

Legacy at Palmetto Farms

Architectural Control Committee Architectural Standards and Guidelines

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PURPOSE

The Declaration of Protective Covenants establishes the basic authority for maintaining the quality of design within the Community. The guidelines allow the Architectural Control Committee (also known as the Architectural Review Committee) to adopt architectural control standards subject to the confirmation of the Board. The covenants define the general scope and nature of the ACC's responsibility in dealing with specific situations and request.

The accompanying guidelines have been adopted by the Board to assist homeowners in submitting their application, requesting any exterior alterations, additions or improvements to their home and property.

FUNCTION

- A. The role of the Association, of which each resident is a member, is not only to own and maintain the common areas, but also to protect everyone's investment while promoting harmony and shared interests throughout the community.
- B. Architectural Control Committee (ACC). The ACC performs its task of ensuring and maintaining aesthetic quality of the exterior appearance of properties by establishing and monitoring the architectural review process, and conducting periodic inspections of properties. The ACC ensures that proposed exterior alterations adhere to the objectives set forth in the Covenant. This involves regular systematic review of all applications for exterior alterations submitted by residents.
- C. Board of Directors. The Board reviews all appeals to ensure that the ACC followed proper application review procedures, ensures the parties concerned were afforded a fair decision, and confirms that the decision rendered has a rational basis.
- D. Association Manager. The Association Manager has primary and day-to-day responsibility for the operation and maintenance of the homeowners association.

ITEMS REQUIRING APPROVAL

- A. The Declaration of Protective Covenants generally defines those items requiring approval of the ACC.
- B. The Declaration of Protective Covenants mandates that any alterations, additions or improvements, whether permanent or temporary, to the exterior appearance of one's property requires prior written approval of the ACC, and full compliance with guidelines. All applications are reviewed on an individual basis.

MODIFICATION REQUEST FORM

- A. General. Unless otherwise stated in these Guidelines, an application must be submitted for every exterior change, using the Modification Request Form that can be attained from the Association Manager or via electronic means. The form must include estimated start and completion dates; and details such as dimensions, color, and material of all associated exterior alterations. A drawing of the exterior alterations should be attached to the approval Form. When required by the local government, permits must be obtained prior to beginning work and a copy of the permit application must be provided with the Modification Request submittal. No project may be commenced prior to ACC written approval.
- B. Site Plan. A Site Plan is a scale drawing of the Lot which shows the exact dimensions of the property, adjacent properties if applicable and all proposed improvements on the Lot described in the application.
- C. Elevation View. An elevation view is a drawing of the structure as seen from the front of the structure. (Pictures of similar structures or a brochure may be substituted for certain structures, i.e. fences, doors, decks.

APPLICATION REVIEW PROCEDURES

- A. Filing. The ACC Modification Request Form, including drawings or site plan and a copy of permit applications, if applicable, must be submitted to the Association Manager for review and approval or denial. All signatures must be on form before submitting to the ACC for approval.

Review Process. After receiving an application, the Association Manager will submit the application to the ACC if the application is complete. Incomplete applications are automatically denied. The applicant must resubmit a complete application. The ACC will make a recommendation to the Board on approval or denial. The Board will communicate the final decision to the Association Manager. The Association Manager will then issue a notice *to the applicant* indicating the approval or denial of the application.

- B. If completion of an approved project has not commenced within 30 days after approval and/or estimated start date, the approval will be null and void and a new application will have to be submitted. If an approved project is not completed by the estimated completion date, a homeowner should submit the revised completion date in writing to the Association Manager.

- C. Although many decisions are rendered within a few days applicants must allow 30 days for the ACC to review and render a decision regarding any Modification Request.

APPEALS PROCEDURES

- A. If an application is denied, the homeowner may request an appeal of the decision to the Board in writing within 14 business days of receipt of the denial. The Board's decision will be final.

ACC REVIEW CRITERIA

- A. The ACC evaluates all submissions on the individual merits of the application for conformity with the ACC Guidelines that are established herein.
- B. The following criteria represent the general standards:
1. Design Compatibility. The proposed improvements must be compatible with the architectural characteristics of the applicant's house, adjacent houses, and the neighborhood setting. Compatibility is defined as, but not limited to, similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
 2. Location and Impact on Neighbors. The proposed alteration should relate favorably to the landscape, the existing structure of the community and following the overall architectural guidelines of the community.
 3. Scale. The size (in the three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings.
 4. Color. Selections should be made which blend with the housing type within the community.
 5. Materials. The same compatible materials as were used in the original house including, retention of architectural style; and continuation of color/trim combinations should be reflected in an addition.
 6. Workmanship. The quality of work should be equal to or better than that of the surrounding area.

