



Community Architectural Appearance Guidelines

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Introduction

The Declaration of Protective Covenants for The Manor at Harmon Lake provides for a design review process through which property improvements must be approved by an Architectural Control Committee (ACC). This provision applies to both new construction as well as any exterior modification of existing homes/properties, and was created for the sole purpose of achieving harmony, balance and a high standard of quality within the community.

As an administrative arm of the Board of Directors, the ACC's role is to *preserve, protect and enhance* the value of the properties in The Manor at Harmon Lake by enforcing the Declaration of Protective Covenants. The ACC is chartered to ensure uniform and equitable compliance with these covenants.

The following *Community Design Guidelines* are provided to amplify and supplement our community's covenants. Homeowners are encouraged to study these guidelines as well as the covenants. Note that in the event of a conflict, the Declaration of Protective Covenants will control.

As a final introductory comment, please remember - **REQUEST APPROVAL BEFORE BEGINNING ANY IMPROVEMENTS OR MODIFICATIONS!** The vast majority of problems occur when a homeowner begins a project without written approval from the ACC.

Each request for project approval is unique to the lot to which it pertains. Each request will be evaluated on the individual and unique elements of the project. *Unauthorized actions by a homeowner and/or prior ACC action on requests of a similar nature will not serve as a precedent for any subsequent request for project approval.*

The contents of these guidelines, and any actions of the ACC or its agents, are not intended to be, and should not be construed to be an approval of the adequacy, reasonableness, safety, structural integrity, or fitness for intended use of submitted plans, materials, or construction, nor ensuring compliance with building codes, zoning regulations or other governmental requirements. Neither the Association, the Board, the ACC, nor member thereof shall be held liable for injury damages or loss arising out of any approval or disapproval, construction or through such modification to a lot.

Application Information

An Application for Modification, hereinafter called 'Form', is provided for use in requesting review/approval of an exterior modification. This form should be submitted to the ACC at least 30 days prior to the anticipated time that you intend to begin work. Modification requests must be approved, in writing, before any work begins.

There are, however, modifications that may be completed without ACC approval. The following exterior modifications, *and only these modifications*, do not require a Form to be submitted as long as certain conditions as described in the following Guidelines are met:

- Repainting with same color (reference Guideline #1)
- Patios (reference Guideline #3)
- Exterior Lighting (reference Guideline #4)
- Flag Poles (reference Guideline #4)
- Garden Plots (reference Guideline #5)
- Ornamental Trees and Shrubbery (reference Guideline #5)
- Children's Wading Pools (reference Guideline #7)

A completed Form must be submitted through the ACC for all other types of improvements or modifications. **The verbal approval of any sales agent, developer, builder, or association representative is not sufficient.** All modification approvals must be in writing.

Summary of ACC Procedures

Submission of Plans and Specifications

Application for approval should contain any/all applicable requirements as appropriate from the following:

- a. Two copies of site plan showing location of all proposed and existing structures on the lot including building setbacks, open space, driveways, walkways and parking spaces including the number thereof and all siltation and erosion control measures;
- b. A foundation plan;
- c. A flood plan;
- d. Exterior elevations of all proposed structures and alterations to existing structures, as such structures shall appear after all back-filling and landscaping are completed;

- e. Two sets of specifications of materials, color scheme, lighting scheme and other details affecting the exterior appearance of all proposed structures and alterations to existing structures; and
- f. Two sets of plans for landscaping and grading.

Approval of Plans and Specifications

Approval of any plans and specifications relating to any lot or structure shall be final as to that lot or structure and such approval may not be revoked or rescinded thereafter, provided there has been adherence to, and compliance with, such plans and specifications, as approved, and any conditions attached to any such approval.

- a. The ACC shall take action on any plans and specifications submitted as herein provided within fifteen (15) days after receipt thereof, providing that the application has met the minimum requirements of the application procedure.
- b. Approval by the ACC, if granted, together with any conditions imposed by the ACC, shall be placed in writing on the plans and specifications and shall be returned to the applicant.
- c. Failure by the ACC to take actions within fifteen (15) days of receipt of plans submitted for approval shall be deemed approval of such plans and specifications.
- d. Upon the approval of the plans and specifications by the ACC, no further approval will be required unless such construction has not substantially commenced within six (6) months of the approval of such plans and specifications or unless such plans and specifications are materially altered or changed.
 - i. Failure to adhere to the original ACC Application for Modification shall result in, but not limited to, the removal of that portion of structure that is found to be in violation.
 - ii. Failure to adhere to the original ACC Application for Modification will result in fines as outlined in the Guidelines.

