

ARCHITECTURAL & COVENANT ENFORCEMENT GUIDELINES



Kelly Plantation

Harvest, Alabama

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I. INTRODUCTION - HOW TO USE THESE GUIDELINES

These guidelines are an extension and interpretation of the Declaration of Covenants. As discussed in the Covenants, the Kelly Plantation Homeowners Association (KPHOA) is authorized to interpret and modify certain aspects of the Covenants (Declaration of Covenants Article VI, Section 1). These Guidelines address all aspects of new residential and improvements to existing construction. It covers maintenance items and is to be used as a supplement to the covenants and restrictions of the KPHOA. In addition, the Architectural Guidelines and Covenants Enforcement Guidelines provide a resource for the Architectural Review Committee (ARC) and the Covenants Enforcement Committee (CEC). It is the resource that all homeowners should review and adhere to.

Kelly Plantation is a carefully planned community of traditionally styled homes. These guidelines have been prepared to establish material, detail, and quality standards to create a harmonious community of homes within a variety of architectural styles. It is the purpose of these guidelines to maintain and protect the aesthetic character of Kelly Plantation.

It is not the intent of these guidelines to inhibit or restrict creativity, but rather to provide general parameters to create an architecturally harmonious community. In this regard, these guidelines are intended to assist all property owners in the planning of their new homes, as well as maintaining their homes post construction. A properly maintained community protects the property values for the benefit of all homeowners.

Communication is essential to ensure a properly maintained community and the Board encourages homeowners to communicate any concerns or ask questions from it or its representatives in the execution of these guidelines.

Failure to comply with these guidelines shall result in receiving a notice of non-compliance with a date to resolve the non-compliance. Homeowners are required to adhere to the resolution date or contact the CEC to request a reasonable extension. Failure to resolve the non-compliance by the original or extension resolution date will result in a fine status with a penalty of fifty dollars (\$50) with a five dollar a day fee until the non-compliance is resolved. Homeowners cited for the same non-compliance within a six (6) month period will receive an automatic fine. Homeowners while in a fine status will be excluded from all KPHOA amenities. The KPHOA reserves the right per the covenants to assess a lien on the home or lot or take action to resolve the non-compliance at the homeowner's expense. As always, up front communication is essential and encouraged to avoid a status of non-compliance.

II. GENERAL DESIGN GUIDELINES

A. RAISE THE HOME OFF THE GROUND

Most styles of homes look best when they are elevated from the ground by a few feet.

Each home must be at a minimum, a block & fill foundation. Foundations that are slab must be approved on a case-by-case basis. This will be determined by the home site itself and if it lends itself to this type of construction. Phases 3 and 4 of Kelly Plantation have had covenants changes to allow slab homes by the developer.

B. USE A GOOD LANDSCAPE PLANNER

A good site and landscape plan for a house will make the most of a land's natural features and vegetation, respect neighboring homes, and enhance the way a home looks from the street. See Section III – Site Standards and IV – Landscape Standards for specific requirements.

C. HIDE THE MODERN CONVENIENCES

Where practical, electric/water meters and air conditioning units should be screened from casual observation by plants, brick knee walls, or other methods approved by the ARC. Roof penetrations should be installed in the back slopes of the roof whenever possible.

D. FOLLOW A STYLE

Fences, walls, additions, decks, and auxiliary buildings should be built in the same style as the home so that the addition appears as if it were built when the home was constructed. Any extras should be an extension of the home. For example, a rear deck should never be left as unstained pressure treated wood unless the house is constructed of the same material.

III. SITE STANDARDS

A. HOME MINIMUM SQUARE FOOTAGE

(Declaration of Covenants – Article VI, Section 38)

The Minimum Square footage is 2,400 square feet for single level homes and 2,600 square feet for multi-level homes in all phases of Kelly Plantation. Minimum Square Footage is defined as the total heated and cooled floor area not including open stairwells and volume space, garages, unfinished basement, and attic areas.

B. EXTERIOR FINISH MATERIALS

(Declaration of Covenants – Article VI, Section 6)

A minimum of 80 percent brick is required for the exterior of any home constructed within Kelly Plantation. Accent materials may include stone, vinyl, or hard plank with approval from the ARC. All exterior finishes are to be selected from the approved

builder list with final review and approval by Kelly Plantation ARC.

