

# Architectural Committee Rules and Regulations

Anything that is already on, or altered on, the owner's property from the time of execution of this document on January 21, 2014 (01/21/2014) shall be grandfathered and shall not be required to be removed or altered back to its original condition.

The Board of Directors or the Architectural Committee will not approve any alterations, decorations, or modifications which would jeopardize or compromise the safety, soundness, or appearance of any lot or Common Area.

## Section I:

### **Harmony**

- 1) Neutral and traditional colors are permitted on the individual properties only. No bright or flamboyant colors are permitted on the Garden Side grounds or individual units.
- 2) All buildings or other structures shall conform to and be in harmony with existing structures in the tract. If the structure or its foundation is constructed of brick, it must match the brick of the primary residence structure. Garages, storage buildings, and other similar structures shall be wood frame construction and have an exterior finished in brick, wood, or vinyl siding that is similar in appearance and painted with a color to match the primary residence. The roofs must be covered with shingles. The structure is to be maintained in good condition (painted, repaired, etc.).
- 3) No drying or airing of any clothing or bedding shall be permitted outdoors on any lot, common area, or in any other unenclosed area (including patios).
- 4) No noxious (examples include but are not limited to: loud music, vehicles, or machinery, etc.) or offensive trade or activity (examples include but are not limited to: vehicle body shops, small engine repair, etc.) shall be carried out upon any lot nor shall anything be done thereof which may be or become an annoyance or nuisance to the neighborhood. No offensive noises from off-road vehicles, trail bikes, or similar vehicles will be permitted at any time.
- 5) No trailer, basement, tent, shack, garage, barn, or any other out building erected on the owner's property shall at any time used as a residence temporary or permanently, nor shall any structure of temporary character be used as a residence.
- 6) No lot (private or Common Area) shall be used or maintained as a dumping ground for rubbish, trash, garbage, or waste and same shall be kept in sanitary containers. All

equipment for storage or disposal of such material shall be kept in clean and sanitary condition.

- 7) Paint colors for primary residences, garages, utility buildings, and other similar structures shall be neutral in nature or otherwise in harmony with the basic color shades of the other structures in the subdivision. Any homeowner planning to repaint an existing building or primary residence with a change from the original color, should first get the written approval of the Architectural Committee by providing a paint chip sample of the paint colors to be used.

## **Section II:**

### **Parking**

- 1) Parking in the owner's own garage is preferred. However parking in the owner's driveway is also permitted as long as this does not interfere or block access to another owner's unit.
- 2) Vehicles parked in the driveway must be moved under the vehicle's own power at least every third day. The exception to this rule is if the owner is on vacation or otherwise out of town.
- 3) Due to the limited spaces available at each individual unit, guests of the owner(s) are permitted to temporarily park in the grassy median (where available) or on the side of the road as long as ongoing traffic (this includes emergency vehicles, school buses and garbage removal vehicles) is not obstructed. This includes the roads in the cul de sac areas. Vehicles are not permitted to park in these areas overnight.
- 4) Temporary parking on the grassy median in selected areas is permitted if additional parking in the owner's lot is unavailable. Overnight parking on the grass is not permitted. If the grass is wet or otherwise saturated with water, then parking in these areas is not permitted.
- 5) No labor-intensive vehicle maintenance (changing oil, spark plugs, rotating tires, etc.) is allowed in the Garden Side grounds.
- 6) No parking on the street to insure safety of the residents and visitors. Exceptions to this rule are stated above, but no obstruction to the flow of traffic is allowed at any time.
- 7) Washing the owner's vehicle and minor vehicle maintenance (air inflation, or changing wiper blades) is permitted in the owner's parking area.
- 8) Other vehicle maintenance must be performed off of the Garden Side Community premises.

- 9) No vehicles, including lawn mowers, are to be parked in the unit owner's grass for extended periods of time such that the grass beneath the vehicle begins to turn brown and die.
- 10) No vehicles of any type shall remain for more than forty-eight (48) hours on blocks or jacks in the homeowner's yard or driveway, or in the street in front of the property.
- 11) Parking of any form of commercial vehicle (including but not limited to semi-tractor trailer vehicles, wrecker vehicles, roll backs, etc.) is prohibited on the garden Side Village area, including personal property areas.
- 12) Should a vehicle damage the ground (private or Common Area) the unit owner is responsible for repairing the damages. The owner must either personally repair or have an outside entity repair the affected area. Time limits of 1 (one) week are imposed on this repair schedule. Depending upon the amount of damage more time for repair may be given. Fines will be enforced if the damages remains- especially if this occurs in a Common Area.

