

HERITAGE HARBOUR COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 5

Restated February 14, 2025, and includes all previous amendments and

AMENDMENT NO. 30

ARCHITECTURAL AND ENVIRONMENTAL REVIEW POLICIES AND PROCEDURES

WHEREAS, Article VIII, Section 2 of the Declaration of Covenants (the Declaration) of Heritage Harbour Community Association, Inc. (The Association) requires plans and specifications of any proposed building, modification, addition, alteration, or change to be submitted to the Architectural and Environmental Review Committee (AERC) appointed by the Board of Directors; and

WHEREAS, Article VIII, Section 7 of the Declaration authorizes the adoption and promulgation of rules and regulations as may be necessary to implement the requirements of Article VIII of the Declaration; and

WHEREAS, on April 13, 1999, the Board of Directors adopted Policy Resolution No. 5 to establish policies and procedure for alterations of dwellings and private grounds.

WHEREAS, The Board of Directors and the Architectural and Environmental Review Committee have deemed it necessary to amend Policy Resolution No. 5 to revise and clarify the policies and procedures.

NOW, THEREFORE, BE IT RESOLVED, that Policy Resolution No. 5 is amended and restated to read as follows.

I. GENERAL

As more fully set forth in Article VIII of the Declaration, except for proper maintenance and repair, no building, fence, wall or other improvement or structures shall be constructed, altered or maintained upon the Property, nor shall any exterior addition to or change or other alteration be made until the complete plans and specifications shall have been submitted to and approved by the AERC in writing. Such change applications shall be evaluated by the AERC as to safety, harmony of external design, color and location in relation to surrounding structures and topography, and conformity with the design concept(s) of the neighborhood in which the Property is located.

A. Certain alterations are prohibited by this Resolution; others are acceptable after approval by the AERC; and others are permitted without approval. Attachment A contains policies applicable to various alterations to residences.

B. All owners are held responsible for assuring that alterations are in compliance with the provisions of the Declaration and this Resolution.

C. Failure to comply subjects the owner to all remedies provided by law or as set forth in the

Declaration, the By-Laws and the Book of Resolutions.

D. For the purpose of this Resolution the term alterations shall include alterations and enhancements to residences and their grounds, including decorations and plants.

II. APPLICATION PROCEDURES

A. All applications must be on forms provided by the AERC, signed by the owner and dated. Application forms are available from the Lodge office during normal business hours. AERC Application form can also be found online at www.heritageharbour.org. AERC application form may also be used to request changes or additions to Policy Resolution Number 5.

B. The application must describe in detail the proposed alteration, including the exact location, dimensions, colors and materials to be used. Detailed drawings should be included in or attached to the application form. In the event that there are multiple projects, a separate application may be required for each project. If construction is proposed on ground space, e.g. fences, patios, decks, walkways and driveways, the application must include a copy of the plat for the property showing lot lines and location of the project.

C. Applications may be delivered to the office in the community Lodge or mailed to the following address.

Architectural and Environmental Review Committee
Heritage Harbour Community Association
959 River Strand Loop
Annapolis, MD 21401

D. Applications shall be considered submitted as of the date of the next occurring regular meeting of the AERC. The AERC will make reasonable efforts to act upon the application within sixty (60) days after it is submitted.

E. Applicants may address the AERC when the Committee considers their application. In addition, each applicant may have no more than three (3) other persons address the Committee in support of the application; however, the Chairperson may set a limit on the time allowed for each presentation.

F. The Board of Directors may designate certain alterations or enhancements that may qualify for consideration using an expedited review and approval procedure, i.e. "fast-track" procedure. If applicants request fast-track consideration, their application will be acted upon and the applicant notified within three (3) business days after the application is submitted.

III. RESULTS OF REVIEW

A. The applicant shall be informed in writing of the decision. If the application is denied, the reason(s) for denial shall be stated as part of the written decision.

B. The applicant may request reconsideration, if new or additional information, which might

clarify the request or demonstrate its acceptability, can be provided.

C. Any party (whether the applicant or another affected party) dissatisfied with a decision of the AERC may, within fifteen (15) days after the date the decision is mailed, appeal the decision to the Board of Directors. The appeal must be in writing addressed to the President and may be delivered to the office of the community Lodge or mailed to the address given in Section II C above. A hearing on the appeal will be conducted in accordance with the established operating procedures for the AERC.