Approved Exterior Materials			
Exterior Veneers	Shingles	Doors	Windows
Brick	Architectural Style Shingles	Wood	Single Hung
Stone		Decorative Raised Panel	Casement
Wood Lap Siding		Iron/Wrought Iron Doors	Wood Clad
Cast Plank			Vinyl Clad

Table 1 – Approved Exterior Materials

C. EXTERIOR COLORS

(Declaration of Covenants – Article VI, Section 38)

1. All exterior colors are to be harmonious with the overall theme of the subdivision. Selections are subject to the approval of the Kelly Plantation ARC.
2. Repainting of existing exteriors, trim, shutters, doors etc. shall be the same as the original color unless approved by the ARC on a case-by-case basis.

D. ROOF PITCH

(Declaration of Covenants – Article VI, Section 38.v)

The main body of all dwellings shall have a roof pitch of 8/12 or greater. Detached Garage/Auxiliary Structure roofs are to have a pitch of 4/12 or greater.

E. GARAGES

(Declaration of Covenants – Article VI, Section 5, Article VI, Section 38)

The Covenants state that there will be no front facing garages and that all homes will have an attached two or three car garage as part of the home plan with a side entry door. Over time, the Kelly Plantation covenants have been adapted to include the addition of a third garage to be front facing for both attached and detached structures to the primary residence. All homeowners desiring to add an additional attached or detached front facing garage must receive approval from the ARC before building to this configuration.

Carports are not permitted and are defined as: A covered structure used to offer limited protection, primarily to vehicles. The carport is primarily designed as a free-standing structure, but also some are attached to a wall. Carports typically have no walls, but may in some cases have one, two or up to three walls.

F. BUILDING SETBACKS

A “setback” is the distance a building or other structures must be from the property lines (front, side, and rear). This setback stipulation shall apply to all residences, permitted auxiliary buildings, and other improvements, including porches, stoops, steps, terraces, decks, and patios. (A “dwelling” is any structure that is used for or contains residential living space. Auxiliary Structures are defined as non-dwelling structures, such as workshops, garages, greenhouses, pool houses, etc., which were not part of original house plan.

At the outset of the HOA, the setback for new residences was established in the covenants for all dwellings within Kelly Plantation. Although the setback may be enlarged or decreased at the discretion of the ARC, a minimum setback of 10 feet on each side and 25 feet at the rear of the dwelling is required. In addition, the front setbacks for homes are indicated on the plat schematic at 35 feet in Phases I and II, and 25 feet in Phases III and IV of Kelly Plantation HOA.

For detached garages and auxiliary structures approved by the ARC, the setback of the building must be a minimum of 5 feet from the side property lines and a minimum of 7.5 feet at the rear as measured from the eaves of the roof to the property line. This setback is stipulated by the Madison County Plat Maps that were put in place at the initiation of each Phase within the KPHOA. However, all side and rear setbacks are still subject to written ARC approval prior to construction of any auxiliary structure or detached garage.

All plans for Auxiliary Structures must be submitted to the ARC for review. The design of the building must be consistent with the home and if applicable will be brick with the same roof and siding materials as if built with the original structure. All structures shall be on a concrete slab.

Homeowners are reminded that along with a notification to ARC, many renovations to their property must also be submitted for review/approval through The Madison County authorities. Some contractor companies may make this notification as part of the deal, but ultimately the responsibility lies with the homeowner. Inspections are scheduled as necessary for Electric/Cable TV/Telephone/Gas/Water/Sewer when digging/trenching will be conducted. <https://www.madisoncountyal.gov/departments/inspection/residential>

G. EASEMENTS

(Declaration of Covenants – Article VI, Section 19, Article VI, Section 27; Article VI, Section 32, Article VI, Section 33, Article XII)

All portions of the development, including home sites, are subject to the various easements described in the Declaration of Covenants, Conditions and Restrictions. All homes will have sidewalks, landscaping, driveways, walkways, terraces, patios, and mailboxes. All items permissible within an easement are the responsibility of the homeowner regarding maintenance. If there is a need to remove items for access to the easement, the homeowner shall comply. A homeowner building a fence in a county easement area that blocks access may be required to remove fencing to grant access to the county.