MAINTENANCE REQUIREMENTS

Property ownership includes the responsibility for continued maintenance of all structures and grounds which are a part of the property. This includes, but is not limited to, items such as maintaining grass, removal of trash and structural maintenance. Maintenance affects the visual character and *economic values of the property*, neighborhood, and in some cases, safety.

- A. The storage of trash receptacles, lawn equipment, lawn furniture, and barbeque grills, etc. is not permitted in the front yard or side yard. All such items must be stored either in the garage, or in the backyard screened from view of adjacent properties. Decks and patios may be used for items such as grills and outdoor lawn furniture that are normally used on decks and patios.
- B. Residents are responsible for maintaining the exterior dwelling and any other structures of their lots, such as decks, fences, and playground type equipment. The following cases represent some general conditions which would be considered violations of the guidelines: visual from the street.
1. Peeling paint on exterior trim, siding, and doors.
 2. Dented mailboxes, or mailboxes and/or stands in need of, replacement, repainting or repair.
 3. Playground equipment which is broken or in need of paint.
 4. Fences with broken or missing parts.
 5. Decks with missing or broken railing or parts, or parts in need of re-staining.
 6. Concrete or masonry block foundation and wall in need of repainting, resurfacing or repair.
- C. All landscaping must be neatly maintained, which includes removal of dead growth.

1. Lawns must be mowed on a regular basis so as to provide a manicured appearance with grass height not exceeding four (4) inches. Lawns must be "edged" or neatly trimmed along sidewalks, driveways, curbs, etc.
 2. Residents are expected to pick up, and properly dispose of, accumulations of grass clippings and leaves.
 3. Islands and flowerbeds must be maintained regularly with fresh pine straw or mulch, edged and weeded so that they are kept free of weeds and grass.
 4. Exposed drainpipes need to be buried.
 5. Trees, bushes, and other ornamental plants must be pruned and/or trimmed to provide a manicured appearance.
- D. Each resident is responsible for picking up litter on their property and preventing windblown debris from accumulating on their land.
- E. Driveways, walkways, pathways, and curbsides are expected to be clean and free of oil spills, grass growing in between cracks, and broken pavement in order to maintain the appeal and integrity of the neighborhood.
- F. Pet owners are responsible for cleaning up pet waste, including waste that occurs when walking their dogs and especially waste that occurs on the common areas.

ARCHITECTURAL STANDARDS AND GUIDELINES

ADDITIONS

- A. Applications must include the following information:
1. A plan or drawing of the structure from two different views.
 2. List and specifications of construction materials.
 3. Finish type and color
 4. Estimated start and completion dates.
 5. Any additional information as may be required or requested by the ACC.
- B. All additions must be consistent to design, materials, and color with the home.
- C. Additions are to be located in the rear of the property.

AIR CONDITIONERS

- A. Air conditioning units extending from windows are prohibited.
Other exterior units may be added or relocated only when they are not visually or physically intrusive to neighbors.
Shrubbery for screening of such other exterior units is encouraged.
- B. Window fans are prohibited.

AWNINGS

- A. Awnings may be installed on the rear of the home only.

BARBECUE GRILLS (PERMANENT)

- A. Permanent grills may be installed at the rear of the house and not be located within ten (10') feet of the side and rear property lines.

BASKETBALL GOALS

- A. Permanent basketball goals are considered on an individual basis and are not allowed to be mounted to the house. Portable goals are allowed only if they are stored in the garage, at the rear of the house or on the driveway outside the garage when not in use. Use of basketball goals is limited to the hours between 8:00 AM and 10:00 PM.

CLOTHESLINES

- A. Clotheslines are not permitted within view from the street and are allowed only when within the confines of a privacy fence.

