

Fox Ridge of Lancaster
Homeowners Association



DESIGN GUIDELINES



TABLE OF CONTENTS

INTRODUCTION

Purpose and Applicability.....	2
Article VII of the Covenants.....	2
Application and Review Procedures.....	3
Definitions.....	3

DESIGN AND AESTHETIC STANDARDS

Antennas and Satellite Dishes (DBS, MDS, DSS).....	3
Backyard Play Equipment.....	3
Composting.....	4
Landscaping Mulch.....	4
Decks, Screened Porches.....	4
Dog Pens, Runs and Dog Houses.....	4
Exterior Colors.....	4
Exterior Lighting.....	5
Fences.....	5
Flagpoles and Flags.....	7
Garbage Cans.....	7
Recreational Vehicles, Campers, Boats and Trailers.....	7
Storage Sheds and Other Accessory Buildings.....	8

INTRODUCTION

Purpose and Applicability

This Design Guidelines booklet ("Guide") is adopted as a reference to aid homeowners with compliance to Article VII, Architectural Guidelines, of the Amendment to the Declaration of Covenants, Conditions and Restrictions for Fox Ridge (the "Declaration"). It is intended to provide guidance to Owners regarding requirements for additions and modifications to property in Fox Ridge of Lancaster and matters of particular concern to the Architectural Review Committee ("ARC") in considering applications for approval of such additions and modifications. In addition, it sets forth various restrictions on other matters relating to the overall appearance of property in Fox Ridge.

Compliance with the guidelines and requirements of this Guide does not constitute the sole basis for review of applications for approval under Article VIII of the Declaration of Covenants, Conditions and restrictions and Article VIII of the Amendment and Supplement to the Declaration of Covenants, Conditions and Restrictions for Fox Ridge, nor does it guarantee approval of any application. In reviewing each submission, the ARC may consider any factors it deems relevant. Decisions may be based on purely aesthetic considerations. Each Owner acknowledges that determinations as to such matters are purely subjective and opinions may vary as to the desirability and/or attractiveness of a proposed addition or modification.

Article VII of the Amendment to the Declaration of Covenants, Conditions, and Restrictions:

Architectural Control Section 1 Notwithstanding anything contained within this Declaration to the contrary, no Owner shall begin construction on, make improvement to, or facilitate exterior alteration to any Lot until specifications of alteration have been submitted to the Architectural Control Committee setting forth: 1) the location of construction, alteration or improvement(s) or any construction of any improvement(s), which shall include, initial construction of the actual dwelling and its appurtenances, any staking, clearing, excavating, grading or other site work, 2) the initial installation of any landscaping, plantings, trees, shrubs or any material alterations thereto, other than general maintenance of landscaping located pursuant to previously approved landscaping plans, and/or 3) any modification, change or alteration of any Lot or dwelling thereon, whether functional or decorative, unless and until the type or size thereof, materials to be used in construction, exterior color scheme, exterior lighting plans, specifications and details thereof, Lot survey and site plans showing the proposed location of the dwelling, garage, and driveways upon the Lot shall have been approved in writing by the Architectural Control Committee, and copies of said approved plans, specifications and details have been filed with, and written approval has been received by said Architectural Control Committee

Section 7. Failure of the Architectural Control Committee to Act. If the Architectural Control Committee fails to approve or disapprove any plans and specifications and other submittals which conform (and which relate to improvements which will conform) with the requirements hereof or to reject them as being inadequate or unacceptable in writing within sixty (60) days after actual receipt of the submittal thereof, and provided such submittal was a full and complete submittal of all items that were to have been submitted to the Architectural Control Committee along with the required fee, it shall be conclusively presumed that the Architectural Control Committee has approved such conforming plans and specifications and other submittals, except that the Architectural Control Committee has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in this Declaration, except where variances shall be expressly permitted herein. If plans and specifications or other submittals are not sufficiently complete or are otherwise inadequate, the Architectural Control Committee may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject the balance.

Application and Review Procedures

Unless otherwise specifically exempted by the Declaration or this Guide, **all proposed modifications and additions to homes and lots within Fox Ridge require application to and prior approval of the ARC.** Where this Guide specifically permits an Owner to proceed without prior approval, such permission shall only be effective so long as the Owner complies with the requirements of this Guide. All applications must be submitted in writing using the form included in this Guide with a \$25 application fee.

The ARC is not responsible for ensuring structural integrity or compliance with state and local building codes. To the extent that any applicable law, ordinance, building code or regulation is inconsistent with the standards set forth in this Guide, the more restrictive shall control. Each homeowner is responsible for obtaining all necessary building permits and other government approval that may be required for proposed modifications or additions.