D. Approval of any particular plans and specifications or design shall not be construed as a waiver of the right of the AERC to disapprove such plans and specification or any elements or features thereof, in the event such plans and specification are subsequently submitted for use in any other instance.

IV. COMMENCEMENT AND COMPLETION OF WORK

A. Alterations requiring approval should not be commenced until final approval by the AERC. Disapproval of an application for any reason could result in restoration to the original condition by the applicant at his/her expense.

B. Any project approved by the AERC must be commenced within six (6) months following the date of approval (whether by affirmative action or by forbearance from action, as provided in Section II D above) and shall be substantially completed within six (6) months following the date of commencement. In the event construction is not commenced within six (6) months, then approval of the project by the AERC shall be conclusively deemed to have lapsed and compliance with the provisions of this Resolution shall again be required.

C. There shall be no deviation from the plans and specification approved by the AERC without prior written consent of the AERC.

D. Upon completion of any project, the owner may request a Certificate of Compliance from the AERC.

E. Construction debris or materials shall be removed promptly and properly during and after completion of the project. For safety and appearance purposes, the site must be cleared daily of trash and debris. The expenses of the Association to correct the condition, may be assessed against the owner of the Lot, and shall become due and payable on the date the statement is mailed to the owner.

F. Approval of any application by the AERC does not waive the necessity of obtaining any required Anne Arundel County permits; nor does the obtaining of a county permit presume approval by the AERC.

V. ENFORCEMENT

A. In the event there is a violation of the provisions of Article VIII of the Declaration or of this Resolution, the Management Agent shall give notice, in writing, to the owner of the property

or to the person responsible if the violation is on property other than the Lot owned by the member. The notice shall state the nature of the violation and the corrective action required. The notice shall be mailed to the owner or member at his/her address in the records of the Association. Notice shall be considered given on the date mailed by the Association.

B. A violation must be corrected within fifteen (15) days (or a shorter period if so stated in the notice) of the date notice was given. If not corrected within the period specified, then the Association, upon resolution by the AERC, shall have the right to enter upon the Lot and correct the violation. The expenses of the Association to correct the violation may be assessed against the owner of the Lot on which the violation occurred or against the responsible person. The assessment shall be due and payable upon the date the statement is mailed to the owner.

C. The Association shall have the right, through its agents, to enter upon and inspect any Lot at any reasonable time for the purpose of ascertaining whether any violation exists on the Lot. Neither the Association nor its agents shall be deemed to have committed a trespass or other wrongful act by reason of entry for inspection of any Lot.

VI. CONDOMINIUM REGULATIONS

A. Each condominium within Heritage Harbour may also establish requirements concerning alterations of condominium units; provided however, that these requirements are in accord with the provisions of the Declaration and this Resolution. The condominium's requirements may be more stringent but shall not be less stringent than those contained in the Declaration or this Resolution.

B. If approval by the condominium board of directors is required for alterations to condominium units, that approval must be received before the application is submitted to the AERC for approval. Approval of an application by the condominium board of directors should not be considered tantamount to approval by the AERC.

ATTACHMENT A

This attachment provides policies for specific alterations or enhancements to residences and grounds, including decorations and plants. Any alteration or enhancement not included in this attachment requires an Architectural Change Application. Heritage Harbour Condominium units may be subject to additional restrictions.

It is the responsibility of the applicant to comply with all applicable building codes, and to obtain county building permits, if required, prior to the start of any work.

PLEASE NOTE: The phrases “bright colors” and “brightly colored” used in this document are to be interpreted as colors that are more brilliant, more intense, more flamboyant, more obvious than the colors around them; in other words, brighter.

Additions. (See **Decks, Porches, Patios, and Rooms.**)

Air conditioning units. Air conditioning units are permitted only on rear and second story windows, and must be approved by the AERC.

Arbors, pergolas, or similar enhancements used for shade. AERC approval is required. The application must contain a copy of the plat that shows the location of the enhancement on the dwelling or the property, the design, materials to be used, and the color. The design may incorporate trellis or lattice.

Awnings. Metal or fixed awnings are prohibited. AERC approval is required for all other awnings. The application must indicate the location of the awning(s) on the dwelling and a description of the awning, to include a sample of the materials to be used, showing color, weave, etc.

Birdbaths. Plastic or bright colored birdbaths are not permitted. AERC approval is required for birdbaths that are visible from the street. The application must include a description or picture of the birdbath and a copy of the plat showing location of the birdbath.

