

Dillard's Crossing Homeowners Association, Inc. Architectural Control Committee Design Standards and Guidelines

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SECTION 1

**ARCHITECTURAL
CONTROL
COMMITTEE**

ARCHITECTURAL CONTROL COMMITTEE OVERVIEW

CREATION AND COMPOSITION OF THE ACC

An Architectural Control Committee (the "ACC") shall be established by the Board of Directors for Dillard's Crossing (the "Board"). The Board shall appoint all members of the ACC.

Members of the ACC shall be appointed for a calendar year term. If any vacancy shall occur in the membership of the ACC by reason of death, incapacity, resignation, removal or otherwise, the remaining members of the ACC shall continue to act and such vacancy shall be filled by the Board at the earliest possible time. Any ACC member may resign at any time by giving written notice of such resignation to the Chairman of the ACC and such resignation shall take effect on receipt thereof by the Chairman. The Board may remove any member of the ACC at any time with or without cause.

All costs of operation of the ACC shall be borne by the Association.

PURPOSE, POWERS AND DUTIES OF THE ACC

The purpose of the ACC is to assure that any proposed installation, construction or alteration of any Town Home shall be in conformity and harmony of external design and general quality with the existing standards of the neighborhood and with the general community wide standards of Dillard's Crossing.

To the extent necessary to carry out such purpose, the ACC shall have all of the powers and duties to do anything and everything necessary, suitable, convenient or proper for, or in connection with, or incidental to, the accomplishment of such purpose, including, without being limited to, the power and duty to approve or disapprove alteration of any Town Home.

The ACC shall be responsible, subject to Board approval, for enforcement of the relevant provisions of the Declaration of Covenants and Restrictions, as may be amended from time to time, (the "Declaration"), including provisions set forth in Article VI, Architectural Control, Article IX, Use Restrictions and Article X, Maintenance Responsibility of Town Homes and Easement Areas.

OFFICERS, SUBCOMMITTEES AND COMPENSATION

The members of the ACC shall appoint a Chairman from among the members of the ACC and may appoint such other officers and subcommittees of members of the ACC as they shall from time to time determine necessary.

The members of the ACC shall be reimbursed by the Association for traveling expenses and other out-of-pocket costs incurred in the performance of their duties as members of the ACC.

OPERATIONS OF THE ACC

Meetings

The ACC shall hold regular meetings at least once every six (6) months or more often as may be established by the ACC. Special meetings may be called by the Chairman or upon the written request of a majority of the members of the ACC then in office. Regular and special meetings of the ACC shall be held at such time and at such place as the ACC shall specify. Notice of each regular or special meeting of the ACC shall be either hand delivered or mailed to each member thereof at his residence or at his usual place of business at least three (3) days before the day the meeting is to be held. Notice of regular and special meetings need not specify the purpose or purposes for which the meeting is called. Notice of a meeting need not be given to any member of the ACC who signs a waiver of notice either before or after the meeting. Attendance of a member of the ACC at a meeting shall constitute a waiver of notice of such meeting and shall constitute a waiver of any and all objections to the place of the meeting, the time of the meeting, or the manner in which it has been called or convened, except when the member states at the opening of the meeting, that member's objection or objections to the transaction of business.

At each meeting of the ACC, the presence of a majority of the members then in office shall constitute a quorum for the transaction of business. Except as otherwise provided herein, the act of a majority of the members of the ACC present at any regular or special meeting thereof at which a quorum is present shall constitute the act of the ACC. In the absence of a quorum, any member of the ACC present at the time and place of the meeting may adjourn the meeting until a quorum shall be present. At any adjourned meeting at which a quorum is present, any business may be transacted which might have been transacted at the originally called meeting.

The ACC shall maintain both a record of votes and minutes for each of its meetings. The ACC shall make such records and minutes available at reasonable places and times for inspections by Members of the Association and by the Association Secretary. All records shall also be copied and provided to the Association Secretary for safekeeping. **[NOTE: This last sentence is not in the Declaration, but it makes sense from a practical standpoint. Does the Board agree?]**

Any action required to be taken at a meeting of the ACC or any action which may be taken at a meeting of the ACC may be taken without a meeting if written consent, setting forth the action so taken, shall be signed by all of the members of the ACC and be filed within the minutes of the proceedings of the ACC. Such consent shall have the same force and effect as a unanimous vote, and may be stated as such in any document filed by the ACC.

Activities

The ACC shall adopt and promulgate the Design Standards described in the Declaration and shall, as required, make findings, determinations, rulings, and orders with respect to the conformity with said Design Standards of plans and specifications submitted to the ACC pursuant to the provisions of these Guidelines. The ACC shall, as required, issue permits, authorizations, or approvals, which may include specific requirements or conditions, pursuant to the provisions of the Declaration.

