent common property, scale and size.**

Scale and Style.

The size of decks and gazebos shall be compatible with the size of the house as sited on the lot. Decks, particularly elevated decks, shall be of a scale and style which are compatible with the size of the lot, the home to which attached, adjacent homes and the environmental surroundings.

Railings.

Deck railings must be of vertical pickets. Plain pickets, spindles, sunburst and chippendale patterns are permitted. Horizontal rails may not be used for deck railing. Horizontal rails may be used for stair railing. Solid sides may not be used for stair railing. Caps, pickets, and railings may be made of wood, wrought iron, or vinyl.

Color.

Decks must be maintained so as to present a good appearance.

Under Deck Area.

The under deck area may be used to store garden/yard tools and equipment, trash cans, barbecue grills and outdoor furniture only. It may not be used to store trash, appliances, boats, vehicles, etc.

**DRIVEWAYS**

Extensions, modifications and additions to driveways will be considered only if there is no adverse aesthetic or drainage impact on adjoining lots or common area. Additions or modifications must be of the same material as the existing driveway. Under no circumstances will a driveway be permitted to wrap around side elevations; exception made by ARC. Second driveway must be approved by ARC.

## **EXTERIOR AIR CONDITIONERS**

Individual air conditioning units or other appurtenances protruding from windows are permitted in detached garages and sheds only. Exterior air conditioning units or heat pumps may be relocated or added if there is no adverse impact to adjoining properties.

## **EXTERIOR LIGHTING**

Includes the altering of lighting which is part of the original structure. Proposed replacement or additional fixtures must be compatible in style and scale with the applicant's house.

No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting shall not be approved if it will result in an adverse visual impact to adjoining neighbors due to location, wattage or other features.

## **EXTERIOR PAINTING**

Includes all exterior color changes. This requirement applies to siding, doors, shutters, trim, roofing and other appurtenant structures. **An application is not required in order to repaint or re-stain an object to match the original color.**

## **FENCES**

General guidelines for the construction and approval of fences are provided below. Specific guidelines may be developed for each housing cluster, as appropriate.

Styles of Fencing: Fences must be one of the following styles: Board on Board, Wrought Iron, Plastic, (a) Open split-rail, with either two, three, or four rails, or, (b) Paddock style, with either two, three, or four rails, or (c) Estate Style with either four, five or six boards, or, (d) Picket Style. Additional fence styles may be considered on a case-by-case basis and shall be compatible with the size and scale of approved styles of fencing. Chain link fences or fencing materials will be acceptable at back of property or through wood with approval ARC.

Fencing used for privacy screening(See Privacy Screening Section)

Dimensions: Fences must be at least 42 inches and no taller than 72 inches. The height is measured from the ground to the uppermost rail. The vertical posts must be from 48 to 76 inches measured from the ground to the top of the post.

Additional Materials: Wire mesh may be used in conjunction with the fence stated above. This wire mesh must be made of galvanized steel. The wire meshing may optionally be coated with tones of black, tan, or green covering. The use of chicken wire or chain-link materials is not permitted. If used the wire mesh must be attached to the inside area of the fence and the top of the mesh may not extend beyond the top rail of the fence.

Gates: Gates must be of the same material as the fence, and of compatible shape and size.

Location: All fences must be lot-line fences and are intended to fence in the backyard portion of the lot. The posts of lot-line fences must be set as closely as possible to the property line without intruding into the neighboring property. A one-foot setback is not permitted. Posts should touch or be within one inch of the actual property line.

Fences may be approved for the partial enclosure of side yards in situations where; topography, house location, the location of exit doors or where the fence will serve as a rear lot-line fence for an adjoining property.

Owners are responsible for yard maintenance on both sides of their fence.

Adjoining Fencing: There may be only **one** fence separating adjoining lots. Each lot owner may not erect a separate fence along the common boundary resulting in unsightly double fencing. This prohibition exists even if one lot has split-rail fencing and the other has paddock or estate style fencing.

Decorative Fencing: Backyard fencing may be used for decorative purposes only. All restrictions outlined above apply, except the fence need not completely enclose the backyard. For example, you may fence the back lot line, from the corners and terminate, or may fence the back corners only. Partial fencing must be placed on the lot line.

