

A.

Application Procedure

1. Submission. All applications for approval to make any exterior changes including color, additions or improvements must be submitted to the ACC in writing by completing the application form currently in use by the ACC (see Attachment I). Plans and specifications for any exterior change, addition or improvement should be attached to the application. The application should be supported by the following information:
 1. drawing(s) of the proposed structure showing the top, front, side, and rear exterior views; overall dimensions (length, width, height) of the structure; and the layout and dimension of supporting structures (e.g. beams, rafters, trusses, etc.);
 2. a copy of an official survey of the Lot showing location of easements, existing buildings and structures, and the proposed location of the improvement;
 3. a description of all materials used, including product name, model number, size, color, etc. Color samples (e.g. "paint chips") for all colors involved must be included.

The ACC reserves the right to request any additional information deemed by it to be necessary to properly evaluate the application. In the event that the ACC requests additional information and such information is not submitted to the ACC by the applicant in a timely manner, so that the original application may be approved or disapproved within 30 days of its receipt, the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ACC for its review. It is in the applicant's best interest to submit the additional information as soon as possible, so as not to have the application process delayed. All applications shall be mailed or delivered to the office of the managing agent of the Association.

2. ACC Decisions. ACC committee members shall consider each application for compliance with the Protective Covenants and with these Guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the ACC.

ACC decisions shall be conveyed in writing by the managing agent of the Association to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

In accordance with the Protective Covenants, any application that is not approved or disapproved within 30 days of the date of its receipt shall be deemed to have been automatically approved. Unless otherwise stated in the ACC's written response, all approved exterior changes, additions or improvements shall be completed within 30 days of the date construction, installation or erection has commenced.

3. Appeals. In the event that the ACC disapproves an application, the applicant may within 30 days submit an appeal to the DRC with any additional information the applicant considers relevant to the original application.

The DRC shall consider at a meeting held within 30 days of receipt of the applicant's appeal, each appeal of an ACC decision, for compliance with the protective covenants and with these Guidelines. The decision of a majority of members in attendance at a duly held DRC meeting, where a quorum is present, shall be considered the decision of the DRC.

Final DRC decisions shall be conveyed in writing by the managing agent of the Association to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

In the event that an appeal is denied by the DRC, the applicant may within 30 days from notice by the DRC submit an appeal to the Board of Directors. The Board of Directors shall review the appeal at one of its next two meetings following the date upon which the appeal is received and notify the applicant of the Board's decision. All decisions of the Board of Directors shall be final.

4. Status of Applications During Appeal. During the appeal period, the decision of the ACC on the original application shall remain in effect. Failure of the DRC or the Board of Directors to respond to a request for reconsideration within 30 days of the date of its receipt shall not automatically result in approval of the original application.

B.

General Guidelines

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

1. The quality of construction and materials, colors, exterior design (elevations), size (dimensions), and location must be harmonious with existing and other proposed structures.
2. The location must not violate the building set back lines, utility or drainage easements as shown on the official recorded plat, nor obstruct driver's vision at street intersections.

The ACC may not grant permission to place an improvement upon or across any utility easement. Consent to encroach upon any utility easement must be obtained in writing from the owner of the easement (i.e. utility companies). The ACC may grant permission to place an improvement upon or across a drainage easement subject to the condition that the improvement must not impede drainage of any property served by the drainage easement (i.e., including adjacent lots). If

- deemed necessary in it's sole discretion, the Board may revoke consent to encroach upon any drainage easements. Removal of improvements (if required by the Board or owner of the easement) shall be solely the homeowner's responsibility, cost and expense.
3. Improvements other than the main residence and garage may not exceed 8 feet in height (except as otherwise provided by the Protective Covenants).
 4. Improvements which exceed 2 feet in height may not be located closer to the front lot boundary line than the front of the main residence or garage (except as otherwise provided by the Protective Covenants).
 5. Improvements which are intended for other than single-family residential purposes, or which may become an annoyance or nuisance to the neighborhood are not permitted.
 6. Improvements must be located so that their use will not infringe upon the enjoyment of neighboring amenities nor place neighboring property at increased risk of damage.