Any two (2) or more members of the ACC may be authorized by the ACC to exercise the full authority of the ACC with respect to all matters over which the ACC has authority, except with respect to the adoption or promulgation of the Design Standards. The unanimous action of the two (2) or more members with respect to the matters specified shall be final and binding upon the ACC and upon any applicant for an approval, permit or authorization, subject, however, to review and modification by the ACC on its own motion or appeal by the applicant to the ACC as provided in this paragraph.

Written notice of the decision of such two (2) or more members shall be given to any applicant for an approval, permit or authorization within five (5) working days after written request for action by the applicant. The applicant may within ten (10) days after receipt of notice of any decision which he deems to be unsatisfactory, file a written request to have the matter in question appealed to the entire ACC. Upon the filing of any such request, the matter shall be submitted to, and reviewed promptly by the ACC, but in no event shall such a request for appeal be reviewed later than thirty (30) days after the filing of such request. The decision of a majority of the members of the ACC shall be final and binding unless the applicant wishes to appeal the ACC's decision to the Board of Directors. In this event the matter will be handled in accordance with the process set forth in the Declaration.

The approval of plans or specifications by the ACC shall in no way subject the ACC or its members to any liability or responsibility for defects or loss sustained by virtue of the consent thereof. Plans and specifications are not approved for

engineering or structural design, structural integrity, compliance with local, state or federal laws, or quality of materials, and by approving such plans and specifications, neither the ACC, the members thereof, nor the Association assumes liability or responsibility therefore, for any defect in any Town Home alteration constructed from such plans and specifications. Neither Declarant, the Association, the ACC, the Board, nor the officers, directors, members, employees, and agents of any of them shall be liable in damages to anyone submitting plans and specifications to any of them for approval, or to any Owner of property affected by these restrictions by reason of mistake in judgement, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any such plans or specifications. Every Owner agrees that he will not bring any action or suit against Declarant, the Association, the ACC, the Board, or the officers, directors, members, employees, and agents of any of them to recover any such damages and hereby releases, remises, quitclaims, and covenants not to sue for all claims, demands, and causes of action arising out of or in connection with any judgment, negligence, or nonfeasance and hereby waives the provisions of any law which provides that a general release does not extend to claims, demands, and causes of action not known at the time the release is given.

Obligation to Act

The ACC shall take action on any plans and specifications submitted as herein provided within fourteen (14) days after receipt thereof. Approval by the ACC, if granted, together with any conditions imposed by the ACC, shall be placed in writing on the plans and specification and shall be returned to the applicant. Failure by the ACC to take action within fourteen (14) days after receipt of plans and specifications submitted for approval shall be deemed approved.

Fees

The ACC may impose and collect a reasonable and appropriate fee to cover the cost of review of plans and specification and of inspections performed pursuant to the Declaration. The fee shall be established from time to time by the ACC and published in the Design Standard.

Inspection

The ACC or any employee or agent of the Association, after reasonable notice and only during reasonable times, enter upon any Town Home thereon for the purpose of ascertaining whether the installation, construction, alteration or maintenance of the Town Home or the use of any Town Home is in compliance with the provisions of this Declaration. Neither the ACC, nor the Association, nor any such agent shall be deemed to have committed a trespass or other wrongful act solely by reason of such entry or inspection, provided such inspection is carried out in accordance with the terms of Article VI of the Declaration.

SECTION 2

DESIGN STANDARDS OVERVIEW

DESIGN STANDARDS OVERVIEW

Under Article VI, Section 5 of the Declaration, the ACC has the authority to, from time to time, adopt, promulgate, demand, revoke and enforce guidelines (the "Design Standards") for the purposes of:

- Governing the form and content of plans and specifications to be submitted to the ACC for approval pursuant to the provisions of the Declaration;
- Governing the procedures for such submission of plans and specifications;
- Establishing guidelines with respect to the approval and disapproval of design features, architectural styles, exterior colors and materials, details of construction, and all other matters that require approval by the ACC pursuant to the Declaration; and
- Assuring the conformity and harmony of external design and general quality with Dillard's Crossing's community-wide standards.

The ACC shall make a published copy of its current Design Standards and Guidelines readily available to the Members and prospective members of the Association and to all applicants seeking the ACC's approval.

AUTHORITY

These Design Standards are adopted pursuant to authority granted to the Architectural Control Committee (hereinafter referred to as the "ACC") of Dillard's Crossing under Article VI of the Declaration. Please note that pursuant to the Declaration: **No alteration to a Town Home is permitted which materially changes the exterior appearance of the Town Home, unless plans and specifications therefore shall have been submitted to and approved in writing by the ACC. Such plans and specifications shall be in such form and shall contain such information as may be reasonably required by the ACC in the Design Standards, including, without being limited to:**

(a) Specifications of materials, color scheme, and other details affecting the exterior appearance of the Town Homes.