Definitions

For the purpose of architectural review the following definitions will apply:

Backyard- The land beginning at the back corner of the home and extending to the sides and rear.

View from street- Standing from the center of your home and on the curb on the opposite side of the street. Pictorial Illustration on Page 9.

Antennas and Satellite Dishes (DBS, MDS, DSS)

Satellite Dishes equal to or less than two feet or less in diameter are pre-approved when installed in compliance with the following conditions. No ARC application will be required. Dishes should be integrated with the surrounding landscape and should not be visible from the street. The ARC has chosen the following pre-approved locations (stated in order of preference):

1. Attic, crawl space, garage, or other interior spaces of the dwelling or another approved structure on the Unit so as not to be visible from outside the dwelling or other structure;
2. Not visible from street, and located in rear of side yard of the dwelling (i.e., the area between the plane formed by the front facade of the dwelling and the rear lot line) and setback from all lot lines at least eight feet;
3. Attached to or mounted on a deck or patio in the rear yard of the dwelling and extending no higher than the eaves of that portion of the roof of the dwelling directly in front of such satellite dish;

Attached/mounted on the rear wall or rear roof of the dwelling so as to extend no higher than the ridge line of the dwelling at a point directly above the position where attached. The Owner may ask for approval from the ARC if the Owner determines that a satellite dish cannot be located in compliance with the above guidelines without (i) precluding reception of an acceptable quality signal, or (ii) unreasonable increasing the cost of installation, maintenance, or use of the satellite dish. Such alternative location shall be the least conspicuous location in which an acceptable quality signal can be received. All other proposed satellite dishes and all antennas must be submitted for approval by the ARC.

Backyard Play Equipment

Play sets must be installed in rear yards, not visible for the street, at least six feet inside the rear property line. Wooden or stained swing sets are preferred. ARC application is required.

Trampolines need to be installed in rear yards, not visible from the street, at least six feet inside rear property lines. No ARC application is required.

Composting

One composting bin measuring not more than three feet in diameter and three feet in height may be permitted in the rear yard if located a minimum of six feet from all property lines and adequately screened by approved landscaping or other materials so as to be concealed from view of neighboring property and the street. Composting bins must have a secure lid to minimize odors and avoid attracting rodents and insects.

Landscaping Mulch

The following mulch options are pre-approved and no ARC application is required; black mulch, brown mulch, red mulch, pine needles, hardwood bark, pine bark mulch, cedar mulch, white stone and tan stone.

Decks, Screened Porches

Deck waterproofing, sealing or staining is pre-approved provided that a natural wood color is used and no ARC application is required.

Submittals for request are required for Deck modifications, conversions or additions. These are guidelines for approval. Modifications to decks include, but are not limited to:

- Constructing
- Enclosing
- Extending

No deck shall cover more than 20% of the area of the zoning required rear yard, nor may the extension encroach into the rear yard more than 25% of the depth of the rear yard.

No deck shall extend into a side yard beyond the side plane of the house.

Conversion of a deck or patio into a screened porch requires the submission of an Application for Approval of Exterior Modification.

Deck extensions at the same level as the existing deck are pre-approved; provided the materials and colors used are compatible with the existing deck, and the total deck size after such extension does not exceed 15' x 20' (existing deck plus extension must be not more than 300 square feet), and such deck, as extended, complies with the above requirements.

Dog Pens, Runs and Dog Houses

Dog houses are pre-approved as long as they are a similar color to the main structure (siding, shingles) and are located a minimum of six feet inside rear property line, behind the house (screened from street view by the house), not visible from the street. No ARC application is required. There shall be no dog pens or dog runs of any kind in Fox Ridge.

Exterior Colors

Color changes should match one of the standard color schemes provided by any of the builders in the neighborhood. Color chips and siding samples are to be submitted with the Application of Approval of Exterior Modification.

Exterior Lighting

Seasonal holiday decorative lighting is pre-approved; however, holiday lights are not permitted before Thanksgiving and must be removed no later than the following January 15th. Landscape exterior lights must be approved prior to installation. The ARC may take into consideration the visibility and style of any exterior lighting fixture and its location on the home. Exterior lights shall be conservative in design and as small in size as practical. Lights shall be directed toward the house or ground and limited in wattage to 2,000 lumens. Low voltage (12 volt) lighting is preferred.

Fences and Safety Rails

Safety Rails require an ARC application for approval.