H. SWIMMING POOLS, AMENITIES, AND HOT TUBS

Swimming Pools, Hot Tubs and other amenities shall be permitted only with approval by the ARC.

I. AIR CONDITIONING COMPRESSORS

(Declaration of Covenants – Article VI, Section 22, Article VI, Section 34)

Compressors shall be located at the rear or side of the home whenever possible. They will be screened with landscape or architectural treatment. No window mounted units shall be allowed.

J. UTILITY METERS

(Declaration of Covenants – Article VI, Section 22)

Utility Meters shall not be visible from a street or lake whenever possible.

K. MAILBOXES

(Declaration of Covenants – Article VI, Section 32)

Mailboxes shall be black and mounted on black iron poles with house number tabs. Most mailboxes in Kelly Plantation have been installed by:

NEW MARKET IRON WORKS 1604 Jordan Road, Huntsville, Alabama 35811
(256) 746-3999

Only the approved mailbox design for Kelly Plantation will be permitted.

IV. LANDSCAPE STANDARDS

A. GENERAL LANDSCAPE GUIDELINES

(Declaration of Covenants – Article VI, Section 33)

All yards shall be landscaped pursuant to landscape and irrigation plan reviewed and approved by the ARC at least 30 days prior to completion of home.

Shrubbery is required in the front yard and at least half of them should be of an evergreen type that grows year-round.

Shrubs shall be planted in a bed of mulch or ground cover other than turf grass and should be no smaller than 3 gallons. Trees must be at least 1-inch caliper.

Front yard flower beds shall have edging consisting of brick or common edging.

Front and side yards must be sodded. Rear may be seeded and strawed.

All proposed trees shall conform to be the minimum size standard listed below, based on American Standards for Nursery Stock, ANSI Z60.1, published by the American Association of Nurserymen and approved by the American National Standards Institute, as follows:

- Suggested Large Trees:
 - Type 1, shade trees, 2.5 inches caliper, 12 feet height range, Sugar Maple, Red Maple, Tulip Poplar, Sycamore, Red Oak, White Oak, and Willow Oak.
 - Type 2, shade trees, 1.5 inches caliper, 5-8 feet height range - Weeping Willow, Bradford Pear, Golden Rain Tree, Southern Magnolia, Zelkova, River Birch and European Birch.
 - Type 5, Coniferous Evergreens, 5-6 feet height range - Pine species, Hemlock, and Spruce.
- Suggested Smaller Trees:
 - Type 3, small upright trees, 1 inch caliper, 6-7 feet height range-Redbud, Crabapple, Crepe Myrtle, Cherry Laurel, and Flowering Plum.
 - Type 4, small spreading trees, 5-6 feet height range - Flowering Dogwood, Star Magnolia, Flowering Cherry, and Japanese Maple.

If existing trees meet requirements of this covenant in all respects, required trees of the covenant may be omitted. Each existing tree meeting requirements may count, at the option of the homeowner, for one of the trees in its required class, provided it:

- Is not one of the following species: Box Elder, Silver Maple, Catalpa, Cottonwood, Camphor, Mimosa, Chinaberry, Princess Tree, or Siberian Elm.
- Has a live crown and is free from serious root, trunk, and crown injury.
- Is indicated on the landscaping plan as tree "to be saved".
- Is situated so that it can be incorporated into the landscape with minimal grade, cut, or fill under the drip line of the tree.

Ground cover may include shrubs and low-growing plants such as Liriope, English Ivy, Periwinkle, and similar material. Flowerbeds must be maintained to prevent weeds and grass.

The standard for flower beds is that they shall be covered in shredded bark, or wood such as cedar or pine mulch. Any deviation for rubber, stone or other material mulch shall require prior approval by the ARC.

Automatic Irrigation systems are required for all new home construction to cover flower beds, lawns, and trees.

Sidewalks shall be required to attach to existing sidewalks.