(b) A landscape plan indicating all proposed changes to the existing landscape, including changes in grade, changes to existing landscaping, proposed landscaping, site lighting, and drainage.

The requirements of these Design Standards shall be in addition to and not in lieu of the requirements and provisions of the Declaration.

PURPOSE

These Design Standards are for the sole and exclusive purpose of assuring that all Town Homes within the Community are in conformity and harmony of external design with the existing standards of Dillard's Crossing Subdivision and in accordance to the Declaration.

DEFINITIONS

The words used in this document shall have the same meanings assigned to them by the Declaration.

SUBMISSION OF PLANS AND SPECIFICATIONS

Any construction or alteration to a home or lot that is directly addressed in the Design Standards and completed in accordance with said standards will not require review by the ACC unless specifically noted within the Standards. Homeowners who choose to undertake construction without prior ACC approval do so at their own risk and may face monetary penalties if said construction or alteration is not in compliance. (Example: if a homeowner changes paint color without prior approval and selects a non-compliant color, re-painting will be required and additional fines may be imposed).

Plans and specifications for the alteration to, construction of, \or replacement of, any alteration to any Town Home that are not directly addressed in the Design Standards are to be submitted to and will be reviewed by the ACC in accordance with the requirements of the Declaration. Each Owner will submit to the ACC at least one complete set of such plans and specifications clearly designating what exterior construction, addition or alteration modification is to be undertaken. Plans may be submitted to the ACC by delivering said plans to any ACC member or the Management Company.

- Plans and specifications should include **at minimum** information showing the materials, color scheme, and other details affecting the exterior appearance of the Town Homes.
- Plans and specifications can include the nature, kind, shape, materials, and location of the proposed alteration and estimated date of completion.

- For landscaping plans, the plans and specifications should indicate all proposed changes to the existing landscape, including changes in grade, changes to existing landscaping, proposed landscaping, site lighting, and drainage.

REVIEW CRITERIA

The ACC will evaluate all submissions on the individual merits of each application. In addition to evaluation of the particular design proposal, this will include consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance may not be for another. Design decisions made by the ACC in reviewing applications are not based on personal opinion or taste. Judgments of acceptable design are based on the following criteria which represent in more specific terms the general standards of the Declaration.

- **Relation to the Natural Environment.** Fencing in particular can have damaging effects on the feeling of open space. Other factors such as removal of trees, disruption of the natural topography and changes in rate or directions of storm water run-off also adversely affect the natural environment.
- **Conformance with Covenants.** All applications are reviewed to confirm that the project is in conformance with the Declaration.
- **Validity of Concept.** The basic idea must be sound and appropriate to its surroundings.
- **Design Compatibility.** The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
- **Location and Impact on Neighbors.** The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage. For example, fences may obstruct views, breezes or access to neighboring property; decks or larger additions may cast unwanted shadows on adjacent patio or infringe on a neighbor's privacy. When a proposed alteration has possible impact on adjacent properties, it is suggested that the applicant discuss the proposal with neighbors prior to making application. The ACC, in its reasonable discretion, may require the applicant to submit neighbor comments on the proposed modification.
- **Scale.** The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.
- **Color.** Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house, including, but not limited to roofs, siding and trim should be matching in color.
- **Materials.** Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, vertical wood siding on the original house should be reflected in an addition. On the other hand, an addition with wood siding may be compatible with a brick house.
- **Workmanship.** Workmanship is another standard which is applied to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor practices, in addition to causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards. The Association assumes no responsibility for the safety of any construction by virtue of design or workmanship.
- **Timing.** The majority of alterations will be built or installed by the residents themselves rather than a contractor. However, projects which remain uncompleted for long periods of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include estimated completion dates. If such time period is considered unreasonable, the ACC may disapprove the application. If such completion date is not met, the ACC may take action as appropriate. The ACC also may establish as a condition the reasonable time period in which the work must be commenced and/or completed.

ARCHITECTURAL GUIDELINES

Each of the following guidelines addresses a specific type of modification or "structure" which you may desire to have or place upon your property. These guidelines are to assist you in understanding what will most likely receive approval from the ACC. These guidelines also provide a roadmap to help you avoid problems with the use restrictions defined in the Declaration.

Even though your modification must completely comply with the following Guidelines, you still MUST apply for and receive approval prior to beginning any construction or modification as required in these Guidelines. Homeowners who commence modifications without required approvals may face sanctions by the Board including, but not limited to exercising the right of abatement, after the appropriate notice has been sent pursuant to Article VI, Section 11 of the Declaration.

AMENDMENTS

These Design Standards may be amended from time to time by a majority vote of the members of the ACC. Such amendments will be mailed or delivered to each Lot owner.