1. Birdbaths are considered lawn ornaments. Only one (1) lawn ornament is permitted.
2. The birdbath may not be more than twenty-four (24) inches high and twenty-two (22) inches wide.
3. The birdbath must be made of natural materials, i.e. metal, terra cotta or cement, in subdued tones only.

Bird feeders. AERC approval is required for bird feeders that are visible from the street. The application must include a description or picture of the bird feeder and a copy of the plat showing location of the bird feeder.

Birdhouses. AERC approval is required for birdhouses that are visible from the street. The application must include a description or picture of the birdhouse and a site plan showing location of the birdhouse.

Blinds, roll-up. AERC approval is required for roll-up blinds on the exterior of the unit. Blinds must be located at the roof line. Color must match house trim.

Carpeting, exterior. Exterior carpeting is prohibited, except on front stoops. The carpeting must be beige, brown, gray, or green.

Chimneys. AERC approval is required for the replacement or modification of an existing chimney or for the addition of a chimney. The application must include a description of the material to be used, the color and the location of the chimney.

Compost bins. AERC review and approval is required for the installation of any compost bin. If a compost bin is desired, the use of a pre-manufactured enclosed compost bin, in a neutral earth tone color, is required. The following standards pertain to the installation of compost bins:

1. Only tumbler and bin type compost bins with lids are allowed. Open heap style bins are not permitted.
2. Detailed specifications and drawings of the proposed bin must include type of bin to be used (tumbler or bin style), material finish type and color, size/dimensions and the location on the lot.
3. A plat showing the location of the compost bin shall be submitted with the application.
4. The bin shall not be over four feet high and shall not exceed 16 square feet.
5. The bin shall be located to the rear center of the property. Using a trellis or shrubbery, the bin shall be screened from the street, community open space and/or adjoining or effected neighbors. Special locations can be approved on an individual basis after review and approval by the AERC.
6. Only tree leaves, grass clippings and outdoor plant material may be composted. Food or kitchen scraps may not be used for composting. Contents of active compost bins must be treated at all times to prevent odors and discourage pests and insects.
7. If at any point the compost bin becomes a public nuisance this shall indicate a violation of these guidelines and shall be subject to review by the AERC for possible removal of the bin.

Decks. AERC approval is required for additional or replacement decks. The application must include detailed drawings to indicate dimensions, materials, and color (if stained or painted). The application must also include a copy of the plat for the property showing the lot lines and the

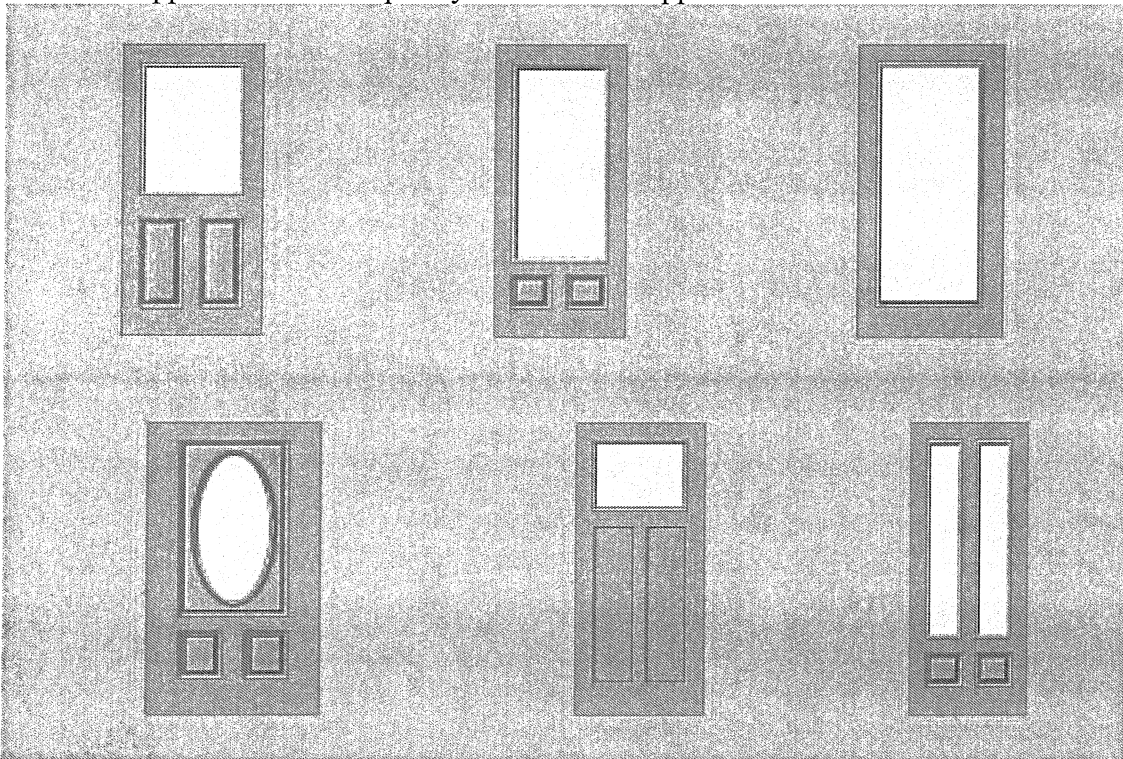
location of the deck. Deck material must be either redwood, pressure treated lumber, or composite material.