Color: Stains will be considered on a case by case basis.

Arbors, pergolas, and trellises are permitted within the fence line.

Arbors and pergolas are permitted above gates.

## **GARDENS**

Rock gardens do not require special approval provided the rock garden is at grade and rocks are left in natural color. Rock gardens must NOT disturb the natural flow of water on the lot.

Vegetable gardens do not require special approval provided:

- 1) The garden is located between the rear of the house and the rear of the property line and does not exceed 25% of that area.

- 2) Plant supports and dead material are removed at the end of the growing season.

Applications are required for all other situations.

## **GARAGES**

Detached garages are permitted, but will be considered on a case-by-case basis. The scale and location must be compatible with the lot and adjoining lots. The architectural style, construction materials and colors must match the home.

## **GREENHOUSES**

A greenhouse will be treated as a major addition to a dwelling unit and subject to the same level of review.

## **GRILLS (Permanent)**

Permanent grills must be placed in the rear yard of the house and as far as practical from the adjacent property lines.

## **HOT TUBS/SPAS**

Exterior hot tubs or spas must be located in the rear yard adjacent to the dwelling unit. The incorporation of hot tubs as an architectural feature of decks and/or patios is encouraged. The exterior finish of an elevated hot tub should blend with the exterior finish of the home, deck or patio to which attached. All hot tubs and spas must be fenced in.

## **MAILBOXES**

Mailboxes for detached homes are to be unobtrusive and shall blend with all other mailboxes so as not to be visually distracting. All mailboxes must be USPS approved.

## **PATIOS**

Includes all patios. Patios may not be constructed of asphalt.

Patio Railings: Railings must be between 36 and 42 inches in height. Railings may completely enclose a patio if the patio is attached to the home. Acceptable materials include wood, stone, brick and wrought iron. Plastic covered white or trim matching railings may also be used. Materials can be mixed. For example, part brick and part wrought iron. Freestanding patios can only have decorative walls not railings. For color, wood or wrought iron railings must be compatible with existing house colors. If the railing is parallel to any property line, it must be at least 3 feet from the property line to allow for proper maintenance.

Patio Walls: Patio walls are permitted around patios attached to the home or freestanding patios on a case-by-case basis.

Any adverse drainage, which might result from the construction of a patio, should be considered and remedied. The use of a partially porous patio surface or the installation of mulch beds adjacent to the patio are ways to eliminate drainage concerns.

## **PETS**

All domestic animals shall be maintained within their owner's property at all times, except when out for daily walks and properly restrained. Doghouses are discouraged, as dogs left outside tend to disturb neighbors by their barking. Doghouses may be approved if compatible with the applicant's house in terms of color and material. Dog runs and dog pens are permitted; however, proper maintenance and regular clean is required. Proper maintenance of animals waste off owner's property is REQUIRED.

## **PORCHES**

All porches must be approved in advance.

Open porches: Location and design must match the house style. The construction materials and colors shall be compatible with the same components of the house, including roof shingles. Size must be compatible with the home, lot, and surrounding homes.

Screened porches: A screened porch does not have windows. The addition of windows makes such a structure a room addition. Size must be compatible with the home, lot, and surrounding homes. The porch may be of wood left to age naturally, or may be painted to match the house or trim. Shingles shall match those of the house.

### **PRIVACY SCREENING**

All privacy screening must be approved in advance. Privacy screening are not limited to but include screening pools, patios, decks and spas on a case-by-case basis.

### **PROPERTY MAINTENANCE STANDARDS**

All portions of a lot which are not improved by an impervious surface or a structure must be maintained with grass (or other approved vegetation). No bare earth maybe exposed on a lot.

All turf areas on a lot must be kept neatly mowed during the growing season. Grass should not be permitted to exceed six (6) inches in height.

Turf areas and other vegetation should be watered during dry periods. Any dead plants, shrubs or trees should be immediately removed.

Turf areas should be kept as weed free as possible.

No trash or debris may accumulate or be stored in a visible location on a lot. Construction materials required for the improvement of a home or lot should be neatly stored in as unobtrusive a location on the lot as possible when not in use.