Fencing is not permitted in front yards and must comply with Article VIII, Use Restrictions, Section 3, Fences, of the Covenants, Conditions, and Restrictions as written: “No fence or wall shall be erected on any building plot Lot closer to any street right-of-way than the rear corners of the main structure of the finished home building setback lines shown upon the recorded map, and no back yard perimeter fence may be higher than four (4) feet tall. Chain link or metal fencing other than wrought iron or similar decorative aluminum fencing whether or not approved by the Architectural Committee, is not permitted, except that 2" x 4" mesh may be used with split rail fencing to contain children and animals within the rear yard. Perimeter fencing shall not have more than 70% of any of its surface closed — viewed from a point on a line of sight perpendicular to the line formed by the line of the fence except solid fences or fences having greater than 70% of their surface closed may be erected and maintained along property lines forming the outside boundaries of the Fox Ridge subdivision. A wall constructed of brick or stone masonry and used in lieu of a fence is exempt from the openness test. Fencing of a more solid or privacy nature may be used around patios, wood decks, or pools as privacy screens. Said privacy fencing may be located at a distance no greater than ten (10) feet from the edge or circumference of the patio, deck or pool area being screened, may be no more than six (6) feet tall, and may not be visible to an observer standing directly in front of the house as viewed from the sidewalk opposite the lot in question. The fencing restriction in this paragraph and Article 26 hereof shall not be applicable to model homes owned by builders.”

Fences may not extend outside the boundaries of the installing homeowners lot.

Fences installed within an easement area are subject to removal for maintenance within the easement. Owners bear the risk of re-installing any fencing that must be moved within an easement.

Fences on corner lots abutting a local residential street must be installed parallel to the side street. The fence must be installed a minimum of ten feet from the back of curb (to allow for the road right-of-way).

A single fence shall be permitted between adjacent lots sharing a common side or rear property line.

Gates, if installed, shall be designed to be compatible and complementary to the fence design.

No modifications or attachments shall be made to the fencing at the entrance to the neighborhood without prior written approval of the ARC and Fox Ridge of Lancaster, LLC.

Chain-link fences are not permitted on lots within Fox Ridge.

There are four ARC pre-approved fence designs described in these guidelines: 1) Diamond Three Rail; 2) Virginia Gothic Picket; 3) Three Rail Vinyl; 4) Black Aluminum. An ARC application is required prior to installation of any fencing and must include a copy of the plot plan showing the proposed location of the fence, its relationship with the house and an explanation of why deviations (if any) from the guidelines should be considered for approval.

Fences need application for approval, but the following types are suggested:

Option 1 – Wooden Diamond Three Rail Fence

Three-rail, diamond-cut on four sides split rail fences are permitted. If desired, 2' x 2' galvanized, heavy gauge welded wire fabric screen may be secured to the inside of the rails to contain pets. Fencing should be either left natural or stained with a semi-transparent weathered wood color stain.



Option 2 – Virginia Gothic Picket Fence

A 4' Virginia Gothic Picket Fence with matching Virginia Gothic topped post is allowed. Pickets must be 1' x 4' and post 4' x 4'. There shall be two 2' x 4' back runners with 2" spacing between the pickets. The posts shall be 54" so that they extend above the fence and are bevel cut in a Virginia Gothic style. The picket side of the fence must face to the outside of the fenced property. Fencing should be either left natural or stained with a semi-transparent weathered wood color stain. Fences installed on a slope should either stair-step evenly with a grade or run parallel to the grade; however, in both situations the pickets should be installed perpendicular to a horizontal line and not the existing grade.



Option 3 – Three Rail Vinyl Fence

This style of fencing consists of 1-1/2" x 5-1/2" rails, 5" square posts with exterior flat caps. Each completed section is eight feet in length. The fence must be white vinyl.



Option 4-Black Aluminum Fence

This style of fencing consists of 4 foot black aluminum fence. Pickets must be 5/8" with spacing of 3 3/4" space between pickets, 1"x1" horizontal rails, 2" square post caps and 2" square post spaced 70" apart.



Flagpoles and Flags

Flags visible from the exterior of a dwelling may be hung only on flag poles meeting the following criteria and are pre-approved.

One flagpole not to exceed 4" in diameter or 60" in length may be mounted on the front of the house.

Free standing flagpoles are not permitted. Flags shall not exceed 4' x 8' in size. Only official flags of countries and seasonal decorative flags may be displayed; flags which display trademarks or advertising, and battle flags and similar flags which, in the Board's judgment, are intended to, or tend to, incite, antagonize, or make political statements (other than a statement of citizenship or country of origin of the resident of the dwelling), shall not be permitted. Flags shall be maintained in good condition and shall not be displayed if mildewed, tattered or faded beyond recognition.