1. AERC review and approval is needed prior to any deck being stained or painted. The color may be natural, coated with clear varnish, clear wood sealer, or clear wood preservative, stained or painted in a neutral wood toned color. No bright colors are permitted.
2. If the deck has a railing, the railing may be wood or vinyl or composite material. All railings must have a top and bottom rail. Wood railings may be painted or stained to match the deck or may be painted either white or the same color as the trim of the house. Vinyl railings must be either white, wood tone, or the same as the trim of the house.
 - a. Wood balusters must be 2" x 2" square and all balusters regardless of design must be installed in a vertical position. Balusters may not extend above the top rail or below the bottom rail.
 - b. The following baluster styles have been approved as alternative to wood; i.e., square, oval, spiral, spindle, hex, round or rectangle, (rectangle NTE 1" x 2"). The above styles can be made of composite material, vinyl or powder coated aluminum (translucent materials are excluded), and all must be commercially available. Bright, ornate and personalized balusters will not be approved. A copy of the manufacturer's catalog page must be attached to any AERC request for balusters.
 - c. Baluster cable railing systems are approved for use. These systems are self-contained and may consist of 4" x 4" wood posts, white vinyl or powder coated aluminum posts. The associated balusters for these systems are composed of steel cable horizontally mounted between the posts or railings. A copy of the manufacturer's catalog page must be attached to any AERC request for baluster cable systems.
 - d. The owner and their contractor should consider the structural impact to the deck and associated railing system in the selection of the aforementioned products.
3. Lattice installed beneath a deck must match the color of the deck above it.

Doors. Entry, garage, screen or storm doors in more than one color are prohibited. If AERC approval is required, the application must specify the style and color of the door and include a picture of the door from the manufacturer. Applications for replacement of doors with no change in size, style, and color qualify for fast-track approval.

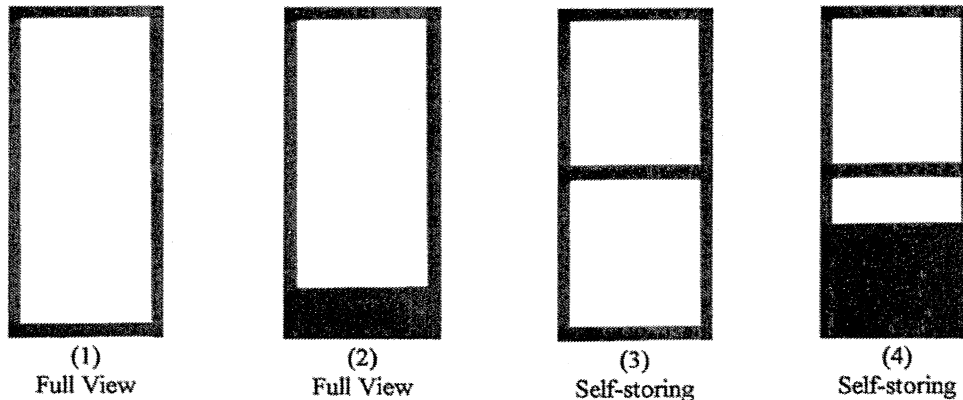
1. (a) Single Family Homes. The replacement of an entry door requires AERC approval. Any change in the color of a front entry door also requires AERC approval. Bright colors are prohibited. If the color of a front entry door is changed, see Shutters for requirements on painting the house shutters. (See *Painting, exterior*).