Disapproval of Plans and Specifications

The ACC has the right to disapprove any plans and specifications submitted for any of the following reasons:

- a. The failure to include information in such plans and specifications as may have been reasonably requested;
- b. The failure of such plans or specifications to comply with the Declaration of Covenants or the Design Standards;

- c. Any other matter, which, in the judgment of the ACC, would be likely to cause the proposed installation, construction or alteration of a structure
 - i. to fail to be in conformity and harmony of external design and general quality with the standards of the Development, or
 - ii. as to location, to be incompatible with topography, finished ground elevation and surrounding structures.

In any case in which the ACC shall disapprove any plans and specifications, or approve the same only as modified or upon specified conditions, such disapproval or qualified approval shall be accompanied by a statement of the grounds upon which such action was based. The ACC shall, if requested make reasonable efforts to assist and advise the applicant in order that an acceptable proposal may be prepared and submitted for approval. Upon a disapproval, the homeowner may appeal the decision to the Board of Directors of the HOA.

Amendment Procedure

The ACC has the right to make amendments to these guidelines when situations or conditions arise that may fall outside the scope of these guidelines. Such amendments, when made, must be made in accordance with the following conditions:

- a. These guidelines may be amended no more than one time per calendar quarter.
- b. Each amendment must be approved by a majority of the ACC.
- c. Each amendment approved by the ACC, must also be approved by a majority of the Board members of the HOA. It is at this time that the amendment can be added to these guidelines and in turn go into effect.
- d. This document must accurately reflect the revision history of these guidelines by providing the date the document was amended.
- e. All approved amendments that are added to the guidelines must be presented and reviewed at the next scheduled homeowner's meeting provided the amendment process is complete at least two (2) weeks prior to the scheduled homeowner's meeting.

Given that these guidelines can be amended and changed by the ACC, it is possible that a homeowner may not possess the correct and active version. The ACC and the Board will make every attempt to make the most current version of these guidelines available to all homeowners by means of the neighborhood web site or upon request.

Guideline #1: Exterior Building Alterations

General Guidelines

A Form **must be submitted for all** exterior-building alterations. Building alterations include, but are not limited to,

- a. addition/replacement of storm doors;
- b. addition/replacement of windows and/or exterior doors;
- c. replacement of existing garage door;
- d. replacement of existing siding;
- e. replacement of existing roof;

Requests for modifications (a- e) above must be submitted with descriptions, styles, photos, and/or actual samples of the new materials and, where applicable, must include color samples.

- f. changes to driveways, porches, and decks (expansion or extension)
- g. any additions to, or expansion of, the existing structure

Requests for modifications (f and g) above must be submitted with a site plan denoting location, dimensions, materials, and where applicable, color. Location, size, conformity with respect to the existing home and position with respect to neighboring dwellings will be taken into consideration by the ACC for these requests.

The original architectural character or theme of any home must be consistent for all exterior components of the home. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character.

If County authorities make changes to the plans as approved by the ACC the owner must submit such changes for approval prior to commencing construction.

Homeowners are advised that a County building permit will be required for certain exterior building alterations.

Note: The ACC will make exceptions to the above stated guidelines in the event of disaster damage such as damage resulting from hail, tornados, etc.

Painting

Repainting of exterior siding, trim, and/or accents requires prior written approval only if the color is changed. A paint color change requires the following information:

- a. paint sample;

- b. description of area of home to be repainted

Awnings

A Form **must be submitted** for all awnings. Location, size, and conformity with respect to the existing home will be taken into consideration by the ACC for all awning requests. Colors or finish must be compatible with the home's primary and trim colors. Addition of awnings or coverings requires the following information:

- a. picture or drawing of all windows/doors on which awnings will be installed and their location;
- b. picture depicting style of awning to be installed; and
- c. color samples and materials list.

The installation of awnings on the front of the home is prohibited.

Detached Buildings

Detached buildings are prohibited with the exception of a pool house that accompanies an in-ground pool that abides by the guidelines set forth for in-ground pools.

A Form **must be submitted** for all pool houses.

- a. pool house may not be used for any purpose that may be deemed by the ACC to cause disorderly, unsightly, or unkempt conditions; and
- b. pool house exterior materials must match the exterior materials and colors used on the original home.

Dog Houses

A form **must be submitted** for all dog houses. All doghouses must be located where they will have minimum visual impact on adjacent properties or from the street. Construction type, size, and exterior colors/materials will be specific criteria governing approval.