SECTION 3

DILLARDS CROSSING DESIGN STANDARDS
AND GUIDELINES

DEFINITION OF USE

DILLARDS CROSSING DESIGN STANDARDS AND GUIDELINES DEFINITION OF USE

This Article sets out certain use restrictions which must be complied with by all owners and occupants. Use restrictions defined under the Declaration may only be amended in the manner provided for within the Declaration.

In addition, the Board may, from time to time, without consent of the members, promulgate, modify, or delete other use restrictions and rules and regulations applicable to the Town Homes and the Association Property. Such regulations and use restrictions shall be distributed to all Owners and Occupants prior to the date that they are to become effective and shall thereafter be binding upon all Owners and occupants until and unless overruled, cancelled, or modified in a regular or special meeting of the total Association vote.

DEFINITION OF USE

All Town Homes shall be restricted exclusively to single-family residential use. The term "single-family" shall include one or more related or unrelated adults, as well as the children of any such adults. No Town Home shall at any time be used for any commercial, business or professional purpose. Notwithstanding the foregoing, nothing set forth in this Section 1 under Article IX of the Declaration shall prohibit the owner of any Town Home from using such Town Home as an office, provided that such use does not create regular customer or client traffic to and from such Town Home and no sign, logo, symbol or nameplate identifying such business is displayed anywhere on such Town Home.

SECTION 4

DILLARDS CROSSING DESIGN STANDARDS
AND GUIDELINES

STRUCTURAL STANDARDS

DILLARDS CROSSING DESIGN STANDARDS AND GUIDELINES

STRUCTURAL STANDARDS

EXTERIORS AND PAINTING - modification request required

Dillard's Crossing ACC has approved a color palette for exterior paint, which is maintained by the Association's management company. This palette encompasses acceptable color ranges for each building and Town Home. The color palette will be periodically reviewed and updated to ensure that the color schemes can be matched to Duron color schemes.

Homeowners wishing to re-paint their homes must check with an ACC member to insure that their desired color scheme falls within the palette. ***THIS INCLUDES RE-PAINTING THE SAME COLOR.*** If a homeowner chooses to re-paint without verifying that their color is part of the approved palette, they risk the requirement to re-paint their home at their own expense within a timeframe specified by the ACC.

The following should be kept in mind when repainting your home:

Exterior Colors - General Evaluation Criteria

- There shall be no changes from the original color scheme.
- The exterior colors of the walls and roof of homes shall be compatible and harmonious with the colors of other homes in the neighborhood.

Project Duration

The repainting of a house is to be completed in a timely manner. Houses are to be repainted within 30 days from the commencement of painting unless special approval is requested and granted.

Quality of Work

Houses are to be repainted in a workman-like fashion. The ACC may demand that a house painted in an unacceptable fashion, as deemed by the ACC, be corrected. Additionally, houses being repainted are to be painted completely on all sides in the 30 day time period specified in paragraph 3. Specifically, the front, sides and back are to be completed during the same time period.

Repairs

Permission is not necessary for repairs and "touch-ups." However, the color used for the repairs must identically match the original color to the satisfaction of the ACC.

GARAGE DOORS

Garage doors must be operational. If damaged, they must be repaired, repainted or replaced immediately. The original garage doors came from the manufacturer, Clopay Building Products. If a garage door needs to be replaced, the ACC requires that the white "Classic Line, Value Plus Series" with a 4x4 short panel design be installed.

WINDOWS

Windows may be updated to the more energy efficient styles if they meet the following criteria:

- Windows on the front of the house must have the same look and style when viewed from the street as the original builder-installed windows. Specifically, each sash on the front of the home will appear to be constructed of multiple, individual panes. Windows on the back and sides of the house may be single paned. Block glass or stained glass is acceptable window material in bathroom windows only, and only on the sides and back of the house.
- Window bars (security bars) are prohibited.
- If window grids are not paintable, then trim color must match or closely complement the color of the window grids (example: white window grids with dark trim are not acceptable).

MAIN ENTRY DOORS

Minimum standard for main entry door is a multi-panel door with or without windows. Doors with leaded glass inlays are permitted. Approved materials are steel, fiberglass, or wood.

Entry doors must be painted to conform with the color scheme on the rest of the structure, or stained a natural wood color. Multi-colored doors are not permitted.

Doorknobs and entry handles, knockers, decorative numbers & kick plates should be kept in good condition, polished and free from rust or corrosion.

STORM DOORS/SCREENED DOORS

Storm doors and screened doors are permitted on the rear entrance doors located on the first and second floors, if they meet the following criteria:

- Frame color should match or closely complement the trim color of the home (example: white doors on homes with darker trim are not acceptable)
- Doors must be constructed of a rigid steel frame and have a glass/screen panel that is at least 1/2 the length of the door. The preferred style for main entry storm doors is full glass.
- Etched, stained, tinted or mirrored glass on storm doors is prohibited.