(b) Duplex, Villa and Town Homes. Due to the diversity in styles and architecture, the replacement of an entry door to one of these properties requires AERC approval. If the style change involves changing a solid door to glass then the AERC application must specify the style, color of door and a picture from the manufacturer. Any colored or custom-made glass doors are prohibited. The replacement door must conform to the color scheme associated with the individual property, blend with the aesthetics of the immediate area and be one of the 6 styles shown below. End units are exempt from color matching of shutters and front door when the shutters are on the side of the unit. Bright colors are prohibited. However, in the Ballast Way area, if the color of the door is to be changed to one of the four pre-approved colors, then the application would qualify for fast-track approval.



2. Garage doors. The replacement of garage doors requires AERC approval. Wooden doors may be replaced with metal doors. Windows in garage doors will be allowed in the second section from the top of the door on 8' tall doors and allowed in the first section from the top of 7' tall doors. All panels in that section that contain windows must be the same size as the panels they replace. Window grids are prohibited. The glass must be either translucent or frosted.

3. Screen doors. The installation of screen doors does not require AERC approval; however, AERC approval is required if grille work is installed on the door. Wooden screen doors must be painted to match the color of the entrance door or house trim.
4. Storm doors. The installation or replacement of storm doors does not require AERC approval; however, AERC approval is required if decorative grille-work is installed. Grille-work may not cover more than one-half of the height of the door. The application for a door with grille-work must include a picture of the grille-work as installed on the door. All storm doors must comply with the following standards. (See the illustrations below for examples of acceptable designs and proportions.)
 - a. The door must be the same color as the entrance door or house trim. However, the door may be white if window frames are white. Uncolored "mill finish" aluminum is not permitted.
 - b. The door must have full-length glass, either oval or rectangular.
 - c. If the storm door is a combination storm/screen door with removable or self-storing panels, the door may not have more than two panels.



Door hardware. AERC approval is not required for the replacement of hardware or for adding hardware, e.g. deadbolt locks, peep holes, door handles and door knockers, provided that the hardware matches the existing hardware on the door.

Driveways. Painting of driveways is prohibited. The construction of new driveways or the widening of existing driveways is prohibited, except as specified below. AERC approval is required for the replacement or repair of existing driveways. The application must describe the material to be used. If only a portion of the driveway is to be replaced or repaired the application must include a plat or drawing showing the portion to be replaced or repaired. Applications for the replacement of asphalt and concrete driveways with no change in the surface or dimensions, i.e. widening, qualify for fast-track approval.

1. Driveways on attached houses, e.g. townhouses, may be widened with AERC approval. The application must include a plat showing how the driveway will be widened. The driveway may be widened from the driveway to the curb, not to exceed one (1) foot in width and must be in concrete to match the existing driveway. If the extended driveway will cross common area, the owner of the property must agree to a perpetual maintenance agreement.
2. Replacement of existing driveways may use only standard concrete, pervious concrete, stamped colored concrete, asphalt, pavers, or brick. Gravel is not allowed. Where homes are attached, the replacement material must be the same as was used for the original driveways, whether asphalt or concrete.
3. Single-family units with more lawn expanse between driveways have flexibility as to driveway surface appearance, and thus are permitted to apply for surfaces on concrete drives, which may be approved on an individual basis. These might include slight color variations from basic concrete, such as light tan or gray.
4. Any patterned treatment of asphalt driveways, such as stamped, swirled, feathered, brushed, etc. must be black on black only, and be requested in the application.
5. Concrete driveways may be resurfaced by the application of concrete epoxy coating. The entire driveway must be coated. Control and expansion joints must be retained. The coating must be light oxford gray color. On driveways of joined units, at least two-thirds of the owners must agree to apply the identical coating to all of the joined units, when resurfacing is needed. The AERC application must include a document signed by at least two-thirds of the owners stipulating their agreement with the provisions of this section.

Dumpsters and portable storage units. A dumpster may remain on a lot for a maximum of thirty (30) days. A portable storage unit may remain on a lot for a maximum of sixty (60) days. The dumpster or storage unit shall be placed in an area that will not adversely affect the adjacent neighbors and the Heritage Harbour community. If additional days are required, an application for an extension must be submitted to the Lodge Office prior to the expiration of the permitted time.

Edging. AERC approval is not required for decorative edging around plant beds. Edging may not exceed twelve inches (12") in height.

Exhaust fans. AERC approval is required for roof mounted exhaust fans, including turbines. The application must contain a drawing that shows the location and a description of the fan.

