

Woodbourne Homeowners Association

ARCHITECTURAL CONTROL GUIDELINES
(REVISED JULY 2020)

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INTRODUCTION

Woodbourne Declarations and Protective Covenants are accepted by every homeowner in Woodbourne when title to property is taken. This document is provided to every homeowner at the time of purchase. If you do not have a copy, the Board of Directors can provide you with a copy.

The covenants establish the Architectural Control Committee and give the committee the authority to establish additional guidelines and procedures. These guidelines are intended to help homeowners know how the standards of the community are being managed.

Where the covenants and the guidelines differ in requirement and procedure, the more restrictive shall apply. Where the two are contradictory, the covenants shall prevail.

OVERVIEW

The Woodbourne Declaration of Covenants create an Architectural Control Committee which must approve ALL new construction, modifications to existing construction, any additions to or modifications of landscaping on any house or lot. Applicants should carefully read sections VII, IX, and X of the Declarations for those covenants that involve architectural and landscaping modifications to properties.

The Architectural Control Committee is appointed by the Board of Directors of Woodbourne. It is made up of a minimum of three homeowners who review applications for compliance with the covenants and these guidelines.

Applications for changes or other committee business must be submitted to the Committee in writing through the management company (Management Specialists) on the form provided by the management company. The applications will be reviewed within thirty (30) days of submittal and will be either approved or disapproved within that time.

These design guidelines must comply with all County, State, and other agency laws and regulations. However, approval by the committee does not guarantee compliance with any governmental laws or regulations.

Most design changes, additions, or modifications must be approved, in advance, by the committee. Items which are pre-approved are found on page 5.

DESIGN REVIEW PROCEDURES

The applicant starts the formal review by submitting the following required information on the appropriate application form:

- A. Application form completely filled out. The application form can be obtained from Management Specialists. The application should be submitted a minimum of thirty (30) days prior to the planned start of the project to Management Specialists.
- B. A site plan drawn accurately to scale to show all existing buildings, fence lines, easements, or landscaping must be submitted with request.
- C. Details describing the construction, as applicable, shall be included with samples submitted: color, materials, size, etc. Homeowner is responsible for obtaining any County permits required for any mechanical, electrical, pumping (gas and water) and other work.

APPROVAL TO PROCEED BY THE ACC IS CONTINGENT UPON THE HOMEOWNER OBTAINING AND POSTING (in front of home) THE APPROPRIATE COUNTY PERMITS AFTER THE REQUEST HAS BEEN REVIEWED AND APPROVED.

- D. A landscape plan showing proposed plantings, including sizes, species, numbers, mulch materials, landscape features, description of irrigation system shall be included.

The committee will consider the application and will render a decision by voting. An affirmative vote of the majority of the Committee constitutes approval. A written decision either approving or disapproving an application shall be returned to the applicant within thirty (30) days of receipt of submission of the application. Within fifteen (15) days of completion of the approved construction, the Applicant shall notify the Committee in writing. The Committee then has up to fifteen (15) days to inspect the work. If the work is not done according to the approved application, the Committee has the authority to require the Applicant to remedy the defect within forty-five (45) days or be subject to action, as appropriate, by the Committee to remove any unapproved construction or modification.

Enforcements of these Architectural Control Guidelines is pursuant to the terms and provisions of the enforcement of the Protective Covenants under the Declarations governing Woodbourne. In addition, where County permits are required, County inspectors will also review the completed work. ACC, from time to time may review the work in progress as applicable

DESIGN GUIDELINES

All changes and/or modifications require approval of the Architectural Control Committee. In order to receive that approval, conformance to the following guidelines is required:

A. Pre-approved Uses

The following types of changes, additions, or alterations are pre-approved by the ACC. Although pre-approved, all work must proceed in accordance with state and local building codes and other construction requirements and permits.

1. Addition or replacement of plants to a property in accordance with a previously approved landscape plan.
2. Modifications to the interior of a residence when those modifications do not materially affect the outside appearance of the structure.
3. Repainting and/or re-staining in original colors (where the original colors were approved previously by the ACC).
4. Repairs to a structure in accordance with previously approved plans and specifications.
5. Seasonal decorations if removed promptly (15 days following the holiday).
6. Real estate "For Sale" or other signs which are not larger than five (5) square feet where no more than one sign is placed in any given lot.

B. Prohibited Uses

Certain uses are prohibited within Woodbourne. Among those prohibited uses are the following (refer to Protective Covenants, Article IX, for more detail):

1. **Noxious or offensive activity** - Uses or activities that constitute an annoyance to the neighborhood are prohibited, including those which would detract from residential value, and from overall enjoyment and quality of the neighborhood.

Uses or activities that are defined as noxious or offensive include, for example, parking vehicles on lawns, interior or exterior sound systems that create noise heard beyond the property lines, etc.