DECKS

- Decks may be constructed of wood or wood composite materials. Vinyl and plastic decking materials are prohibited. Anyone desiring to construct a deck must obtain prior approval from the ACC. Decks may be stained to a natural wood color, or painted. The ACC recommends a cedartone, red cedar, California redwood, or light cedar semi-solid stain. If a deck is painted, neutral colors (no brights) that complement the color of the home must be used. Previously, owners have used the Total Wood Preservative (TWP 300) product line. This product has been highly rated.
- Should an owner wish to maintain any storage under a constructed deck, approved screening or landscaping must conceal storage items. Failure to do so will constitute a violation of these Design Standards.

POOLS

Pools, of any sort whatsoever, shall not be permitted on the Association Property.

STORAGE SHEDS/OUTBUILDINGS

No Storage Sheds or Outbuildings of any type or style on any Association Property or Easement Area will be approved or permitted.

STRUCTURAL ADDITIONS – modification request required

All additions to the Town Home, without exception, must receive ACC approval prior to commencement of construction. Modification requests should include a scale diagram of the proposed addition, materials list, paint colors (if applicable), and proposed timeframe for the project. The ACC may request a site visit by two or more committee members to assess the impact of the addition on the Town Home and adjacent Town Homes.

SECTION 5

DILLARDS CROSSING DESIGN STANDARDS
AND GUIDELINES

LANDSCAPE STANDARDS

DILLARDS CROSSING DESIGN STANDARDS AND GUIDELINES

LANDSCAPE STANDARDS

FENCES – modification request required

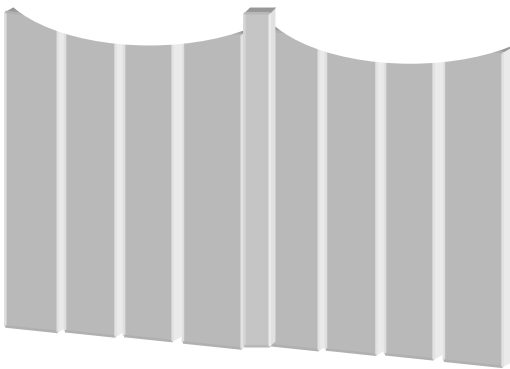
Fences should complement the design, texture, and color within the Community. Fences should include planting as an integral component. The following guidelines will be enforced for all fences in Dillards Crossing:

- Fences are to be a maximum height of _____ feet above grade.
- Fences must follow the grade line, that is, the fence bottom must be no higher than four inches above grade.
- Fences must be either shadowbox (dog-eared or flat top), scalloped top slat privacy (See diagram 1 - Fence Styles and Types Allowed)
- The finished side of the fence is to face away from the lot. The support members are to be on the interior side of the fence and not visible to adjoining properties.
- Fences are to be constructed of wood (preferably natural pressure treated pine or cedar). Metal, chain link, or wire fences are strictly prohibited.
- Fences are to be tinted or stained with clear or natural wood colors only. No opaque stain or non-wood color is allowed. Painting is strictly prohibited.
- No electric or invisible fences are permitted within the Community.

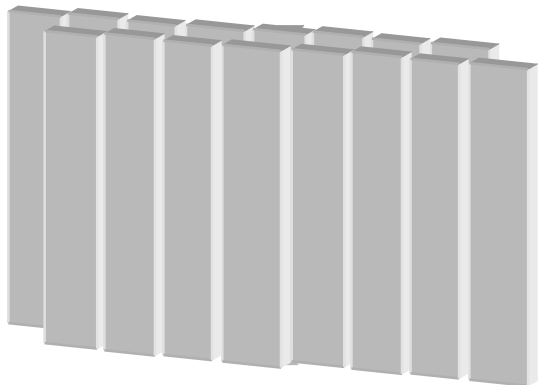
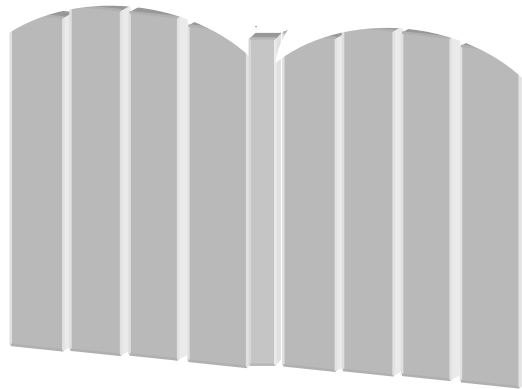
Fence Styles and Types Allowed