Chain link dog-runs, "tethered" line dog runs, or wire pens are prohibited.

Guideline #2: Decks and Retaining Walls

A Form **must be submitted** for the installation and removal of all decks and retaining walls. The following, without limitation, will be reviewed: location, size, conformity with design of the house, relationship to neighboring dwellings, and proposed use. Installation of new materials, and removal or repair of existing retaining walls must be completed within thirty (30) days from date of project start. This includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing. The following information is required:

- a. a site plan denoting location, dimensions, materials and color;

The following guidelines have been adopted for decks in the community:

- a. deck may not extend past the sides of the home;
- b. materials must be cedar, cypress, or No.2 grade or better pressure treated pine; and
- c. color must be natural or finished with an ACC approved finish to coordinate with the exterior of the home;
- d. vertical support for wood decks must meet minimum county standards for wood post or metal poles,
- e. when metal poles are used, they should be boxed in as to appear to be wood posts;
- f. brick or stucco columns matching the home are also acceptable.

Homeowners are advised that a building permit may be required for a deck.

The following guidelines have been adopted for retaining walls in the community:

- a. all exposed concrete block or poured concrete foundations and/or retaining walls must be veneered with natural stone, brick or stucco to complement the existing structure

Guideline #3: Patios/Walkways

A Form **must be submitted** for patio covers, trellises, permanent seating, railing and other items.

The following guidelines have been adopted for patios/walkways in the community:

- a. the patio/walkway is located in the rear or side yard;
- b. the patio/walkway must not extend beyond the sidelines of the house;
- c. the patio/walkway must not extend to within twenty (20) feet of the rear property line; and
- d. the patio/walkway's elevation above ground level at any point must not exceed six (6) inches for patios and four (4) inches for walkways.

Guideline #4: Exterior Decorative Objects

General Guidelines

A Form **must be submitted** for any exterior decorative object larger than thirty-six (36) inches in height that is considered to be a permanent object or structure. Such items include but are not limited to bird baths, fountains, etc.

Exterior Landscape and Security Lighting

A Form **must be submitted** for all permanent exterior lights or lighting fixtures not included as a part of the original structures.

The following guidelines have been adopted for exterior landscape and security lighting in the community:

- a. lighting must not exceed twenty-four (24) inches in height;
- b. the number of lights must not exceed 16; and
- c. individual lights must not exceed 100 watts, must be white or clear, non-glare type and must be located and aimed as to cause minimal visual impact on adjacent properties and streets

Note: Seasonal exterior lighting is allowed so long as it is tastefully employed and left up for a reasonable amount of time.

Flag Poles

A Form **is not** required to be submitted for a single flag pole staff, per house, attached to the front portion of a house. The size of any flag displayed may not be greater than 3x5 feet. Freestanding poles are prohibited.

Plants and Flower Pots

Front doors and entry area decorations must be tasteful and in keeping with the style and colors of the house. Plants and flower pots must always be neat and healthy. Neatly maintained front porch flower pots that coordinate with exterior home colors and containing evergreens/flowers **do not** require submission of a Form.

Guideline #5: Exterior Landscaping and Maintenance

General Guidelines

Regular lawn care and maintenance is required throughout the seasons. The ACC reserves the right to notify homeowners of areas of their property that need to be addressed. This includes but is not limited to:

- a. mowing, trimming, and edging
- b. weeding and leaf removal
- c. repair of erosion, dead spots, and sink holes

ACC primary concern during the exterior landscaping review and approval process will be location with respect to obstruction of natural views, roads and driver visibility, as well as neighborhood aesthetics and protecting property values. Prior to approval, the ACC reserves the right to walk the property with the homeowner to fully understand the project scope.

Trees/Shrubbery

A Form **must be submitted** for the installation of shrubbery over two (2) feet high when structured as a hedge and removal of healthy, diseased, or dead trees over twelve (12) inches in diameter and healthy, diseased, or dead shrubbery over two (2) feet high when structured as a hedge. Tree/shrubbery planting or removal must be completed within seven (7) days from date of project start. This includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing.

The following should be specified in the request for removal of healthy, diseased, or dead trees over twelve (12) inches in diameter and shrubbery over two (2) feet high when structured as a hedge:

- a. the quantity and type of tree(s)/shrub(s);
- b. the exact location on lot (which should include references to existing structures);
- c. reason for removal.