2. **Outdoor storage** - Storage of trash, building materials, equipment, garden supplies, etc. in unscreened areas on a residential site is prohibited.
3. **Livestock and Poultry** - The size of the lots at Woodbourne make it an inappropriate setting for raising animals other than a certain number, per county requirement, of domesticated dogs, cats, and other common household pets. Raising livestock such as horses, goats, sheep, chickens, etc. is prohibited.
4. **Commercial Uses** - Most business activities are prohibited within Woodbourne. Prohibited activities include in-house businesses that attract clients or customers such as beauty salons, accounting businesses, etc. Such in-home businesses as machine shops, car repair, or other commercial/industrial businesses are also prohibited.

C. Design Architecture

Any exterior addition or alteration to an existing residence or additional structures placed on a lot shall be compatible with the design, materials, color, and structure of the original structure.

1. **Colors** - All exterior painting or staining shall be of colors in harmony with other existing homes or colors similar to those originally employed in the neighborhood.

In general, only those areas that were painted originally shall be repainted, only those areas that were stained shall be re-stained; unpainted surfaces and unstained areas, such as brick, cement or stone, shall not be painted or stained.

2. **Antenna** - No television or other antenna shall be erected on the exterior of any structure or placed on any residential lot within Woodbourne unless approved by the ACC.
3. **Dish, Direct TV, Transmitting and Receiving Apparatus** - Microwave dishes, etc. require ACC approval and shall not be larger than 18". An ACC representative shall facilitate proper location for placement with the homeowner upon approval.

D. Fencing

All perimeter and lot line fencing constructed in Woodbourne shall be of the approved fencing types only. Approved fence types are those consisting of six (6) foot stake type construction similar to that placed by the builder. Only upon approval by the ACC, shall split rail fencing be approved.

All other fences such as interior fencing to enclose patios, screen trash, support arbors, etc. shall be of a type, finish, color, etc. compatible with the approved perimeter fencing type and the building architecture. Approval is required.

No fencing shall be installed in such a way that it blocks established drainage ways.

Dog runs and fenced enclosures for animals must be approved.

E. Roofing

Roof replacement requires an ACC request for information purposes when replacing roof materials with the same type of material and structure. However, an ACC approval is required when deviating or changing the original material or structure. Samples of the product and information on the new product and/or design will be required to accompany the request.

F. Screening, Landscaping, and Maintenance

Approved fencing or other approved means (such as plant material that remains green year-round) shall be used to screen the following unsightly objects. The purpose of the screening requirements is to ensure that the neighborhood has a neat, clean, and orderly appearance, free from the visual clutter that detracts from property values and community character.

- 1. Garbage and Refuse** - All trash, refuse, garbage, and other wastes shall be kept in closed containers such as garbage cans. These containers shall be kept within the garage, or if placed outside, shall be screened from view, using ACC approved means. The enclosure shall be kept neat, clean, and weed free.
- 2. Vehicles** - Vehicles need to be aware of the "No Parking During School Hours" signs throughout Woodbourne. Only those vehicles that have a Woodbourne parking sticker registered to that address may be exempt from possible citations and towing by the County.

Only properly licensed vehicles shall be parked in the street or in visible areas on private property within Woodbourne. All other vehicles including, but not limited to, commercial and business vehicles, boats, campers, recreational vehicles (RV's), hauling trucks, trailers, etc., shall be kept in the garage. Off street parking places shall be screened with an ACC approved means so that no part of the vehicle is readily visible from the adjacent street or properties. Previously exempted or approved on-site parking rights shall not be transferred with the sale of such residence. A new ACC request is required.

Motor homes and campers may be parked on the street or driveway for preparation, clean-up, loading, or maintenance for a maximum period of time not to exceed three (3) days.

No vehicles of any kind shall be repaired, rebuilt, etc. except in the garage or on the driveway. If conducted on the driveway, this kind of activity shall continue no longer than a 48-hour period.

Motorized skateboards are prohibited on the streets or sidewalks within Woodbourne. Any other unlicensed motorized vehicles are also prohibited.

- 3. Dog Houses and Dog Runs** - Dog houses, shelters, and runs shall be completely screened from the view of the adjacent public or private properties and the streets and shall be built from materials compatible with the house.

G. Landscaping

Any landscaping shall be done in accordance with the landscape plan approved by the committee. The plan shall show all proposed landscape improvements including trees, shrubs, turf, mulches (bark, gravel, rock, etc.) patios, decks, fences, arbors, stone work, retaining walls, vegetable gardens, pools, vehicle parking areas, etc. All applications must be accompanied by an appropriate plot plan showing all changes or improvements to scale in relation to the existing structure. Proper permits shall be required. Landscaping additions, including planting, irrigation systems, patios, decks, etc., that are not part of the initial approved plan, must receive separate approval.

- 1. Maintenance** - All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, pruning, removal, and replacement of dead or dying plants, removal and/or killing of weeds and noxious grasses, and removal of trash.