1. The exhaust fan must have a low profile to be less obtrusive.
2. The exhaust fan must be installed on the rear slope of the roof and centered side to side, when centering is possible.

Fences. A fence is considered to be an enclosure of any material, supported by posts for the purpose of preventing intrusion or defining property lines. Fences may extend from a rear corner of the house so as to intercept a property line at a 90-degree angle. If a gate is to be installed adjacent to the house, it must be at a 90-degree angle to the house, with the outer end of the gate extending to meet with the fence line. Privacy fences installed by the original builder may be replaced, but not permanently removed. The installation of new or replacement fences requires AERC approval. The application must describe the fencing style, the material to be used, the size of the vertical boards and space between the boards, and the type of finials (post caps). A copy of the plat showing the location of the fence must accompany the application. Fences may cross the Building Restriction Line (BRL).

1. Fences may be board-on-board (alternating board) or split rail and must be constructed of wood or natural wood-colored vinyl. White vinyl is not allowed. If wood fencing is used, the wood must be free of bark.
2. AERC review and approval is needed prior to any fence being stained or painted. The color may be natural, coated with clear varnish, clear wood sealer, clear wood preservative, stained or painted in a neutral wood toned color. No bright colors permitted. Any change in the color of the fence on attached units e.g. townhouses, must have the agreement by a majority of the owners of the attached units. When the other attached units require maintenance or improvements are performed, the new color must be used. In such cases, the Architectural Change Application must contain a document signed by a majority of the homeowners affected that they agree to the change and, when painting or staining is needed or requested, agree to use the same color.
3. Board-on-board (alternating board) fences must meet the following specifications.
 - a. Fences may not exceed six (6) feet in height.
 - b. All support posts must be either 4"x4" or 6"x6" pressure treated lumber. Stringer boards must be either 2"x4" or 2"x3" lumber. Fence boards must be mounted on alternating sides of the stringers.
 - c. The space between boards must be not less than 2" or greater than 3" when using 1"x 4" boards and not less than 3" or greater than 4" when using 1"x 6" boards.
 - d. Each fence section must have a 1"x 4" cap board on the top.
 - e. Gates must be the same height as the fence. Gates over 42" wide must be mounted on 6" x 6" posts. Gates 42" or less may be mounted on 4"x 4" posts. Gates must have oval tops. Straight-across or flat-top gates are not permitted. Any gate that was previously approved by the AERC prior to December 1, 2008, that does not meet the above specifications may remain until the gate is replaced.
4. Split rail fences must meet the following specifications.

- a. Fences may have either two or three rails.
 - b. Screening may be installed on the inside of the fence but may not extend above the top rail. The mesh size of screening may not be less than 2"x 2-5/8" or greater than 2"x 4". The screening may be either welded wire, vinyl, or other synthetic material in black, dark green, or brown in color.
5. The replacement of townhouse fences must be of the same style as that installed by the original builder. However, natural wood-colored vinyl may be used to replace wooden fences. If vinyl is to be used to replace a wood fence of a townhouse, then all fences in that row of townhouses must use vinyl when those fences are replaced. (The Architectural Change Application must include a document signed by a majority of the owners of the attached units stipulating that they agree with the provisions of this section.)
 6. On corner lots, fences may protrude from the house only the width of a gate (4' maximum) on the side of the house parallel to the street. Exceptions may be considered.

Firewood storage. Firewood must be stored at the rear of the house.

Flags and/or decorative banners. Flags and/or banners are subject to the following restrictions.

1. Flags and/or banners may be displayed at the front of the house or on the garage side of the house.
2. Decorative banners may be displayed during appropriate seasons or occasions; however, only one banner may be displayed at any one time. There are no restrictions on when an American flag or a Maryland state flag may be flown, provided that appropriate flag etiquette is observed.

Flagpoles. AERC approval is required for the installation of flagpoles. The application must describe the pole and material to be used. A copy of the plat showing the location of the flagpole must accompany the application. The flagpole must be removable and limited to twenty (20) feet in height.

Flowers and shrubs. (See **Plants.**)

Fountains. (See **Lawn ornaments and house embellishments.**)

Furniture, outdoor. Lawn furniture, including tables, chairs, umbrellas and grills, may not be visible from the street (front facing). If the house has a front porch, small chairs and a table are permitted with AERC approval. Bright colors on a front porch or front patio are not permitted.