All hedges, trees and shrubs must be neatly trimmed and maintained and their size maintained in proportion to the lot and home through pruning.

The exterior of a building must be maintained in an attractive manner. No significant blistering or peeling of exterior painted surfaces is permitted.

Any exterior building components (i.e., siding, gutters and downspouts, roof shingles, windows and doors), which are missing, broken or otherwise in a state of disrepair, must be repaired as quickly as possible.

All additions, improvements and structures must be properly maintained and in good repair.

## **RECREATION AND PLAY EQUIPMENT**

Includes semi-permanent or large play equipment. Examples include sandboxes, playhouses, swing-sets, etc. The following factors will govern approval of such equipment.

Location: Such equipment shall be placed in rear yards.

Scale and Design: The equipment should be compatible with the scale of the lot, the home, and all the surrounding homes and properties. The design and any visual screening are additional considerations in evaluating whether or not there will be an adverse visual impact.

Large Jungle Gym Sets: Large swing sets, monkey bars, etc., must be positioned to provide a reasonable distance from adjoining property. Persons selecting locations for such equipment should consider their neighbor's enjoyment and not attempt to get such equipment as far as possible from their own patio or deck. Height of such equipment will have considerable bearing on approval or disapproval. Equipment of such a scale and height as to overpower the lot, the home or adjoining homes will not be approved. Only one Jungle Gym or Swing set is permitted per property.

Basketball Backboards:

Only portable basketball goals/backboards are permitted. Portable basketball backboards are those with wheels permitting them to be easily moved.

At all times, the backboard, hoop and net must be maintained appropriately

A portable basketball backboard may be used forward of the front plane of the house only if confined to the driveway of a residence.

Portable basketball backboards will be permitted in the street if attended; however, portable basketball backboards must be stored on owner's property by 9:30pm or after dark. **Backboards found in public streets, without an owner's name and address, shall be considered abandoned property, confiscated and disposed of.**

No court markings (except chalk) may be painted, drawn or otherwise affixed to the playing surface unless the court is an approved sports court.

Each home is permitted only one basketball backboard.

Basketball backboards may be used between 9:00 a.m. and 9:30 p.m. or dark.

Basketball backboards shall not be used in a manner that deprives homeowners of the peaceful enjoyment of their property by creating a nuisance, or an unreasonable disturbance.

Basketball backboards must be removed when no longer used or prior to rental or conveyance of home.

Large Plastic Brightly Colored Play Equipment such as play houses/forts/towers, etc. This equipment shall not be used in front yards.

## **RETAINING WALLS**

Construction is limited to the use of railroad ties, landscaping timbers, stones, brick or reinforced concrete with brick veneer. Walls may not divert the flow of water onto a neighboring lot. No wall shall be maintained in such a manner as to obstruct sight lines for vehicular traffic or as to interfere with the purpose for which easements have been established either as to installation, maintenance, or access.

## **SHEDS**

Sheds which are integrated with the dwelling unit which are compatible in size, color and materials will be considered. Sheds must be located behind the rear plane of the house and must not extend beyond the side plane of the house.

Design. The design of the shed shall be compatible with the design of the house.

Size. Sheds shall not exceed 400 square feet. Any structure over 400 will be considered a garage.

Materials. The finish materials shall be the same as those used in the surface to which the shed is integrated. If integrated with a deck, the materials shall be natural wood; if attached to the rear of a dwelling unit, the materials shall match the dwelling unit, including siding and roofing.

Color. The color scheme shall be the same as the surface to which the shed is integrated. If integrated with a deck, the materials shall be natural wood, unless the deck is painted. If integrated with the dwelling unit, the materials shall match the dwelling unit, including siding and roofing.

Roof. The roof should either be flat or sloped similar to that of the house. The shed shall not exceed six feet in height to include the highest point of the roof.

## **SIGNS**

REAL ESTATE SIGNS: Only signs advertising a property for sale may be displayed. Such signs must meet applicable County regulations with respect to size, content and removal.