Diagram

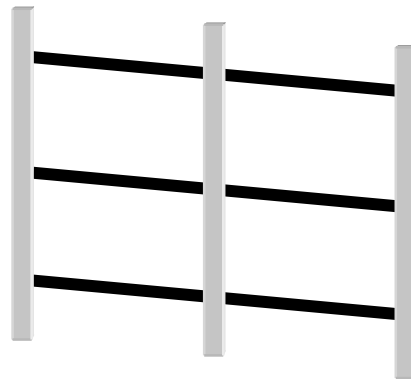
Scalloped Privacy Fencing



Scalloped Privacy Fencing



Shadow Box



3-Rail Split Rail

LAWN CARE AND GARDENS

Lawns, shrubs, and plant bedding areas are to be kept in a professional and well-maintained manner. The following Guidelines have been established for lawn maintenance:

- Bushes, shrubs, and border plants are to be trimmed regularly.
- Bedding areas are to be kept free of weeds and encroaching grass.
- The grass in the front yard is to be mowed at regular intervals. The maximum height that the grass is allowed to reach is 4 inches.
- Areas of the yard under trees and bushes where grass is unable to grow must be covered with pine straw...areas of bare dirt are unacceptable.
- Landscape beds must be well defined by the use of pine straw or a perennial groundcover. Beds must be edged regularly to provide clear definition between bedding areas and lawn areas. Bare spots, overgrowth, dead plants and weeds in landscape beds are not permitted.
- The ACC will be the determining authority of proper maintenance.
- No vegetable gardens can be located on any Lot.
- No garden pools can be erected on any Lot.

LIGHTING

Exterior lighting and accent lighting are permitted within the following Guidelines without the approval of the ACC:

- Decorative "holiday" and ornamental lighting will be permitted during the holiday season from the week of Thanksgiving in the current year through January 1st of the following year.
- Illumination of other than the front or side yard of the Town Home, providing that it does not create a nuisance for the adjoining Town Homes.

Plans for all other exterior lighting must be submitted and approved by the ACC in accordance with Article VI of the Declaration. The ACC outlines further guidelines for exterior and accent lighting:

- No spot lights on trees or on Town Homes are allowed.
- Lighting may be used to enhance walkways to the Town Home. Permissible lights include:
 - Small, round 3" diameter lights (no lanterns).
 - Ground level lights may not exceed 24" in height and must use a low level wattage with minimal glare.

ARTIFICIAL VEGETATION, EXTERIOR SCULPTURE, FLAGS AND SIMILAR ITEMS

- Artificial vegetation of any type is not allowed on the Lot.
- Flags are not permitted on the exterior of the Town Home or on the Lot.
- Exterior sculpture must be submitted to the ACC for approval if it exceeds 18" in height.
- Sculpture must be constructed of concrete, plaster, metal, or wood. Plastic sculptures are prohibited.
- Sculptures shall be compatible and harmonious with the colors and structure of the homes in the neighborhood. Brightly painted items are not permitted and will not be approved.
- Sculpture will be permitted in front yard areas provided no more than 2 pieces are present and all other conditions above are met.

[Board – the original draft did not include sculptures. I am only offering the above as a suggestion.]

SECTION 6

DILLARDS CROSSING DESIGN STANDARDS
AND GUIDELINES

MISCELLANEOUS
STANDARDS

PLAY EQUIPMENT

Any permanent playhouse is subject to ACC approval (**modification request required**). Hammocks and play equipment (swing sets, playhouses, basketball goals, etc.) require ACC approval and they must meet the following requirements:

Playsets and Swingsets

- They are located on the rear of the Lot (between the "rear dwelling line and the rear lot line").
- They must not be visible from the street.
- Play equipment is to be made of wood or other natural materials where practical. Slides, canopies and other components may be made of non-wood materials. Metal play sets and swing sets are not permitted.
- Playsets and swingsets should not exceed 10 feet in height and should have an overall footprint of less than 150 square feet.
- Playhouses should not exceed 5.5 feet in height, and should have an overall footprint of less than 36 square feet.
- Plastic "prefab" play structures are permitted but must be located between the rear dwelling line and the rear lot line out of sight of the street.
- Visible trampolines are not permitted. **[Board – you may want to clarify this one.]**

Basketball Goals

Pursuant to the Declaration, basketball hoops and goals shall not be attached to the exterior portion of any Town Home, garage, or other building structure constructed on a Lot or Townhome. Temporary basketball goals are allowed with the prior written consent of the ACC. Temporary basketball goals must be well-maintained and must be placed in a location that is acceptable to residents in adjacent Town Homes. When not in use, basketball goals must be stored in the garage or directly behind the house. An approved basketball hoop or goal must be screened from street-view when not in use. If broken, the basketball goal must either be repaired or removed within 14 days.

SIGNS

Except as provided below, no signs may be placed on any Lot unless approved in advance by the ACC. No lighted signage, whether internally or externally illuminated, will be allowed.