Garage door screening. The installation of garage door screens requires AERC approval. If the unit is mounted on the exterior of the garage it must be painted to match the trim. Images or bright colors on screens are not permitted.

Generators. AERC approval is required for any permanently installed generator. The application must describe the dimensions of the generator and the type of screening to be used, and include a plat showing the location of the generator on the property. Applications for the installation of a permanent generator qualify for fast-track approval.

1. Generators must be screened from view using fencing, lattice, evergreen plants, or other appropriate material. When fencing or lattice is used, the fencing or lattice may not extend more than 12" above the generator.
2. The applicant is responsible for compliance with all County requirements.

Grilles on windows. Grilles, including bars, require AERC approval. Grilles are permitted on basement level only and must be black or the same color as the foundation. The application must specify the material to be used and the color of the grilles and must include a drawing or picture of the grilles to be installed and the location of the grilles.

Grills. AERC approval is required for any permanently installed outdoor grill, regardless of the heat source. The application must describe the grill, the materials to be used, and the heat source, e.g. charcoal, electric, gas. A copy of the plat showing the location of the grill must accompany the application.

Gutter/leaf guards. AERC review and approval is required for the installation of gutter/leaf guards. This item is eligible for fast-track approval if the gutter/leaf guard matches the color of the gutter. This rule does not apply to installations prior to November 14, 2012.

Handrails. AERC approval is required for all handrails. The application must include detailed drawings and dimensions of the handrails, and must include a copy of the plat showing the location of the handrail(s)

1. Handrails on driveways must be wrought iron and black in color. Vertical support posts must be not less than sixty (60) inches apart. Scrolling may be used to reinforce the connection of the top rail to the support posts but may not exceed 8" in length.
2. Handrails in the front of the house must be wrought iron and black in color. If handrail is installed on steps, there must be at least one baluster for each step.

Hedges. (See **Plants.**)

Holiday decorations. Holiday decorations displayed on the residence or in the yard must be removed within fifteen (15) days following the holiday.

House numbers. AERC approval is not required for changes to house numbers. Numbers must be displayed in their original location and can also be displayed in only one additional location on the house or on the ground. House numbers cannot exceed four (4) inches in height and must be in good taste.

Hose caddies. Hose caddies shall be affixed to the side of a house and extend no higher than thirty-six (36) inches from the ground and not exceed 14" x 14" in size. Portable hose caddies that are not enclosed shall be stored so they are not visible from the street.

Irrigation or sprinkler systems. Permanently installed irrigation or sprinkler systems require AERC approval. The application must describe the system to be installed and must include a copy of the plat showing the location of the system.

Lawn ornaments and house embellishments. Lawn ornaments and house embellishments visible from the street require AERC approval. Applications for lawn ornaments must describe the ornament, including material and color, and must include a copy of the plat or drawing showing the location of the ornament. Applications for house embellishments must describe the embellishment in detail, or include a picture of the embellishment, and the location of the embellishment on the house.

1. Only one lawn ornament, including statuary and birdbaths, may be installed in either the front or side yard. A lawn ornament may not exceed 24 by 22 inches and be of wood, metal, terra cotta or cement in natural or subdued colors. Lawn ornaments made of plastic or in bright colors will not be approved.
2. Only one house embellishment may be installed on the front of house or garage. The embellishment may not exceed 18 by 28 inches. The embellishment can be of wood, metal or terra cotta in natural or subdued colors. House embellishments made of plastic or in bright colors will not be approved.
3. Fountains are permitted in back yards only and may not be visible from the street.
4. The size of a lawn ornament, statuary, birdbath or house embellishment shall be in proportion to the space it will occupy.

Lawn furniture. (See **Furniture, outdoor**)

Lighting, exterior. The installation or replacement of exterior light fixtures is subject to the following.

1. AERC approval is not required to replace exterior light fixtures with fixtures that are of similar style, size and material. Light fixtures on front or garage doors may be either bright or antique brass, bright or brushed nickel, black, white, or verdigris. No other colors are permitted.

2. AERC approval is not required to add a matching door light to the opposite side of a garage door on a single-family residence.
3. AERC approval is required for any change in the number, style, size, or material from the originally installed lighting. The application must include the location, style, material and color of the light fixture. (Include a picture of the fixture if available.)
4. AERC approval is required for the installation of permanently installed ground or walkway lighting. The application must include the style, and color of the fixtures to be installed and a copy of the plat showing the location and spacing of the fixtures. Lighting that is not permanently installed, such as small solar lights do not need AERC approval, but must still adhere to the safety, harmony of external design, color, location and conformity with the design concept of the neighborhood in which the Property is located.
5. Exterior lights that exceed 300 lumens are prohibited unless hooded to limit the illumination to a radius of ten (10) feet.