Normal trimming, pruning and care must be taken to maintain health and aesthetics, as well as prevent obstruction of driver visibility. Dead shrubbery should be removed or replaced as soon as possible to maintain neighborhood aesthetics.

Borders/Edging/Curbing

A Form **must be submitted** for the installation of borders/edging/curbing and the removal of borders/edging/curbing with intention of changing existing aesthetics. Installation of new materials, and removal or repair of existing borders, edging, curbing must be completed within seven (7) days from date of project start. This includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing. The following should be specified in the request for the installation of new borders/edging/curbing:

- a. type of border/edging/curbing;
- b. the exact location on lot (which should include references to existing structures);
- c. materials to be used (including size).

The following should be specified in the request for the removal of borders/edging/curbing:

- a. type of border/edging/curbing
- b. the exact location on lot (which should include references to existing structures);
- c. reason for removal
- d. plan of materials to replace.

Normal maintenance must be taken to maintain uniformity and aesthetics. Damaged, eroded or faded materials should be removed or replaced as soon as possible to maintain neighborhood aesthetics.

Islands

A Form **must be submitted** for the installation of islands and the removal of islands with intentions of changing existing aesthetics. Installation of new materials, and removal or repair of existing islands must be completed within seven (7) days from date of project start. This includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing. The following should be specified in the request for the installation of new islands:

- a. the exact location on lot (which should include references to existing structures);
- b. size of island(s)
- c. type of ground cover to be used.

The following should be specified in the request for the removal of islands:

- a. the exact location on lot (which should include references to existing structures);
- b. reason for removal;
- c. plan of materials to replace.

Normal maintenance must be taken to maintain uniformity and aesthetics. This includes routine weeding. Damaged, eroded or faded ground covering and plantings should be removed or replaced as soon as possible to maintain neighborhood aesthetics.

Excavation/Grading

A Form **must be submitted** for any type of excavation/grading. The Form must include the exact location on lot and the purpose of the excavation/grading. Completion of project typically must be completed within thirty (30) days from date of project start. However, ACC will reserve right to extend this deadline based on the scope of work. Completion includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing.

Buffer zone

A Form **must be submitted** for any work in areas of property boundaries, creek or natural zones. The Form must include the exact location on lot and the purpose and scope of work. The homeowner must abide by not only the ACC guidelines, but also those set forth by the county restrictions for protected zones. Completion of project typically must be completed within (30) days from date of project start. However, ACC will reserve right to extend this deadline based on the scope of work. Completion includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing.

Vegetable gardens

A Form **must be submitted** for installation and removal of vegetable gardens **only if the total area of all garden plots exceeds one hundred (100) square feet.** The Form must include the exact location on the lot and the dimensions of the planned garden. Vegetable gardens must be placed behind the rear plane of the home and may be visible from the main road at the discretion of the ACC and HOA board. The ACC may allow vegetable gardens in a side yard if it is believed the rear yard will not receive adequate sun to support the garden. Any fence or aesthetics improvements must adhere to ACC guidelines and must be included in the request. Installation or removal of vegetable gardens must be completed within seven (7) days from date of project start. This includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing.

Invisible Pet Fences

A Form must be submitted for the installation of invisible pet fences. The Form must include the exact location on the lot and the number and type(s) of pets that will be contained by the fence. Installation or removal of an invisible fence must be completed within (7) days from date of project start. This includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing.

Irrigation

A Form must be submitted for the installation of an irrigation system. The Form must include the exact location on the lot. Installation or removal of an irrigation system must be completed within seven (7) days from date of project start. This includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing.

Guideline #6: Play Equipment

General Guidelines

A Form **must be submitted** for installation and removal of all play equipment. Installation of new materials, and removal or repair of existing playground equipment must be completed within thirty (30) days from date of project start. This includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing. The following guidelines apply:

- a. the play equipment shall be located within a screened fence area of the rear of the house, if yard is fenced;
- b. the play equipment shall be sized and located such that it will have minimal visual impact on adjacent properties.
- c. trampolines are prohibited.

Play equipment (except basketball goals) are strongly suggested to be of wood construction, environmentally and aesthetically compatible. Metal or plastic play equipment will generally require more fencing and landscaping to shield from view and will generally be required to be painted to blend into the surrounding environment.

Play Houses/Tree Houses

A Form **must be submitted** for all play houses and tree houses. The following guidelines apply:

- a. play houses and tree houses must be located where they will have minimal visual impact on adjacent properties;
- b. in most cases, materials used must match existing materials of the home; and
- c. play houses or tree houses may not be larger than one hundred (100) square feet or twelve (12) feet in total height.