B. IMPROVEMENTS OR ELABORATE LANDSCAPING

All decks, gazebos, pergolas, fencing, play structures, outdoor fireplaces, outdoor kitchens, porches, detached garages, or add-on dwelling or non-dwelling structures, water features, elaborate landscaping and any other similar improvements as determined by the ARC are to be consistent with the architectural style of the home and shall comply with the ARC requirements and must be approved by the ARC prior to construction.

C. TEMPORARY AND PERMANENT IMPROVEMENTS

No other temporary buildings or structures will be permitted on any home site except as described in the Declaration of Covenants, Conditions and Restrictions. Special consideration for Pods (shipping or CONEX containers) or tents in order to perform major home renovations may be granted on a case-by-case basis.

Homeowners doing renovations are asked to notify the CEC as to advise the neighborhood of the impact with regards to debris containers, porta potties, construction crews/vehicles, and building materials.

D. SIGNAGE

(Declaration of Covenants - Article VI, Section 4)

All signs are subject to scrutiny by ARC and will not be affixed to trees, traffic or street signs nor placed in the common areas. Small garden flags, the United States and state flags, team sport flags and other decorative flags are approved provided they do not exceed 3x5 feet and are displayed in a flag holder affixed to the primary residence. No other signage, banners, flags, or advertising posters shall be allowed without ARC approval. Yard flagpoles are subject to approval by the ARC. Temporary signage for renovations may be placed in the yard during renovation but must be removed at completion.

Recently temporary yard signs were displayed that announce special events, such as, graduations and birthdays. These signs have sometimes been as large as the yard is wide. The KPARC has no intention of stifling the celebratory messages; however, the signage is not to be on display for longer than fourteen (14) days.

E. OTHER ITEMS

The following other items are subject to ARC approval.

- Tree Houses
- Play equipment (restricted on lake lots, subject to approval)
- Playhouse (restricted on lake lots, subject to approval)
- Dog houses
- Exterior Lighting
- Flag Poles (not mounted on the home)
- Basketball goal (mounted on black poles and have clear Plexiglas or acrylic backboard).
- Aviaries, raised garden plots, waterfalls, fountains, fire pits, etc.
- Large front lawn ornaments
- Solar Panels

F. FENCING/PRIVACY WALLS

(Declaration of Covenants – Article VI, Section 19)

All fences must conform to the Kelly Plantation Fencing Requirements outlined herein. These requirements designate the location, design, and minimum fencing requirements for individual home sites. These requirements may restrict or prohibit certain fence or wall treatments desired by homeowners. The purpose of the requirements is to create continuity within the community as viewed from the lakes, roads, open space areas and natural areas. These requirements should be consulted prior to starting any design

work for new construction or when adding a fence to existing property.

All fences/privacy walls must be approved by the ARC prior to their installation.

NOTE: Failure to receive approval before beginning construction may result in a non-compliance notification as well as being subject to a fine and removal notice.

All fences/privacy walls shall only be built in the rear and side yard areas and not to exceed six feet in height. The standard for fences shall be treated wood made using a shadowbox design with an arched top and using gothic topped posts. Fences shall be stained in brown or cedar tones to compliment the home trim and adjoining fence stain colors. To allow for wood seasoning, newly constructed fences and repaired fence sections shall be stained within 6 months of completion. Fence stain shall be periodically recoated to maintain an attractive appearance.

Fences established in Phases 1 prior to Kelly Plantation HOA authority that are vertical plank fencing have been grandfathered with the exception that replacement of any vertical plank fencing will need to be built back as to comply with the KPHOA and ARC standard.

Any deviation to the standard to erect wrought iron style fencing must be approved by the ARC. Consideration will be given to neighboring lot fencing and overall aesthetics when rendering a decision. Iron fencing is not considered as privacy fencing.

On lots bordering ponds, only wrought iron style fencing shall be approved unless otherwise approved on a case-by-case basis by the ARC. Fences/privacy walls will not be permitted in the buffer area around ponds.

Fences are to extend to the lot's property lines so no gaps remain between adjoining lot fences. Homes in Phases 3 and 4 not built to the property line at the time of construction by the declarant will be required to adhere to the lot line guideline in the event the fence will need replacement. Homeowners are required to maintain any areas where gaps may exist and keep the areas IAW covenants enforcement standards.