Garbage Cans

Garbage cans and recycling bins must be stored in one of the following pre-approved locations (stated in order of preference): 1) inside the garage, 2) behind the house, 3) along the side of your home, provided they are set back at least ten (10) feet from the front facade of the home (on corner lots the garbage can must be stored on the side of the home opposite the intersecting street). In addition to the above requirements, screening plants are required to further screen garbage cans from view by neighbors. Burford Holly or Wax Myrtles are recommended as screening plants. One three-gallon plant in front and beside the storage location should adequately screen the containers within 12 to 24 months of growth.

Another option for screening is a trash can screen constructed from white vinyl along the side of the property. The front panel should be located 10 feet from the front corner of the home or garage. The enclosure will be L shaped with a 3' front panel 4'6" side panel. Posts are to be permanently anchored to the ground. Fence panels to have top and bottom rails with white pickets with no gap between pickets. 6 Pavers 16'x16" can be used as the base for the screen. No Free standing panels are permitted. **Construction must not impede or re-route storm water drainage.** No ARC application is required for this screening.



Recreational Vehicles, Campers, Boats and Trailers

Recreational vehicles, campers, boats and trailers must be stored in a garage except temporarily in preparation for imminent use and for a period not to exceed ten days while undergoing repairs.

More specifically defined by the Covenants, Conditions, and Restrictions Article VIII, Use Restrictions, Section 16 V: “No residence of a temporary nature shall be erected or allowed to remain on any lot, and no trailer, basement, shack, tent, garage, shed, barn or any other building of a similar nature, including boats, trucks, campers, or recreational vehicles shall be used as a residence on any lot, either temporarily or permanently. No boat, trailer, recreational vehicle, camper, camper truck or commercial vehicle greater than 3/4 ton trucks shall be parked, stored or kept (a) on any part of the Common Area, (b) in any driveway, (c) within any street right of way, or (d) on any other part of a lot unless the same are fully enclosed within the garage located on the lot. This restriction shall not apply to sales trailers, construction trailers, or other vehicles, which may be used by Declarant and its agents and contractors in the conduct of their business. No boat, truck, trailer, camper, recreational vehicle or tent shall be used as a living or dwelling area within the Properties. No repairs to or maintenance of any automobile or other vehicle shall be made or performed on any driveway within the Properties, except in the case of emergency.”

Storage Sheds and Outbuildings

One storage shed may be permitted on a home site provided that:

- It is constructed on site and meets all applicable building codes;
- It is located behind the house, directly behind the body of the house, not viewable from the street, and is set a minimum of six feet inside the rear all property line;
- It does not exceed a maximum of 12' x 12' in size nor have an eave height greater than ten feet;
- The exterior surface is of a color which matches the majority of the facade of the dwelling on the lot; no metal sheds are allowed;
- The roof is comprised of shingles which match those of the dwelling on the lots; and
- It has windows on at least two sides; and
- It is landscaped with three-gallon evergreen shrubs installed at a minimum spacing of three feet on center around three sides of the perimeter of the shed with one shrub planted at each corner of the building. On corner lots evergreen trees (Wax Myrtles or Leyland Cypress) shall be planted in lieu of shrubs along the side visible from the intersecting street;
- A poured concrete foundation is preferred. Concrete blocks may be acceptable if screened with lattice underpinning and landscaping.

In addition, outbuildings must meet conditions as specified in the Covenants, Conditions, and Restrictions, Article VIII, Use Restrictions, Section 8. Outbuildings and Similar Structures: “No trailer, tent, shack, or camper will may be erected, moved on or allowed to remain on any lot for any use or purpose whatsoever. No permanent outbuilding structure, such as shed, garage, barn, pool house, cabana, “carriage house”, or other outbuilding (collectively, the “Outbuildings”) erected on a Lot shall at any time be used as a residence temporarily or permanently nor shall any structure of a temporary character be used as a residence. All Outbuildings shall be of a similar design and constructed of similar materials as the dwelling on the Lot on which the Outbuilding is located, and shall be so located as not to be visible from directly across the street on which the Lot fronts. With the exception of construction trailers used during the construction of a dwelling, no structure shall be moved onto any Lot unless it shall conform to and be in harmony with the existing structures in the Development. Design of any outbuildings must be approved by the HOA architectural committee. No above ground pools may be constructed, place, or permitted to remain on any lot.”

LINE OF SIGHT OBSERVATION POINT FOR “NOT VISIBLE FROM STREET”