### **Section III:**

#### **Owner's Personal Property Grounds**

- 1) Satellite dishes are to be placed in the back yard areas. The exception to this rule is when it is geographically impossible, i.e. due to poor satellite reception signal. If this is the case then a written recommendation by the satellite provider must be sent to the Architectural Committee for review and ruling before further action may be taken. Satellite dish receivers are to be mounted in the ground and NOT on the side or roof of units as this will cause eventual water damage to the unit itself.
- 2) Mulching and/or other grounds beatification procedures' (planting flowers or small scrubs) is permitted as long as this is not in excess. Excess in this meaning would entail having more newly planted items than prior total grass material on the owner's property.
- 3) Planted items must be maintained for appropriate curb appeal and not block windows or doorways. Should the plant items grow "out of control," decreasing overall curb appeal, then the plant items should either be trimmed back to a more acceptable level or removed.
- 4) Extensive landscaping or other significant earth moving projects must first be submitted to the Architectural Committee for review and ruling before said plans are initiated.
- 5) No permanent structures (structures that could not be picked up and moved) are permitted in the Garden Side community. Exceptions to this rule are possible, but any

and all ideas/plans must first be submitted to the Architectural Committee for review and ruling before said plans are initiated.

6) Temporary or “non-permanent” structure plans must first be brought before the Architectural Committee for review and ruling before dedicating to these plans.

7) Flags are permitted in the front yard or on the side of the owner’s personal property.

The following stipulations do apply:

- Flags are not permitted to be larger 2x2 (two by two) feet in size. Small “garden flags” (18x12.5 inches) are permitted to be placed on the individual owners property.
- Flags are not allowed to rise more than three (3) feet maximum or shorter are permitted off of the ground. Flags are to be mounted in the ground and NOT on the side or roof of units as this will cause eventual water damage to the unit itself.
- Flags are not permitted to be “outrageous” or offensive. “Outrageous” or offensive (including but not limited to political, cultural, or profanity views that could be considered offensive to another person or ethnic group). If there is a question, for further clarification of what would be acceptable, must be submitted to the Architectural Committee for review and ruling at the next regularly scheduled meeting.

8) Any flag(s) found to be in violation will first receive a written warning for timely removal or replacement. If this violation is not corrected in the afore mentioned time frame then a fine will, be issued to the owner of that unit. Additional or more severe fines may be incurred if the violation continues.

9) Seasonal lights and other outdoor ornaments are permitted. All lights must not be so bright that it is a distraction to the surrounding neighbors. Ornament lights must be turned off at 11:00pm (eleven o’clock) for the respect to the surrounding neighbors. Seasonal lights and other outdoor ornaments are to be taken down and stored inside the owner’s unit two weeks after the holiday is over. Seasonal lights and other outdoor ornaments are not permitted to stay in place all year long.

10) Outer covering, including the outside wall and garage doors, of each unit are not permitted to be altered.

11) Storm doors are permitted on the front and back doors. Storm doors are required to be visually appealing. Any questions on this should be submitted to the Architectural Committee for review and ruling. Screen doors are not permitted.

12) No loud, noise-making devices (radios, etc.), are permitted in the open areas of Garden Side community.

13) Only regulated and rated outdoor furniture is permitted on the outside premise of the owner’s property.

14) No major appliances (including but not limited to refrigerators, stoves, or sinks), or other interior equipment, are permitted in the outside areas of an owner’s unit.

- 15) Small, or raised, gardens are permitted on the owner's property. The garden plots should be erected in the back yard of the owner's property. No gardens are permitted in the Common Areas. All plants are to be well maintained at all times.
- 16) Garage sales are permitted in the Garden Side Village. Stipulations to this ruling include but not limited to the following:
- All items are to be neatly kept and arranged inside of the garage.
  - Items are to be kept dry in the event of inclement or rainy weather.
  - No items are permitted to be located outside of the garage premises.
  - Any garbage generated from this event must be picked up and disposed of in a timely manner. Any garbage left on the grounds after dark will be subject to fines.
  - "Yard sales" are not permitted at any time on the Garden Side Community areas. This means sale of clothes or other small items for sale.
  - Very large items may be temporarily displayed on the owners property- driveway is the preferred location, but yard is also temporarily permitted if the driveway is not accessible during the specified time limit.
  - Yard sales in the Common Areas are not permitted.