Note: Play houses and tree houses, once approved, must be maintained to preserve the approved decor.

Basketball Goals

A form **must be submitted** for all permanent basketball goals. No ACC approval is needed for portable or free-standing basketball goals provided that they are stored out of public view when not in use.

The following guidelines have been adopted by the community for permanent basketball goals:

- a. the goal may not be attached to the house;
- b. the post must be painted black or gray;
- c. the backboard must be constructed of tempered glass; and
- d. the goal must have a complete, un-torn net at all times

Note: Negative impact related to time of use, lighting and noise on adjacent properties should be avoided. As with all improvements, basketball goals must be maintained to the original condition.

Guideline #7: Private Pools

Children's Portable Wading Pools

A Form **is not** required to be submitted for children's portable wading pools (those that can be emptied at night) as long as they do not exceed 18 inches in depth and whose surface area does not exceed 36 square feet. Portable wading pools must be stored when not in use.

Above-ground Pools

Above-ground pools are prohibited.

In-ground Pools

A form **must be submitted** for installation or removal of all in-ground pools. Installation or removal of swimming pool must be completed within sixty (60) days from date of project start. This includes clean up of materials, tools and debris, as well as making the area aesthetically pleasing. The following information is required:

- a. appearance, height, and detailing of all retaining walls must be consistent with the architectural character of the house - some terracing may be acceptable;
- b. privacy fencing must meet fence guidelines;
- c. maximum pool area is 1,200 square feet;
- d. glaring light sources which can be seen from neighboring lots may not be used;
- e. landscaping enhancement of the pool area and screening with landscaping is required; and
- f. approval through the local health department to ensure pool doesn't have an impact on primary and secondary locations for septic system.

Hot tubs/Jacuzzis

A form **must be submitted** for exterior hot tubs. Hot tubs must be screened from adjacent properties and streets.

Note: Any in-ground pool, portable wading pool, or hot tub/jacuzzi must be properly secured to prevent access by unintended persons regardless of local building code requirements.

Guideline #8: Private Tennis Courts

Homeowners are required to submit a request to the ACC for the construction of a private tennis court. Location with respect to neighboring dwellings will be taken into consideration for this request.

Guideline #9: Fences

The original design concept of The Manor at Harmon Lake promotes a feeling of open space; therefore, fencing is not generally encouraged. However, should an owner desire to erect a fence, an ACC form must be submitted to the ACC for approval. A request for fencing must include the following information:

- a. picture or drawing of fence type listing all materials being used;
- b. dimensions including height, span between posts, post size and crossbeam size and number of rails;
- c. color;
- d. a site plan denoting the location of the fence together with information as to existing fences erected on adjacent properties; and
- e. adjacent property owners' awareness of desire to erect a fence; and if adjoining proposed fencing into an adjacent property owners' existing fencing, the consent of those property owners.

The following guidelines have been adopted for fences in our community:

- a. preference for fences are in this order: three board; split rail; metal fencing (ornamental aluminum, steel or iron fencing); privacy fence;
- b. the maximum height must not exceed 6 feet;
- c. the maximum span between posts shall be 10 feet;
- d. the minimum post size shall be 4x4 inches;
- e. the crossbeam structure (rails) shall not be visible from any street (e.g. finished sides of the fence must turned to the outside);
- f. the rails must consist of two 2x6 inch or three 2x4 inch per section;
- g. the fence must be left natural (if wooden) or stained with an ACC approved color;
- h. fences shall not be located closer to any street than the front plane of the home (on corner lots, the application is evaluated on a case by case basis due to lot configuration and house placement. Fence approval for corner lots will require more landscaping and set back distances to avoid a "stockade" appearance).
- i. fences shall complement the house in color and style

- j. chain link fences of any kind shall be no longer than one (1) foot in length and no higher than one (1) foot in height

Other items to be considered include:

1. Fences are considered on a case by case basis. One property owner may have a type of fencing while another property owner is not approved for the same type of fencing due to: proposed position of fencing on the lot; fencing incongruous to house style/color; view of considered fencing from the street, lake or other common area, etc.;
2. the initial finish and maintenance aspects of the fence in relation to weathering and deterioration over time;
3. the ability to maintain property between fences; homeowners with fencing are responsible for grass maintenance against the fence on the adjacent property owner's side who has no fencing (e.g. edge or use weed eater on outside of fence)
4. landscaping may be required to soften the view from the street;
5. the minimum height requirement established by the county for a private pool fence;
6. compatibility (style and finish) of proposed fence to any existing fence on adjacent properties;
7. the chosen fence style should be proportionate to home and lot;
8. drainage – is there space between the fence and the ground in areas where water needs to pass underneath?
9. utilities – has consideration been given to provide access to electric and gas meters, and has consideration been given to utility easements (i.e. sewer)?