Any fences that are to be connected to a neighbor's fence must seek to obtain the written permission from the adjoining property homeowners. The signed agreement must be noted in the ARC request. This agreement is necessary to establish that the homeowners understand that they are equally responsible for any future upkeep of the fence regardless of who originally erected the fence.

Brick columns to match the house at the corners of the fence line are permitted but not required per a previous covenants change.

Details of fences/privacy walls shall be submitted to the ARC indicating proposed fence

design, location on the lot, and stain color.

Privacy walls are to be constructed IAW the standards of the fences (i.e., shadowbox at no more than 6 feet high.) and of a color that matches the fence/ dwelling.

Fences, walls, and hedges should be considered as design elements to enclose building forms to the landscape, as well as to assure security and privacy elements.

Homeowners will be encouraged to screen boundaries, with natural trees or shrubs when possible.

All fences are to be properly maintained and stained. Any fence or fence structure not properly maintained may be subject to removal at the homeowner's expense.

Fences are to extend to the lot property lines so that no areas are left unfinished and unclaimed for upkeep responsibilities. Exceptions are made for some properties where drainage areas have been established between properties.

No chain link, vinyl coated, or wires fences shall be permitted.

Example of Fence – (before stain, arched shadowbox and gothic posts)



Example of Stain Color Choices



Semi-Transparent

Freshen up the look of wood with a wash of subtle color. Available in 50 nature-inspired shades.

Semitransparente

Refresca la apariencia de la madera con un lavado de color sutil. Disponible en 50 tonos inspirados en la naturaleza.



Rusticana



Redwood Naturaltone*



Quiet Chamois



Badlands Red



Cedar Naturaltone*



Simply Cedar

V. ARC SUBMITTAL PROCEDURES

(Declaration of Covenants – Article VI, Section 11)

Kelly Plantation has been a carefully planned residential community that attempted to keep as much of the natural beauty of the land as possible.

To help ensure that the character of Kelly Plantation be maintained the ARC was established to review the designs and plans for improvements and additions as well as new construction of all dwellings within the community.

Prior to the commencement of any construction on a property, the homeowner is required to submit their anticipated project to the ARC for review and approval the following:

- 1) Architectural Drawings and Specifications.
- 2) Site Plan and picture(s).
- 3) Landscape plan.
- 4) **Plan Submittal Application Form** located on the website <https://kellyplantationhoa.net/>
- 5) All exterior color and brick samples.

All submissions must be complete to be reviewed by the ARC. Incomplete submissions will not be reviewed until all information is received. Clearing and/or construction cannot begin prior to the Applicant receiving an approved Plan Submittal Application Form from the ARC.

(Submit requests to ELITE Site: <https://elitehousing.appfolio.com/connect/>)

If any changes are made during construction, the applicant must submit an edit to the plans for review and that change is subject to approval by the ARC. All changes shall be indicated on the drawings or schedules. The applicant is encouraged to submit changes prior to construction or risk receiving a "Letter of Compliance" that could delay the project after a "halt construction" order is put in place until resolved. In the worst case, this could even result in a removal order for the project.

Plans will be reviewed by the ARC within 30 days or less with a response back to the homeowner as:

- Approved
- Approved as noted
- Requesting Additional Information
- Denied/Resubmit as noted in order to be within the ARC guidelines.

NOTE: The ARC may request a meeting with the homeowner/construction manager for clarification of submissions.

A. ARCHITECTURAL PLANS

(Declaration of Covenants – Article VI, Section 11)

Architectural plans shall include site and landscape plans and include all exterior elevations including, front, side, and rear.

B. SITE PLANS

(Declaration of Covenants – Article VI, Section 11)

All site plans shall be submitted to the ARC along with pictures. The following items should be indicated on the site plan:

- Property lines, building setbacks, easements, any potential buffer zones, and adjacent street(s).
- Footprint and finish floor elevation of proposed structure.
- Site amenities (swimming pool, gazebo, screen porches, etc.). NOTE: All proposed site amenities must include individual detailed drawings.
- Location of driveways, decks, walkways, terraces, patios, retaining walls, etc.
- Erosion control (indicating silt fences, hay bales and location of gravel driveway to be used during the construction period).
- Location of play equipment, air conditioning compressors, generators, outdoor lighting, mailbox, trash container storage, fencing, etc.