The following professionally lettered signs are permitted:

- A single "For Sale" or "For Lease" sign, consistent with those generally used by residential realtors, may be placed on each lot. "For Rent" signs are prohibited.
- A single political endorsement sign, not exceeding 18x24 inches may be placed up to 30 days prior to Election Day and must be removed not later than the day after the election. **[Board – what are your thoughts on this?]**
- One portable commercial sign may be placed on a lot during the time a construction or modification project is taking place. This sign must be removed when the project is completed. **[Board – what are your thoughts on this?]**
- No more than one sign may be placed on a lot at one time.

DRAINAGE

Catch basins and drainage areas are for the purpose of natural flow of water only. No obstructions or debris shall be placed in these areas. No owner or occupant may obstruct or re-channel drainage flows. Blowing yard waste, debris or trash into the street is strictly prohibited as it will impede the natural flow of rainwater into the drain system. Homeowners who utilize this practice may face sanctions by the ACC.

VEHICLES/PARKING

- Residents are discouraged from parking their vehicles on the street. No overnight on-street parking of vehicles is allowed. The garage and driveway should be used. All towed vehicles (boats, R.V.'s, trailers, etc.) must be stored out of view in a garage.
- No recreation vehicles (unless used for regular transportation) may be stored or parked in view of the street.
- Commercial vehicles (vehicles displaying business names/phones) owned by residents must be stored out of view in a garage.
- Vehicles shall be parked only in appropriate parking spaces or designated areas (garage, driveway, parking lots). Parking on unpaved areas of a Lot is prohibited.
- Parking by or at the white painted curbs is prohibited. There is no parking perpendicular to any driveway and there is no parking on the inside loop of the Community.
- Guests visiting owners and occupants may park on the street while visiting in the day or in the evening, but they cannot park overnight on the street and may not block access to other Town Homes in the Community. Guests must observe all current parking restrictions.

ANTENNAS/SATELLITE DISHES

The Telecommunications Act of 1996 ("the Act") establishes rules for the installation and use of various home entertainment equipment. Specifically, the Act applies to:

- An antenna designed to receive direct broadcast satellite service (DBS Satellite Dish) that is one meter or less in diameter;
- An antenna designed to receive multi-channel multi-point distribution services (MMDS antenna) that is one meter or less in diameter or diagonal measurement;
- An antenna designed to receive television broadcast signals; and
- A mast supporting any type of antenna listed above.

Prior approval of the ACC shall not be required for the installation or use of a complying satellite dish or mast. However, if the antenna is not one provided in the list above and is installed in a manner inconsistent with these guidelines, the homeowner will be required to remove and/or relocate the antenna at his or her own expense.

The following shall govern the installation and use of antennas, satellite dishes and masts not covered by the Act:

- Freestanding transmission antennas (i.e. ham radio antennas, antenna towers) are strictly prohibited and will not be approved by the ACC.
- Only antennas, satellite dishes and any mast supporting any of the antennas intended for the reception of television, direct broadcast or multi-channel multipoint signals are covered by the ACT. All other antennas are prohibited in Dillard's Crossing Subdivision.
- Satellite dishes may not exceed one (1) meter (39.37 inches) in diameter, unless approved by the ACC.
- All antennas shall be attached to the rear of the house when such installation allows for proper reception of television, direct broadcast or multi-channel multipoint signals.
- When the antenna or satellite dish is unable to be positioned on the rear of the house, it shall be fastened to a rear corner or to the roof behind the peak as to hide the view of the antenna or satellite dish from the street. Satellite dishes may be mast or pole mounted only when both of the above installation locations unreasonably delay or prevent installation, maintenance or use; unreasonably increase the cost of installation, maintenance or use; or preclude reception of an acceptable quality signal. When mast mounting is used, the total height of the dish and pole in total is to be less than twelve (12) feet above the roof.

SOLAR PANELS/ENERGY CONSERVATION EQUIPMENT – **modification request required**

No solar energy collector panels or attendant hardware or other energy conservation equipment shall be installed without approval from the ACC.