Riley Road Fence

Shared privacy fence – Along Riley Road & between the adjacent community – (Riley Court)

Maintenance of the portion of fencing on each property owner's lot is the responsibility of each property owner who shares the privacy fencing along Riley Road and between the adjacent community – Riley Court. To be congruous, all property owners will use the following wood stain **for the side facing Riley Road** of their portion of the privacy fence:

Behr Natural Tone Waterproofing Wood Finish – Model 40005

Fences traditionally are the most frequent request received by Architectural Control Committees of any homeowner's association. At the same time, fences tend to generate the most controversy between an ACC, the homeowner, and owners of adjacent property. The Manor at Harmon Lake's fence guideline is intended to establish a standard that is appropriate to the aesthetics and values of the community.

Guideline #10: Vehicles and Parking

The following guidelines have been adopted by the community:

- a. no boat, trailer, camper, utility trailer, recreational vehicle or similar type vehicle may be parked or stored in open view on residential property for longer than twenty-four (24) hours;
- b. no commercial vehicle or any vehicle displaying signage may be parked or stored in open view on residential property for longer than twenty-four (24) hours unless the vehicle is the homeowner's primary vehicle or mode of transportation
- c. any vehicle displaying signage may not display signage any larger than one (1) foot by one (1) foot
- d. all vehicles parked in open view and not in a garage must be operable and may not be unsightly;
- e. no vehicle may be parked on any yard, sidewalk, or right-of-way; and
- f. as a general rule, parking of vehicles on the street is prohibited. Temporary parking (four hours or less) is allowed if not a nuisance to neighbors or impediment to traffic flow. Homeowners are responsible for guest parking and must ensure that guests park in a safe manner and do not impede access to other driveways and traffic.

Guideline #11: Antennas and Satellite Dishes

This guideline applies to installation, attachment and maintenance of direct broadcast satellite ("DBS") dishes or antennas and multichannel multipoint distribution services ("MMDS") dishes or antennas (herein collectively called "Satellite Dishes", which definition shall include the supporting mast, cabling and all other components or accessories thereof) at The Manor at Harmon Lake subdivision.

Homeowners must submit an ACC request form marked "notification only" at least forty-eight (48) hours before installation that clearly denotes the desired location of the satellite dish. If the desired location of the satellite dish is an approved location and otherwise follows the guidelines as set forth below, no further action is required from the homeowner before proceeding with the installation. The ACC will notify the homeowner within 48 hours of the submission of the request if for any reason the request does not comply.

If the proposed satellite dish installation will include a satellite dish larger than eighteen (18) inches, a Form detailing the satellite dish dimensions and the desired location must be submitted.

Note: Satellite dishes may be installed for the purpose of reception only; satellite dishes used for the purpose of transmission are prohibited.

General Guidelines

1. **Satellite Dish Size Limits.** Satellite Dishes or antennas mounted on masts are prohibited except where necessary for reception of an acceptable quality signal and within the total size limit provided. Concealed cabling shall not count toward this total size guideline.
2. **Location. Satellite Dishes may be installed, in order of priority, in the following locations:**
 - a. mounted in or on the rear of the home within the sidelines of the home so as not to be visible from the street.
 - b. mounted on the rooftop on the rear of the home

If it is determined that the satellite dish cannot receive an acceptable quality DBS or MMDS signal in either of the approved locations designated above then, prior to installation in an alternate location, the homeowner must submit a written request to the ACC for the installation of the satellite dish in an alternate location, along with specific written documentation as to why neither of the approved locations are acceptable.

All wiring or cabling must be installed so as to be minimally visible and thereby blend into the material to which it is attached. No cabling shall be allowed on the surface of the roof, exterior siding or brick of any home.