C. LANDSCAPE PLANS

(Declaration of Covenants – Article VI, Section 33)

Landscape plans are to be submitted prior to installation and no later than 60 days after home is started. Landscape plans shall be submitted to the ARC at least 30 days prior to completion of the home construction. This plan will include the entire lot and indicate the following:

- General information, including all property lines, locations of all easements, and rights-of-ways.
- All homes will be required to have automatic sprinkler systems.
- Construction information, including the locations of buildings, driveways, walks, walls, fences, and terraces.
- Locations, caliper, species (common name), and intended treatment (move, remove or save) of existing trees that are four inches or greater in diameter at chest height.
- A schedule of all new and existing plants proposed for landscaping, including size (caliper and height) of trees, shrubs, and ground cover, and type and amount of turf grasses.
- Each home built should have trash receptacles and a portable toilet available during construction.
- Builders shall erect temporary barriers to keep construction debris from entering neighboring properties.
- It is the builder's responsibility to practice good housekeeping and ensure construction debris and other trash is contained and does not litter the neighborhood.
- Builders in non-compliance will be subject to fines and or liens by the KPHOA Board.

VI. LAWN AND HOME MAINTENANCE

- Each homeowner shall maintain the outer appearance of their lot through regular yard maintenance to include watering, weed control, mowing, edging, weed-eating, tree and shrub trimming. During our typical Alabama growing season, most lawns should be mowed every week to two weeks.
- Homeowners are encouraged to keep weeds at a minimum and should adhere to a regular weed maintenance plan. Homeowners with a heavily weeded lawn could be required at the Boards discretion to require a commercial lawn maintenance contract or re-sod of the yard.
- Shrubs shall not be allowed to grow up to cover front windows of the home.
- Dead shrubbery shall be removed in a timely manner and replacement will be required to adhere to the minimum number of shrubs required in the landscaping plan.
- Trees shall be pruned as to inhibit limbs from encroaching on the home.
- The standard for flower bed mulch shall be insect resistant bark, shredded wood, or pine mulch any deviation from the standard shall require ARC approval.
- Yard Waste Pick up and Bulk item pick up is designated by the County. Kelly Plantation pick up of Yard waste and Bulk pick up is designated as the second Monday of each month. Homeowners may place items to the curb for this pick up the weekend prior.
- Homeowners can place trash and recycle containers out the night before refuse pick up and are to return containers to home after pickup. County approved trash and recycle containers are to be stored either in the garage or in such an area in the driveway as to minimize view from the street.
- Homeowners are expected to sweep up and bag any debris left behind after trash pick-up. Homeowners are prohibited from placing bagged debris, dumping clippings or other lawn and tree debris on undeveloped lots.
- Lawn debris shall be swept off/or blown off sidewalks and in front of curbs back into the yard or collected and bagged. Grass clippings are not to be left or blown into the street and/or storm drain. Grass clippings left in the street promote weed growth and clog storm drains.

- Grass clippings, shrub trimmings, etc. shall be neatly bagged and in addition to tree limbs, placed on the curb for bulk pick-up no earlier than the weekend before the county designated bulk trash pick-up week. Tree limbs must be broken down and neatly stacked and arranged so that they do not encroach on neighboring lots or into the street to inhibit the normal flow of traffic.
- Homeowners are expected to keep curbs in front of their home free from debris and weeds.
- Homeowners shall not allow the home to become in disrepair. Routine maintenance for outdoor lighting fixtures, railings, flower bed edgings, mailboxes, etc. shall be maintained in good condition.
- Homeowners shall periodically pressure wash driveways, sidewalks and siding as required.
- Doors, windows, shutters, gutters, roofing, flashings etc. shall be maintained in good condition.
- Driveways are not to be used to store play equipment, outdoor furniture, wood piles or other storage containers such as empty plant containers or any other materials that make the driveway look unsightly and cluttered.

VII. AUTOMOBILES, RVS, CAMPERS, TRAILERS, AND PARKING

(Declaration of Covenants – Article VI, Section 5)

A. HOMEOWNER PARKING

Homeowners with more automobiles than garage space are to park automobiles in their driveway and not in the street.