DECKS

- A. Applications must include the following information:

1. A site plan and drawings of the structure from two different views.
 2. List and specifications of construction materials.
 3. Finish type and color
 4. Estimated start and completion dates.
 5. Any additional information as may be required or requested by the ACC.
- B. Decks are allowed at the rear of the home only.
- C. All material shall be of a type generally utilized for the purpose of deck construction (i.e., treated pine, cedar, Cementous decking, etc.) Finishes and colors must be natural wood tones.

DOG HOUSES

- A. Doghouses must be located in the rear of the property, may not be visible from the street and must be within the confines of a privacy fence that is locked when dog is present.
- B. Must be constructed of materials and colors consistent with the home on the Lot.
- C. Invisible fences are acceptable.
- D. Dog runs or pens of any type are not acceptable.

DOORS

- A. No modification form is needed for full-glass doors. All other storm door request must submit a modification request.
- B. Storm doors on the rear of the house may have retractable glass or screens.
- C. Replacing an entry door is permitted, provided the design, quality, material, and color are consistent with that used in the original construction.
- D. Screen doors are not permitted on the front or side of the house or where they may be visible from the street.

DRIVEWAYS

- A. All driveways must be constructed of concrete with the same finish used in the original construction.

EXTERIOR DECORATIVE OBJECTS

- A. Applications must include the following information:
1. A site plan and a drawing, picture or brochure of the structure.
 2. List and specifications of construction materials.
 3. Finish type and color
 4. Estimated start and completion dates.
 5. Any additional information as may be required or requested by the ACC.
- B. No decorative objects such as statues, sculptures, birdbaths, fountains, and the like shall be placed or installed on the front or side yard.
- C. Concrete edging is allowed without a modification request.

EXTERIOR LIGHTING

- A. Applications must include the following information:
1. A plan or drawing indication the location of the proposed lighting
 2. List of lighting materials
 3. Finish type and color
 4. Any additional information as may be required or requested by the ACC.
- B. Lights added to the front of a home or garage must match or compliment existing lamp styles of exterior lamps.

FENCES

- A. Applications must include the following information:
1. A site plan and an elevation view, brochure, or picture of the fence.
 2. List and specifications of construction materials.
 3. Finish type and color, and

4. Estimated start and completion dates.
 5. Any additional information as may be required or requested by the ACC.
 6. Consider having an official survey conducted to submit with application.
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- B. All fences shall be constructed of wood only. All wood material shall be of a type generally utilized for the purpose of fence construction (i.e., oak, pressure treated pine, spruce, cedar, etc.). Chain link and hog wire fences are prohibited. Privacy fences are the only type of fencing allowed. No rail or picket fencing is allowed
 - C. No fence shall be greater than six (6') feet in height or less than three and a half (3 1/2') feet in height.
 - D. All fences shall have a uniform pattern along the top line (i.e., dog eared, scalloped, bordered lattice, etc.).
 - E. All structural and/or framing members shall be installed to the interior of the fence, such that they are not visible from outside the fence or lot.
 - F. All wood fences must have a natural or stained finish. Stained finishes must conform to others in the community and must be Selected from the pre-approved colors. No painting of fences is allowed. All fences must be regularly maintained by staining and/or sealing. No fence shall be allowed to reach a state of disrepair.
 - G. All fencing must be installed within the boundaries of Lots to conform with all governmental setback and other regulations, if any, as well as any requirements of the recorded Plats for the subdivision. Any boundary dispute shall be resolved between the disputing Owners and shall not be the responsibility of the Declarant or Association. No fence shall be installed forward more than 5' of the rear corners of a home, however, variances may be granted, in the sole discretion of the association board, to allow access to a side door, enclose an air conditioning condenser unit or similar items. Side yards are not typically approved for fencing.
 - H. No front yard of any Lot shall be fenced. Corner lots may be considered to have two front yards, therefore front yard rules apply to the yard adjacent to both adjacent streets on corner lots. As a rule, fences are not allowed in front yards due to fence construction being prohibited forward of the rear corners of the house. However, consideration may be given by the Declarant to the back yard fenced area yielding after rear corners are used and whether the house is situated square with the streets or diagonally placed. The ACC may also consider which street the house faces for address purposes and what appearance results from the other street side. In any event, the fence should be no closer to the side street than the building setback line required by the development plans of the subdivision.
 - I. Invisible fences are acceptable.