On many lots, a perimeter fence is installed inside the sidewalk line or property line due to setback requirements. The homeowner is responsible for the maintenance of the area between the fence and the sidewalk property line in accordance with the above guidelines.

If any area is not properly maintained, The Board of Directors of Woodbourne shall notify the homeowner of the deficiency. If it is not corrected within fifteen (15) days, the Board may institute legal procedures to hire the job done and bill the homeowner for the cost of the maintenance and the legal costs.

H. Miscellaneous Items

- 1. Signage** - No signs of any type shall be displayed on the home site except a single sign advertising a home for sale. The single sign shall not exceed 5 square feet in size.

- 2. Play equipment** - Play equipment may be erected within a fenced or screened area but shall have the approval of the ACC. Play equipment shall be an appropriate scale and of approved materials and color. Equipment utilizing natural materials (wood vs. metal) is preferred. The height requirement remains at eight (8) feet, unless an exception is approved by the ACC.

- 3. Basketball Backboards** - Basketball backboards if attached to the house are pre-approved by the ACC and need only be submitted on the regular ACC form for information purposes. Backboards placed elsewhere on the lot require an application to be submitted for approval. **Portable basketball structures shall not be used on a public street or the public sidewalk. When not in use, the structure shall be stored and placed out of view from the front of the property.**

- 4. Ancillary Structures** - All ancillary structures, such as greenhouses, storage sheds, patio covers, arbors, cabanas, gazebos, etc. shall be approved by the ACC. Any such structure shall be sited and designed to be compatible with the house and all adjacent houses and fences. Construction materials shall be similar to those used on the house including roofing materials, siding, color, style, etc. Greenhouses, storage sheds, and gazebos shall not extend above eight (8) feet at the highest point, from ground level. The location of such buildings shall be at the rear of the house or garage so as to minimize visibility within the setbacks required by the final development plan for Woodbourne.

5. **Hot Tubs and Pools** – Above ground pools or devices capable of holding five hundred and fifty (550) gallons of water or greater, must be submitted to the ACC for approval.
6. **Garage Doors** – All garage door replacements require an ACC Improvement Request, regardless of whether there is a change of garage door material or not. Replacement garage doors must fit the overall aesthetic of the neighborhood and style should be in harmony with other existing homes. **Doors must be painted the base or trim color of the home within 30 days of installation.**

An emergency provision exists for homeowners who must replace their garage door prior to ACC approval due to a garage condition that will result in damage if the work is not done immediately. The exact materials specified in the application form must be used in this situation, and this application must be submitted within 24 hours of the commencement of work.

7. **Retaining Walls** - Any retaining wall shall be approved by the ACC. The applicant is encouraged to use materials that are compatible with the building construction (wood painted or stained to match the house, brick or stone to match the house, etc.). Retaining walls which divert water onto other properties or otherwise substantially alter existing drainage patterns are prohibited.
8. **Site Grading** - Any change to site grading shall be approved by the ACC. No new grading shall divert water onto other properties or otherwise substantially alter existing drainage patterns. Care shall be taken to keep water away from foundations.

I. **Exceptions to Architectural Control Committee Guidelines**

Some exceptions to vehicle parking on private lots has already been granted in Woodbourne by the developer-controlled Board of Directors (Richmond). Vehicles such as campers, motor homes, etc. parked on private lots which do not meet the guidelines listed herein will be allowed to remain in the community until either of the following occurs:

1. The vehicle is sold and/or replaced by one of greater dimensions than the current vehicle.
2. The home or property is transferred or sold.

Any requests for future storage of a camper, motor home, etc. occurring after either one of the above occurs must be submitted to the ACC for review.

If an application requests permission for some change that is apparently non-conforming according to these guidelines, the Committee may grant reasonable variances or adjustments if such adjustments or variances are not detrimental or injurious to the other properties or improvements in the neighborhood and are not contrary to the general intent and purpose of these guidelines.

3. Appeals to ACC Denials

In the event that an application requests permission for some change that is apparently non-conforming according to these guidelines, the application will be denied by the Committee. The homeowner may petition for an appeal of denial via a neighborhood review procedure based on the following guidelines:

1. The request will be reviewed by the Board of Directors. If tentatively approved by the Board, the request will be submitted by the Board to the neighbors that are directly impacted by the change (for example, those who would be in view of the non-conforming change). Neighbors shall have no more than fifteen (15) days to respond anonymously to the requested change.
2. In the case of a change that will have a large area impact, a sign announcing the application for a non-conforming change shall be posted in the applicant's front yard for a period of seven (7) days. This sign shall announce the nature of the request and offer any resident the opportunity to express an opinion anonymously to the management company.

After the neighbor review and sign posting process is completed, The Board of Directors shall act on the request taking the review results into consideration before making a final decision. No Board member shall vote on any proposal in which they have a personal interest.