

ARCHITECTURAL & LANDSCAPE REVIEW COMMITTEE
FOR TOWN & COUNTRY PATIO HOMES

The Board of Directors shall appoint Lot owners to an Architectural & Landscape Review Committee, herein referred to as the ALRC. The ALRC regulates the external design, appearance, relationship among structures, landscape, and topography; ensures grounds are maintained to acceptable high standards; and attempts to minimize the cost of ongoing building and ground maintenance. The ALRC shall, subject to the approval of the Board of Directors, develop, maintain, and update the guidelines for the benefit of the community. These standards are not intended to stifle the imagination or creative desires of Lot owners, but rather to assure them that protective consistent restrictions are in effect, which will maintain the appearance and property values of the community. The Board of Directors will have the authority and standing, on behalf of the Association, to enforce in courts of competent jurisdiction, the decisions of the ALRC.

Decisions of approval and disapproval rendered by the ALRC will be based on majority judgment of the ALRC. Any committee member with a strong minority view can petition the chairperson for a rehearing and a final judgment.

Committee members, including the chair, shall serve terms of one-year duration.

GENERAL PROVISIONS

1. **Community-wide standard.** The ALRC will regulate any construction, external appearance and property improvements in such a manner as to comply with a community-wide standard, to best preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography. No improvements, alterations, repairs, additions, plantings, grading, excavations, or tree removal is to occur which in any way alters the exterior of any Lot from its original state existing on the date such property was first conveyed by Builder to original purchaser without the prior approval of the ALRC. **(Exception: Lot owners may plant annuals, and/or perennials in the immediate areas around their homes and patios without ALRC approval.)** All additions, planting, etc. done to any property from date of building completion up to December 31, 2017 have been governed in by the ALRC and do not need approval to remain. When any alteration, replacement, relocation, etc. is to occur to any governed item, the item then becomes new and must follow the procedures described to obtain written approval by the ALRC.
2. **Procedure.** Any homeowner desiring to make any alteration or change to the original shall submit a detailed description in writing that includes plans, specifications, and/or drawings showing the nature, kind, shape, height, width, length, size, color, materials, plantings, and location of the improvement to the ALRC for evaluation. Photographs or sketches of similar

completed projects would aid in the ALRC's consideration of the architectural change or addition. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included. The written description of the proposed change should be submitted to the ALRC for approval prior to any work being done. The ALRC will review the proposal and render a decision. That decision will be returned to the applicant with due haste but no more than forty (40) days from receipt or, if delayed for any reason, with notice to the applicant presenting reasons for such delay.

- a. The ALRC will establish time limitations for the completion of any architectural improvements for which approval is required. Unless specifically excepted by the ALRC, all approved changes shall be completed within six (6) months from the date of commencement of said improvements.
 - b. Plans and specifications are not approved for engineering design, and by approving such plans and specifications, neither the ALRC, its members, the Association, its members, nor the Board assumes liability or responsibility thereof, or for any defect in any structure constructed from such plans and specifications.
3. **Disapproval.** In the event plans and specifications are disapproved, the party or parties making such submission may appeal in writing with appropriate argument. The resubmission will be reviewed by the Board of Directors and a decision will be returned within forty (40) days of receipt or if delayed for any reason, with notice to the applicants presenting reasons for such delay.
4. **Right to review.** The Board of Directors reserves the right to review and act upon any decision of the ALRC.
5. **Conditions.**
- a. **Expense.** The expense involved in making the architectural change or addition will be borne by the Lot owner.
 - b. **Prior approval required.** No construction such as clearing, excavation and other site work will take place until the approval of the ALRC has been obtained.
 - c. **Protection of neighbors.** The interest of neighboring properties must be protected by making reasonable provisions for such matters as access, surface water drainage, sound and sight buffers, sun and shade exposure, and other aspects of design, which may have a negative effect on neighboring properties. No structure, plantings or trees may be erected which would decrease the value of another Lot owners' property.
 - d. **Building architecture.** In general, any proposed change must be compatible with the design characteristics of the property itself, adjoining properties, and the neighborhood setting. Compatibility is defined as harmony in style, scale, materials, color, and construction details.
 - e. **Workmanship.** The quality of workmanship evidenced in any Lot owner's project must be equal to, or better than, that of the surrounding properties. In addition to being visually objectionable, poor construction practices can cause functional problems and create safety hazards. The Association and the ALRC assume no

- responsibility for the safety or livability of new construction by virtue of design or workmanship.
- f. Outdoor lighting. Any outdoor lighting installed on a lot or dwelling, subsequent to initial lighting installed by the builder, must receive advance approval by the ALRC. This requirement also extends to decorative lawn lighting. Permanent lighting sources shall not be directed toward streets, common areas or neighboring properties.
 - g. Landscaping. In general, reasonable rules governing planting and maintenance of the landscape are designed to create an attractive, aesthetically diverse, and harmonious landscaping plan within the neighborhood. Nothing shall be erected that would affect a Lot owner's view or sun/shade exposure.
 - h. Trees. All trees or large bushes installed on a property must be approved by the ALRC. The ALRC will require all trees and bushes to be located within the foundation lines of the unit and will review the application based on the size, shape, type, and quantity of trees already on the property. All trees and bushes thus approved must be maintained, pruned, and fertilized by the Lot owner.
 - i. Ornamentation. The utilization of non-living objects as ornaments (i.e. gazing balls, statuary, birdhouses, birdbaths, ponds or pools) in the landscape must be harmonious with the character of the neighborhood and must be approved by the ALRC.
 - j. Interior renovation and painting. Nothing herein will be construed to limit the right of any Lot owner to remodel or paint the interior of their dwelling any color desired.
 - k. Right of refusal to approve. Refusal of the ALRC or the Board of Directors to approve proposed changes may be based upon any reason, including purely aesthetic conditions, which in the sole discretion of the ALRC or Board of Directors will be deemed sufficient.
 - l. Accountability. In the event that significant structural changes and/or improvements are approved by the ALRC, the Lot owner may be required to sign a waiver and release that any damage incurred to the original structure by such structural change or improvement either at the time of completion or at any time subsequent, will be the Lot owner's responsibility who must take immediate steps to rectify the damage at their own expense. In addition, any structural changes or additions to the surface of a Lot may require a Release Agreement to be executed and recorded with the County. This must be accompanied by a filing fee as designated by the County.