NUISANCE, UNSIGHTLY OR UNKEMPT CONDITIONS

It shall be the responsibility of each owner and occupant to prevent the development of any unclean, unhealthy, unsightly, or unkempt condition on his or her property. This includes, but is not limited to the following items:

- Storage and/or maintenance of any substances, or materials which are noxious, disruptive or unpleasant, thereby disturbing, diminishing or destroying the enjoyment of the community.
- No hobbies or activities shall be undertaken which will cause an unsightly condition. This includes, but is not limited to, the assembly and maintenance of motor vehicles in public.
- **Trash receptacles** must be located such that they are screened from view of neighboring streets and properties. Screening with wood lattice is permitted. Lattice should be painted to complement the house color, or left natural. Trash collection containers are to be placed curbside no earlier than 6PM the day before scheduled trash collection, and are to be removed and re-stored no later than 9PM the day of collection.
- **Woodpiles** are allowed only for firewood, and must be located away from view of neighboring streets and properties.
- **Dead or damaged trees** are to be either removed or chipped and composted.
- **Air conditioning compressors** that are part of a whole-house system are to be screened whenever possible. The ACC does not intend to enforce air conditioner compressor screening.
- **Window air conditioning units** and installed window fans are prohibited.
- **Storage of construction materials** is prohibited, except during work on modifications. In such case, materials shall be stored, when possible, in locations least visible to public view and only for such time as is reasonably necessary to complete the modification.
- **Permanent clotheslines** are not permitted.
- **Improperly parked vehicles** can create a nuisance traffic hazard, or an unsightly condition. Please refer to the Vehicles/Parking section below for detailed guidelines.
- **Deep pruning** of trees as defined in the trees/shrubs section of this document.

WINDOW TREATMENTS AND WINDOW BOXES

No tint or other reflective materials shall be used on any windows. No bedding or newspaper is allowed, however, temporary shades are allowed. The back side of all window treatments including blinds, shutters, shades, drapes, curtains, or valances which can be seen from the outside of any structure must be white or off-white. Natural wood blinds are acceptable. Window boxes are not permitted.

GRILLS

In accordance with the DeKalb County Fire Department and the Georgia State fire codes, we ask that grills not be stored with their fuel source. i.e. charcoal is not to be stored IN the grill. LP gas tanks are not allowed to be connected to the grill when stored. The grill(s) may be stored on the deck or patio as long as they are stored as described above. In addition, we ask that no use of the grill take place on the wood decks and that a fire extinguisher be kept nearby, specifically for the grill. Please observe all precautions and do not leave a live fire unattended. (Georgia State Fire Code, "Rules and Regulations of the Safety Fire Commissioner Chapter 120-3-3").

SECTION 7

DILLARDS CROSSING DESIGN STANDARDS
AND GUIDELINES

REQUEST
FOR
MODIFICATION

SUBMISSION OF REQUEST FOR MODIFICATION

A complete request for modification, along with any supporting documentation as required in the Design Standards or the Declaration, must be submitted by homeowners as required in Dillard's Crossing Design Standards. We suggest that requests for modification be submitted directly to your ACC representative. Requests submitted to the Management Company are forwarded by the Management Company to Dillard's Crossing ACC.

The members of Dillard's Crossing ACC will serve as an advisory body for any homeowner with questions about the approval process; and will also be responsible for approving/declining modification requests. Approval or Declination of a request will require the signatures of at least two ACC members.

Effective _____, ACC representation is as follows:

Dillard's Crossing Homeowners Association, Inc.
APPLICATION FOR MODIFICATION

Date: _____

Homeowner's Name: _____

Address: _____

Daytime Phone: _____ Evening Phone: _____

Estimated Start Date: _____ Estimated Completion Date: _____

Type Of Modification Being Requested

- | | | |
|--|--|---|
| <input type="checkbox"/> Arbor/Gazebo | <input type="checkbox"/> Paint House, Change Color(s)* | <input type="checkbox"/> Play Equipment |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Paint House, No Color Change | <input type="checkbox"/> Satellite Dish |
| <input type="checkbox"/> Deck/Patio | <input type="checkbox"/> Swimming Pool/Water Feature | <input type="checkbox"/> Fence/Retaining Wall |
| <input type="checkbox"/> Room Addition | <input type="checkbox"/> Screened or Covered Porch | <input type="checkbox"/> Tree Removal |
| <input type="checkbox"/> Statuary | <input type="checkbox"/> Other _____ | |

*Refer to the Standard for House Painting for specific procedures.

Permission is hereby granted for members of the ACC and appropriate Dillard's Crossing Homeowners Association representatives to enter the property to make reasonable observation and inspection of the requested modification and completed project.

Homeowner Signature: _____ Date: _____

Please allow a maximum of 14 days for a modification review. If modification is started prior to approval, a fine may be levied as provided in the Association bylaws.

Received by Association _____ date; by _____
Forwarded to ACC _____ date; by _____
Review Completion _____ date; by _____

Application Approved _____ Application Denied _____
_____ date; by _____, Dillard's Crossing ACC
_____ date; by _____, Dillard's Crossing ACC

Comments and/or Conditions:

A DeKalb County Building Permit is required as a condition of this approval _____

It is the responsibility of the Homeowner to obtain a DeKalb County Building permit for projects that require a permit. Additionally, the ACC and Dillard's Crossing assume no responsibility as to whether approved plans meet any applicable codes, structural integrity or suitability of use.