#### **Section IV:**

##### **Disability Access**

- 1) Any disability access to the center unit(s) (units located between the end units) should be arranged with the adjacent owner(s) for rear entrance access.
- 2) Any disability access to the end units will be allowed access from the side entrances, where possible.

#### **Section IV:**

##### **Decks and Patios**

- 1) Furniture on the back decks and patios is permitted. Furniture should be visually appealing. No bold colors are permitted however. Neutral or subdued colors are permitted.
- 2) No worn out or severely- weathered furniture, or related appliances, permitted to be exhibited outside.

- 3) Portable gas barbeque ovens or grills are permitted in these areas as long as the fire safety in said area is not compromised by its use. The barbeque oven or grill must be properly stored and covered when not in use. The covering must be of neutral or subdued colors. Waterproof covering(s) is/are preferred but not required. Once the cover(s) are worn, cracked, or otherwise showing signs of extreme age it is to be removed then replaced.
- 4) Wood stoves or grills must adhere to the following stipulations:
  - These items must be kept at least 8 feet from any upright structure to prevent any fire hazards.
  - These items must be properly stored when not in use.
  - No open fires will be allowed to be maintained unattended at any time.
  - Placement and or set up under overhanging trees or other brush is not permitted.
  - These items are not permitted to be in operation during high-wind conditions.

## **Section V:**

### **Fences**

- 1) Yard fences cannot be erected on the lot nearer to the street line than the building setback line recorded on the plat map. Fences should be wooden picket or slit rail type, no greater than six (6) feet in overall height. All- metal yard fences are not considered in harmony with the surrounding structures on the tract. All fences shall be well maintained (i.e. rails missing, broken, leaning, gates in disrepair, touchups if painted) in good condition by the individual owners at all times.
- 2) No fence, wall, hedge, or scrub planting which obstructs site lines at elevations between two (2) and six (6) feet above roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty five (25) feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. The same site-line limitations shall apply on any lot when (10) feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.
- 3) Back yards facing outside properties not associated with the Garden Side Community may have higher fences, or privacy fences, is permitted under special circumstances. If there is a question, for further clarification of what would be acceptable, must be

submitted to the Architectural Committee for review and ruling at the next regularly scheduled meeting.

## **Section VI:**

### **Animals**

- 1) No animals, livestock, poultry of any kind shall be raised, bred, or kept on any lot either private or common, except that of dogs, cats, or other household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose and are confined to the property or kept on a leash.
- 2) No animals (including but not limited to dogs) shall be kept or kenneled outside of the owner's living unit.
- 3) No animals (including but not limited to dogs) shall be permanently staked outside.
- 4) If animals (including but not limited to dogs) are outside and they must evacuate their bowels (to have a bowel movement), then the person handling the animal is directly and personally responsible for cleaning up and removing the excrement. The excrement must be properly disposed of in proper garbage receptacles in a sanitary manner.
- 5) Animals (including but not limited to dogs) are not permitted to urinate on bushes or shrubs as this may harm or even kill this vegetation.

## **Section VII:**

### **Fines and Penalties**

- 1) Fines and or other related penalties will be issued upon infraction of any of the above rules and regulations.
- 2) Fines will be made payable to Garden Side Village.
- 3) A written warning may be issued before a penalty fine will be issued. If the violation is severe then the written warning option may be suspended and a penalty fine will be issued.
- 4) First violation fine shall be \$25.00 (twenty-five dollars).

- 5) Second violation [if not corrected within 7 (seven) days time frame] the fine will be doubled. This fee schedule will continue until the infraction is corrected. An exception to this rule is if the owner is out of town for an extended period of time.
- 6) Any major violation shall incur a significantly greater fine. This amount will be at the discretion of the unanimous vote from the Architectural Committee.
- 7) The Homeowners Association shall have the right to charge a reasonable fee for receiving applications in the amount not to exceed twenty five dollars (\$25.00).

#### **Section VIII:**

##### **Miscellaneous**

- 1) If anyone has any questions, or in need of further clarification, on the above content, they may submit a written request over said item(s) to the Architectural Committee.
- 2) The Architectural Committee will convene to review any questions, comments, or complaints on a quarterly basis.