FIREWOOD

- A. Firewood shall be kept neatly stacked and should be located to the rear residence. Firewood must be screened from view of neighboring Lots, streets, and property located adjacent to the Lot.

FLAGPOLES

- A. Permanent, freestanding flagpoles are prohibited.
- B. Temporary flagpole staffs that do not exceed six feet in length at an incline to the wall or pillar of the dwelling unit do not require approval by the ACC.
- C. Only official flags of countries, states, universities or seasonal decorative flags may be displayed.
- D. Only one flag permitted to be displayed at a given time.
- E. Flags which display trademarks or advertising, and battle flags and similar flags which, in the Board's judgment, are intended to, or tend to, incite, antagonize, or make political statements (other than a statement of citizenship or country of origin of the residence of the dwelling) are not permitted.
- F. Flags shall be maintained in good condition and shall not be displayed if mildewed, tattered or faded beyond recognition.
- G. Provisions of the Federal Flag Policy must be adhered to. The Federal Policy may be found at [Federal Flag Code Public Law 94 344](http://www.senate.gov/reference/resources/pdf/RL30243.pdf) <http://www.senate.gov/reference/resources/pdf/RL30243.pdf>.

GARAGES AND GARAGE DOORS

- A. No garage may be demolished or converted to any use other than as a garage including, without limitation, a conversion to use as enclosed living area, screened or glass porch or patio.
- B. Garage doors must be the same style as originally installed or the same as used throughout the community.
- C. Damaged garage door must be repaired within a certain timeframe of damage or will be fined.

GARDENS AND LANDSCAPING

- A. Grass, ornamental plants and shrubbery, consistent with original grass or landscaping, may be planted in the front, rear, or side yard without the approval of the ACC. All other planting requires approval by the ACC.
- B. Planting of trees, plants or shrubbery on the property line is prohibited.
- C. No vegetable gardens are allowed without approval by the ACC and will be considered in the rear yard only when enclosed by a privacy fence.
- D. An application is required for railroad ties or garden timbers which form a wall over twelve (12") inches high, and eight (8') feet long. An application should include (a) site plan with the location of the timbers and (b) information on landscaping plans and grading changes.
- E. All property located at street intersections shall be landscaped to permit safe sight across the street corners. No fence, wall, hedge, or shrub planting shall be placed or permitted to remain at any corner where this would create a traffic or sight problem.
- F. Landscaping cannot exceed 40% of the lot area.
- G. No artificial vegetation or flowers of any kind shall be permitted on the exterior of any property.
- H. White rocks are not allowed and all others require approval.

GREENHOUSES, SUNROOMS AND ADDITIONS

- A. Applications must include the following information:
 - 1. A site plan and drawings of the structure from two different views.
 - 2. List and specifications of construction materials.
 - 3. Finish type and color
 - 4. Estimated start and completion dates.
 - 5. Any additional information as may be required or requested by the ACC.

GUTTERS AND DOWNSPOUTS

- A. No application is needed.
- B. All house gutters and downspouts colors and styles must match those existing and must not adversely affect drainage on adjacent properties and must be maintained in a reasonable manner.

HOLIDAY DECORATIONS

- A. Exterior holiday decorations do not require an application. They are considered temporary and must be removed no later than fourteen (14) days after the holiday for which the decorations were erected.

HOUSE NUMBERS

- A. Large house numbers greater than four inches in height are not permitted on the house.

IN-HOME BUSINESS

- A. Your local government regulates in-home business.
- B. The following special requirements must be met:
 - 1. Permit and licenses are required from the appropriate government authorities. A copy of all required permits and licenses must be provided to the ACC prior to the initiation of any in-home business activities should the business be approved by the association.
 - 2. No sign or other advertising device of any nature shall be placed upon any Lot or house.
 - 3. No exterior storage of business-related materials will be allowed on any Lot.
 - 4. No in-home business-related vehicles are allowed to park on the street at any time.

MAILBOXES

A. All mailboxes and mailbox posts shall be of the same type and color as that originally installed or must be the same brick, stone or stucco as installed on your home. In addition, iron or iron-like mailboxes may be installed with approval.

PAINTING

A. The exterior of all improvements must be painted or repainted in the color used in the original construction of residences within the community.