C:

Fences

1. Wood Fence Construction. Wooden fences facing the front street or along any side street or rear street property line or greenbelt shall be constructed with all pickets on the outside so that no posts or rails are visible from a street or a greenbelt. All fence design must also conform to all requirements as stated in the Protective Covenants.
2. Gates. All gates shall be constructed with the same materials as the fence. The hinges and latches used on the gate should be of the same style and quality of those used throughout the Village.
3. Color.
 - a. Wood Fences. No portion of a wood fence on a lot which is visible from any street or greenbelt may be painted or stained (including clear weatherproofing stains) without the prior approval of the ACC.

- b. Wrought Iron Fences. Wrought iron fences must be black. The height, location and spacing of the bars of all wrought iron fences must be approved by the ACC. Wrought iron fences are not to be used around the perimeter of a lot.
4. Chain Link and Wire Fences. There shall be no chain link or wire fences.
5. Setback Lines. Fences must be replaced in their original locations. A change of location must be approved by the ACC. New fence construction must conform with all setbacks and other requirements as specified in the Protective Covenants. New fence construction, other than by the builder, must be approved by the ACC.
6. Maintenance of Fences. Pickets, rails, or bars that are broken, warped, bent, sagging, or which have otherwise deteriorated must be repaired or replaced.
7. Height of Fences. All perimeter fences shall not exceed six feet (6') in height. Fences between the house and garage may be between four to six feet (4'-6'). Whatever height is chosen for this area, it must be consistent for the entire run.
8. Attachments. No structure may be attached to a fence unless otherwise provided by these Guidelines.

D.

Swimming Pools and Spas

An application for the construction of a swimming pool, spa or jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa or jacuzzi in relation to the property lines, building lines, existing structures and existing or proposed fences. If any trees are to be removed or relocated, this must also be noted. The application shall also include a timetable for the construction of the pool, spa or jacuzzi. No swimming pool, spa or jacuzzi shall be approved unless the area in which the pool is to be located is either enclosed by a six foot (6') fence constructed of wood or of wrought iron with a maximum of three inches (3") between each bar or such a fence is proposed to be constructed in conjunction with the swimming pool. There must be a drainage system below the ground providing drainage. Spas and jacuzzis must also have an adequate drainage system according to the requirements of any governmental agency having jurisdiction or, in the event there is no governmental agency having jurisdiction, as deemed appropriate by the

ACC. Under no circumstances shall water from a swimming pool, spa or jacuzzi be permitted to drain onto the surface of the lot on which the swimming pool, spa or jacuzzi is situated or onto any adjacent lot. During construction, the pool area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction, a temporary fence or barrier must be erected to fully enclose the area in which construction is taking place. No building materials shall be kept or stored on the street overnight. Excavated material shall either be used on-site or immediately removed from the premises by the pool contractor. The construction of all swimming pools must be in compliance with the National Electrical Code and include the installation of ground fault circuit interrupters. No swimming pool, spa or jacuzzi shall be constructed in a manner to impede drainage on a lot or to cause water to flow onto an adjacent lot. There shall be no above ground pools.

E.

New Structures/Conversions/Additions

1. General Rules.

The standard, type, quality and color of the materials used for a new structure, conversion or addition shall be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence on the lot. No exterior portion shall be made of metal or steel. The roof, if applicable, shall conform to the provisions relating to roofing materials set forth in these Guidelines and shall be compatible with the color and type of materials used in the construction of the main structure. New structures, conversions or additions shall be located in the backyard of the lot inside the fence.

2. Gazebos.

A gazebo shall be defined as a free standing, open framed structure with lattice-type walls, whose purpose should not be for any type of storage. These typically are circular or octagonal shaped structures. There are two approved types of gazebos:

- a. Conical shaped (peaked) roofed gazebos. These gazebos cannot exceed twelve feet (12') in height (height measured from the ground) and the horizontal supports cannot exceed eight feet (8'), from the deck level.