- Campers and boats are allowed to be parked in the driveway for prepping, de-winterizing, and winterizing, but no longer than 48 hours unless receiving approval from the HOA.
- Motorcycles, recreational vehicles, jet skis, and utility trailers are to be parked in the garage. If garage space is not available, it shall be stored behind a privacy fenced yard. Campers and boats for permanent storage shall be required to be parked on a concrete slab behind a fence or in a garage. Homeowners desiring permanent storage of campers and boats more than 25 feet shall require approval of the HOA Board. Homeowners shall maintain all vehicles stored in and on the property to not fall into disrepair.

- The driveway is to be used for vehicles that are in regular use and not for long term storage of any vehicle not in use. Vehicles are not to be parked/stored in backyard. Any non-working vehicles are prohibited from being stored in the driveway or backyard at any time. Project cars are not to be stored or worked on in the driveway.

B. KPHOA CLUBHOUSE AND STUDENT PARKING

The KPHOA Clubhouse parking lot is on private property and shall fall under the authority of the KPHOA to determine usage. Homeowners are authorized use while using the KP Clubhouse as well as the swimming pool, tennis courts, playground, and fishing ponds. The parking lot of the KPHOA Clubhouse shall not be used for temporary overflow parking unless approved by the KPHOA. In all cases KPHOA Clubhouse events will have priority over temporary parking.

Student parking in the clubhouse parking lot is available for KP students only during school hours and events with authorized displayed KP decal issued by the KPHOA if the clubhouse is not rented. Decals can be obtained by contacting the designated focal listed on the KP Website.

Homeowners are not authorized to allow non-resident students parking on Kelly Plantation streets during school hours and school events. Non-resident students parking on Kelly Plantation streets during school hours or school events will be ticketed and towed at the owner's expense.

Parking shall not be allowed at any time on the common areas, raised curbs or on front lawns. Turning lanes by the front ponds are not authorized for parking and shall not restrict traffic flow.

VIII. PONDS AND COMMON AREAS

(Declaration of Covenants – Article V, Section 2, Article VI, Section 20)

Kelly Plantation Ponds are for the use of Kelly Plantation residents and guests only. Pond side fishing is allowed at all three ponds for catch and release only. Boats and water floats of any type are not allowed in the KPHOA ponds at any time. Swimming is not allowed in any pond. Residents are asked to please remove all bait and fishing equipment before leaving.

The KPHOA Board seeks to provide a fun and safe environment for our children. Playgrounds are for the use of Kelly Plantation residents and guests only. Residents are kindly asked to report any disrepair or safety concerns to the KPHOA VP of Grounds and Facilities immediately.

Kelly Plantation – Harvest, Alabama

Common areas located throughout Kelly Plantation are for the enjoyment of the KPHOA Community and may be used from time to time for KPHOA activities sponsored by the KP Events Committee.

KPHOA Board Guidelines for Initiating a Fine for Unresolved Covenant Infractions



1. Covenants Enforcement Committee (CEC) is a function covered by the KPHOA contract with Elite Management Company. Elite initiates first notice of “non-compliance” to resident either via email and/or notice on mailbox indicating when compliance must be met.
2. If resident fails to communicate with CEC to request assistance/extension by requested compliance date or fails to submit a plan to the CEC to meet compliance by requested date, the CEC will initiate procedures to request a fine by the KPHOA Board.
3. CEC will send to the KPHOA Board all pertinent information regarding the lack of compliance with the Covenants Guidelines to include a detailed description of in the infraction as well as any photos taken to show non-compliance.
4. KPHOA Board approves fine letter.
5. Fine Letter will be completed and sent via email AND regular mail by either the KPHOA Board President or the Vice President of Covenants. The CEC will update their spreadsheet to indicate the residence is in “fine status”.
6. A copy of the fine letter will be sent to the KPHOA Treasurer to ensure fine is paid as well as to track any additional fees assessed.
7. The KPHOA Secretary and VP of Security will be notified in order to suspend amenities and privileges of the homeowner until the fine is paid.
8. The CEC will continue to monitor the residence for compliance. Once compliance has been achieved and the KPHOA Board receives full payment for all fines/fees, then the homeowner’s amenity privileges will be reinstated.