B. Any color different from the original construction must submit modification request for approval.

PATIOS

A. Applications must include the following information:

1. A site plan and drawings of the structure from two different views.
2. List and specifications of construction materials.
3. Finish type and color
4. Estimated start and completion dates.
5. Any additional information as may be required or requested by the ACC.

B. Patios are allowed at the rear of the home only.

C. Patios must be constructed of concrete with the same finish used in the original construction.

PETS

A. Dogs are required to be on leashes when walked on community sidewalks. Any pet that creates a nuisance or unreasonable disturbance may be removed from the community.

B. Pets other than common household pets are prohibited.

RECREATION AND PLAY EQUIPMENT

A. An application is required for permanently installed playground equipment and playhouses.

B. All playground equipment shall be placed to the rear of the residence. Recreation and play equipment includes, but is not limited to swing sets, tree houses, basketball courts.

C. Portable playground equipment, less than five (5') feet in height does not require ACC approval if located in the backyard of the house and within the extended side lines of the house, or within privacy fencing.

ROOFING

A. Replacing shingles of the same type and color as originally installed does not require an application. All other shingle changes must be approved by the ACC.

SHEDS AND OUTBUILDINGS

A. Storage Sheds may be allowed as follows:

1. Metal Sheds are discouraged but are considered on an individual basis if professionally constructed, free of rust, enclosed within a 6' privacy fence, positioned at the rear of the lot and out of view from the street.
2. Wood Sheds, professionally constructed, may be considered if painted and shingled the same as residence and positioned at rear of property and enclosed within a 6' privacy fence.
3. Subject to ACC approval. ACC Modification Request form must be submitted with detailed drawing and material list.

SIDEWALKS AND PATHWAYS

A. An application is necessary and requires the following information:

1. Site Plan showing location and relation to the adjacent property lines, the applicant's house and adjacent houses;
2. Dimensions of proposed improvements.
3. Materials and finishes to be used.
4. Estimated start and completion dates are required.

- B. New sidewalks and pathways should be set back six (6) feet from the property line and installed flush to the ground. Changes in surfacing or realigning existing sidewalks and pathways are prohibited.

SIGNS

- A. Standard size "For Sale", "For Rent" signs, and security signs, as well as signs required by legal proceedings may be erected upon any Lot. Only one sign permitted per Lot.
- B. In no event shall any sign be larger than 18" high by 24" wide.
- C. Election signs do not require an application. They are considered temporary and must be removed no later than five (5) days after the election for which the sign was erected.
- D. All signs (except those referenced above), billboards and advertising structures are prohibited

SOLAR DEVICES

- A. No artificial or man-made devices designed or used for collection of or heating by solar energy or other similar purposes are allowed without the approval of the ACC.
- B. If approved, solar devices must be installed at the rear of the house and may not be visible from the street.

SWIMMING POOLS

- A. A completed application to be submitted to ACC requires the following information:
 - 1. A Site Plan showing location and dimensions of the pool, other mechanical equipment, etc., in relation to the applicant's house, property lines and adjacent dwellings.
 - 2. Detailed dimension and plans of the pool, and pertinent information concerning water supply system, drainage and water disposal system; and
 - 3. Estimated start and completion dates are required.
- B. Pools must be located at the rear of the house
- C. Portable pools less than 6' in diameter and 2' high do not require ACC approval as long as they are stored in the garage or at the rear of the house.
- D. Above ground pools greater than 6' in diameter require ACC approval and may only be used and stored at the rear of the house, may not be visible from the street and must be enclosed by a privacy fence.

TREE REMOVAL

- A. No trees which are left on the lot at closing shall be removed without the approval of ACC unless said tree is not viable.
- B. Tree stumps should be cut to grade.
- C. Any tree removed greater than twelve (12) inches in diameter shall be replaced within thirty (30) days by a new tree of the same species unless approved otherwise by the ACC.

VEHICLE PARKING OR STORAGE

- A. At no time may sodded areas be used for parking at any time.
- B. Certain vehicles are prohibited from being kept, parked, or stored on any lot except in garages, these include junk vehicles, boats, trailers, moving vans, wreckers, ATV's, buses or tractors trailers.
- C. Repairing vehicles or commercial equipment parked or stored on any lot is prohibited. Common maintenance, such as changing oil, of personal vehicles and household and lawn equipment is allowed.