Note: The owner or occupant shall be responsible for the maintenance and repair of the satellite dish including, but not limited to, the following:

- (a) Reattachment of the satellite dish and any components thereof within forty-eight (48) hours of dislodging, for any reason, from its original point of installation;
- (b) Replacement, if for any reason the exterior surface of the satellite dish becomes worn, disfigured or has deteriorat

Guideline #12: Miscellaneous

1. **Mailboxes:** All mailboxes within the community are to be the same, the design of which shall be determined by the ACC. Each homeowner is responsible for the proper maintenance/upkeep of their mailbox.
2. **Driveways, Walkways, Parking Areas:** Driveways, walkways, and parking areas must be paved with materials that are in harmony with the community and as approved by the ACC.
3. **Clotheslines:** Clotheslines may be no longer than one (1) foot in length and no higher than one (1) foot in height
4. **Storage:** All tools, lawn and garden equipment, portable recreation equipment, canoes, garbage cans, and wood piles shall be kept in a garage or screened by adequate planting or approved fencing so as to be concealed from view by neighboring residences and from the street.
5. **Garbage:** Containerized household trash and/or garbage cans and any landscape trash are to be placed at the curb **no earlier than 6 PM** on the day prior to collection. Garbage cans are to be removed from the curb **no later than 9 PM** on collection day.
6. **Air Conditioner Units:** Units visible from the street must be screened by an approved method or softened with landscape where screening is not practical. **Window air conditioner units are prohibited.**
7. **Solar Energy Collectors:** Any installation of such devices must be approved by the ACC.
8. **Recreational vehicles:** Recreational vehicles (ATVs, go carts, etc.) are prohibited with the exception of golf carts/UTV's as noted below.
9. **Golf Carts:** Golf carts are allowed so long as the driver possesses a valid driver's license and is seen to observe all applicable laws.
10. **Signs:** No sign or other advertising device of any nature shall be placed on any Lot with the exception of standard "For Sale" sign. Signs displayed by businesses contracted by the homeowner should be promptly removed upon the completion of said businesses' work.
11. **Pets:** **ALL** pets (not just dogs) **MUST** be maintained in such a manner that their behavior is not offensive to reasonable standards. Pets should, at all times, be confined to the Lot of the owner except when on a leash. When on a leash, the owner must take responsibility to clean up after the pet. **Homeowners will not train, house, or treat pets in a manner that would result in the animal exhibiting a vicious or aggressive disposition. In addition, no pitbulls or rottweilers shall be kept on any Lot.**
12. **Pond:** The neighborhood pond and all related pond recreational activities (fishing, boating, etc) is only to be accessed by homeowners and their accompanied guests to help sustain the aesthetics of the pond area, limit unnecessary foot traffic, and control the disturbances to the pond environment. For clarity, homeowners must be **ONSITE** at the pond and present with their guests for any and all pond recreational activities (fishing, boating, etc). Verbal permission to a guest solely is not sufficient for guest usage of the pond and its related recreational activities. **Unaccompanied guests at the pond will be considered trespassing. Additionally, homeowners will be responsible for any unaccompanied guest referencing having verbal permission from a homeowner. See Appendix A for schedule of fines.**
13. **Pool:** In fulfillment of maintaining standards of neighborhood aesthetics of the pool and pool facilities, the pool should only be utilized by homeowners and their accompanied guests. Pool keys are \$100.00 for new residents and \$40.00 for replacement keys for existing residents.

Guideline #13: Business Use

General Guidelines

Each lot shall be used for residential purposes only, and no trade or business of any kind may be conducted in or from a Lot or any part of the Property, including business uses ancillary to a primary residential use, except that the Owner or Occupant residing in a dwelling on a Lot may conduct such ancillary business activities within the dwelling so long as...

- a. The existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from the exterior of the dwelling;
- b. The business activity does not involve visitation of the Lot by employees, clients, customers, suppliers or other business invitees; provided, however this provision shall not preclude delivery of materials or items by the United States Postal Service or other customary parcel delivery services (UPS, FedEx, etc.);
- c. The business activity conforms to all zoning requirements for the Property;
- d. The business activity does not increase traffic in the Property;
- e. The business activity does not increase the insurance premium paid by the Association or otherwise negatively affect the ability of the Association to obtain insurance coverage; and
- f. The business activity is consistent with the residential character of the Property and does not constitute a nuisance or a hazardous or offensive use, or threaten the security or safety of other residents of the Property.

Should a homeowner wish to operate a business from a residential lot, the homeowner must submit a "Form" as an application to run a business in the Property. This "application" will mainly serve to notify the members of the ACC and the Board of Directors of the intentions of the homeowner and to serve as a record of activity in the Property.

The terms "business" and "trade", as used in this provision, shall be construed to have their ordinary, generally accepted meanings, and shall include, without limitation, any occupation, work, or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether: (i) such activity is engaged in full or part-time; (ii) such activity is intended to or does generate a profit; or (iii) a license is required thereof.