**Signs may only be placed in the front yard of available properties. Only one sign per property is permitted.**

SECURITY SIGNS: Two security signs, each not exceeding a total of sixty-four (64) square inches may be posted on the property. Only one such sign may be posted forward of the front plane of the home. The approved location shall be at the front door or in shrubbery within twelve (12) feet of the front door, on the mailbox post for single-family or in the rear yard within six feet (6 ft.) of the house or its extensions.

WARNING SIGNS: Two "Beware of the Dog" signs, each not exceeding sixty-four square inches may be posted on the property. If dogs are restricted to the fenced yard, one sign should be posted at each gate. If an invisible fence is used, signs should be posted at the most logical approaches to the invisible fenced portion of the yard. Only one such sign may be posted forward of the front plane of the home.

COMMERCIAL SIGNS: One sign may be posted by a contractor working on a home, such as building a deck or painting. The sign may be posted only during the period of the actual contract and may only be placed in the front yard of the home. Such signs must meet applicable County regulations with respect to size and content.

YARD SALE SIGNS: Signs must be removed within 24 hours after the sale.

POLITICAL SIGNS: Signs may be posted during an election year and the candidate must be on the ballot. Signs must be removed within 48 hours after primary election one per candidate and no larger than 2' x 3'.

### **STORAGE or PARKING OF MOTOR VEHICLES, BOATS, TRAILERS, CAMPERS, MOBILE HOMES, AND RECREATIONAL VEHICLES**

The following types of vehicles may not be parked or stored in open view on residential lots.

Any vehicle with visible commercial equipment, mobile home or trailer and tractor trailers.

Any private, school, church, or public bus.

Any other vehicle not defined above which is not normally or regularly used for daily transportation, including dune buggies, non-operational automobile collections or other automotive equipment not licensed for use on the highways of Maryland.

Any vehicle falling in the above classifications may be stored in a garage out of open view. Such vehicles owned by a resident may be temporarily parked in a private driveway for a period not to exceed 48 hours for Spring and Fall cleanup, winterization, and for trip loading and unloading. Prohibited vehicles owned by guests of residents may park such vehicles within the

community for a period not to exceed five days, subject to any rules and regulations established by the Board of Directors.

The following types of vehicles may be parked or stored on owner's driveway or behind owners dwelling.

Any boat, boat trailer or car trailer.

Any recreational self-contained camper or fifth wheel vehicle.

Any camper slip-ons where the camper backs are higher than the roofline of the cab of the truck.

Any pop-up camp/tent trailer or other similar recreation oriented portable or transportable facility or conveyance to include utility trailers.

Police and sheriff's office vehicles are not considered commercial vehicles and are not subject to commercial vehicle prohibitions.

Temporary storage containers may only be permitted on owners lots for 30 days!

All vehicles including but not limited to cars and motorcycles, parked in open parking shall have current registration plates, tags, and insurance.

A licensed operator must operate all vehicles being operated on community streets.

### **STORM/SCREEN DOORS AND WINDOWS**

Storm/screen doors meeting the following criteria do not require an application.

For front doors or other doors which can be seen from the street, the storm/screen door must be full view with or without a kick plate, painted the same color as the unit door to which it is attached, the house siding, or the adjacent trim. Storm/screen doors meeting the guidelines do not require an application.

For back doors, patio doors and other doors which cannot be seen from the street, center bars or self-storing glass/screens are permitted. Storm/screen doors meeting the guidelines do not require an application.

### **SWIMMING POOLS**

All swimming pools must have prior approval. Pools must be located in the rear of the property. Pool filtration equipment should be shielded from adjacent properties through the use of mature shrubbery or screening of an appropriate size and scale.

Pool Fencing: Must comply with St Mary's County Regulations.

Pool Railings: Must comply with St Mary's County Regulations.

### **TRASH CONTAINERS**

Trash and recycling containers must be stored out of sight. Trash in other than covered containers shall not be stored outdoors.

Trash should be placed at end of driveway after dusk the day before collection or on pickup days. Trash containing foodstuff must not be set out in other than covered containers. Empty trash and recycling containers shall be removed from sight as soon as possible, but not later than 8:00 p.m. of the pickup day.

### **TREE REMOVAL**

Any removal of a tree must include removal of the stump and any exposed roots.

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