Covenant Enforcement Procedures

Apparent covenant violations, as reported by any source, may be submitted to the ACC to be referred for appropriate action.

The first action by the committee will be confirmation that a violation exists. If substantiated, the homeowner in violation will be contacted.

These enforcement procedures are not meant to be a policing mechanism between neighbors. They are designed to give the Board and ACC leverage over home owners in noncompliance. All forms of communication will be delivered in a manner that is respectful and neighborly. Noncompliance will unfortunately escalate into more formal means of remediation and action.

- 1) Violation of Neighborhood Covenants and Architectural Guideline, not pertaining to Project Work requiring approval:
 - a) The home owner will be contacted by the ACC or Board.
 - i) A first attempt at contact will be personal – via phone call, personal visit or other means of neighborly contact.
 - ii) If the personal contact is not available a letter will be sent from the ACC or Board.
 - iii) All means of communication will advise the homeowner of the violation and steps to remedy the violation.
 - b) Home owners have 7 days to respond to the Violation.
 - i) Home owners can remedy in 7 days without any further input from the ACC.
 - ii) If the remedy will take longer than the 7-day allotted time, please contact the ACC to work out reasonable measures and time frame for remedy. This will be documented by the ACC for reference, and noncompliance in the specified time period will require further action. See C. below.
 - iii) An offer of hearing before the board will be extended.
 - c) If the violation is not addressed and continues past the 7-day notice, the ACC will turn it over to the Board of Directors and the Board will take the following actions:
 - i) An additional attempt will be made to make contact with the homeowner via phone call, personal visit, or other means of neighborly contact and/or a certified letter will be sent reiterating the violation and necessary steps to remedy. In addition, the communication mode and/or letter will include the corrective actions the Board intends to take when the allotted time expires.
 - ii) A fine will be issued. See the schedule of fines in Appendix A.
 - iii) The communication mode and/or letter will allow 14 days for remediation.
 - iv) If remedial actions are not taken within 14 days, the board reserves the right to take corrective actions and bill the home owner for the services it incurs. The cost of the corrective actions is in addition to the fines levied for noncompliance.
- 2) Violation of Architectural Guidelines pertaining to Projects without ACC Approval:

- a) The homeowner will be contacted by the ACC or Board.
 - i) A first attempt at contact will be personal – via phone call, personal visit or other means of neighborly contact.
 - ii) If the personal contact is not available a letter will be sent from the ACC.
 - iii) All means of communication will advise the homeowner of the violation and steps to remedy the violation.
- b) Upon receipt of communication, the homeowner must cease all work on the project in violation
 - i) The homeowner shall have 7 days to complete the proper paperwork to obtain approval.
 - ii) Upon the submission of the required paperwork, the ACC will begin its normal process of reviewing the request and any actions thereafter shall proceed according to standard operating procedure.
- c) If work on the project does not cease and/or the approval documents are not submitted in the 7-day allotted time period, the ACC will turn it over to the Board of Directors and the Board will take the following actions:
 - i) A certified letter will be sent reiterating the violation and necessary steps to remedy. In addition, the letter will include the corrective actions the Board intends to take when the allotted time expires.
 - ii) Fines will be issued. See the schedule of fines in Appendix A.
 - iii) The letter will allow 14 days for remediation.
 - iv) If remedial actions are not taken within 14 days, the board reserves the right to take corrective actions and bill the homeowner for the services it incurs. The cost of the corrective actions is in addition to the fines levied for noncompliance.

Summary

It is hoped that these guidelines serve their intended purpose of providing help in understanding our community standards. If you are unsure of the need to submit a Form for a project not specifically referenced by these guidelines, please call any member of the ACC for assistance.

Also, please remember that these are GUIDELINES. If you feel you have a unique situation that bears consideration, submit a request. The ACC will make every attempt to approve the request given there is neither direct violation of the covenants nor any negative impact on the community as a whole.

Appendix A: Schedule of Fines

- **\$50 fine** for each infraction pertaining to lawn maintenance.
- **\$100 fine** for each infraction of the covenants and/or the ACC guidelines that does not pertain to lawn maintenance.
- All fines will be levied every 30 days until the homeowner satisfies the following requirements:
 - The homeowner must assume responsibility for the noncompliant issue and take the remedial steps necessary to correct the infraction.
 - In addition, the homeowner must clear all debts to the HOA for this noncompliant issue, which includes but is not limited to: the fine(s) associated and any cost the HOA has assumed for remedial action.