Mailboxes and posts. The installation or replacement of mailboxes and mailbox posts do not require AERC approval but are subject to the following restrictions.

1. Mailboxes must be black in color and the outside dimensions of the box may not exceed 9-3/4 inches in height, 11-1/2 inches in width and 21-3/4 inches in length. Decorative covers on mailboxes are not permitted.
2. Mailbox posts must be black metal (wrought iron, pipe or other metal), black vinyl, or wood 4x4 posts. The wood posts may be coated with a clear preservative, allowed to weather naturally, or painted black, but may not be color stained.
3. Mailboxes must be maintained to prevent them from becoming unsightly, e.g. cracked, dented, rusted, faded to gray, faded names or numbers.

Newspaper delivery boxes. Newspaper delivery boxes on separate posts are prohibited. Exceptions may be allowed in areas with cluster mailboxes; however, AERC approval is required for delivery boxes on separate posts in these areas. The application must specify the type, material and color of the post to be installed. The application must include a copy of the plat or a drawing showing the location of the post. If more than one newspaper delivery box is required, all of the boxes must be mounted on a single post.

Painting, exterior. AERC approval is required for any change in exterior paint colors. The application must identify the location on the residence where the color change is requested and include a color chip of the paint. The appearance of the paint must match the color chip. Bright colors are prohibited. Except for concrete foundation walls, the painting of concrete is prohibited.

Patios. AERC approval is required for all patios. The application must contain detailed drawings and specifications, including dimensions, materials and colors, and a copy of the plat showing location of the patio. Patios may be constructed of concrete, masonry, wood, vinyl, or composite material. However, any wood used in constructing the patio must be either redwood or pressure-treated lumber.

Pergolas. (See **Arbors, pergolas, or similar enhancements used for shade.**)

Piping and wire conduit. AERC approval is required for the installation of any air conditioning lines, gas pipes, wiring, essential services or similar transmission lines that extend three (3) feet above the surface of the ground. These services must be enclosed in conduit and painted to match the siding. The application must include a description of the material to be used, the color and the location of the services and conduit to be installed. Applications in this category are eligible for fast-track review and approval.

Plant and tree protection from animals. Plants and bushes may be protected with green or black netting draped over the plant or bush. Small tree protection can be used on trees in the side or rear yards only, using support posts or stakes that may not exceed six (6) feet in height to hold the black or green screens in place around the tree. Support posts shall not exceed two (2) inches in diameter and may not be placed closer together than three (3) feet. The above is a temporary solution to allow for newly planted trees, bushes and plants to mature.

Plants. Flowers, grass, shrubs and trees are subject to the following. (Also see **Vegetable gardens.**)

1. AERC approval is required for all plants used for screening. The application must describe the plants to be used and include a copy of the plat showing the location of the screening. Plants used to screen adjacent property may not extend beyond the front line of the house.
2. Root-invasive plants, such as bamboo and zoysia are prohibited. Except that all invasive grasses planted prior to 1996 are permitted, provided that the grasses are contained to prevent its spread to adjacent property.
3. Flowers, shrubs, hanging baskets, etc. are allowed without AERC approval only if they are within the homeowner's property. All dead plants, shrubs, trees, flowers and weeds shall be promptly removed. No artificial flowers or plants are permitted except that artificial flower decorations can be placed on the door or to the immediate right or left of the door. At street corner, plants may not exceed two (2) feet in height to avoid creating blind spots for traffic.
4. Non-flowering evergreen plants are permitted at the base of mailbox and newspaper box posts. The plants must not be allowed to exceed eighteen (18) inches in height and must not encroach on sidewalks or storm drains.

Porch and front patio ornaments. Porch and front patio ornaments are defined as any item located on the front porch or front patio that is not furniture or potted plants. No more than two porch or front patio ornaments may be installed without AERC approval and may not exceed three (3) feet in height and must be proportionate to the space the ornament(s) occupy.

If an AERC application is required, the dimensions of the porch must be included in the application.

Porches. AERC approval is required for the addition of a porch or changes to an existing porch. The application must contain detailed drawings and specifications, including materials, and colors. The porch must have matching siding, a pitched roof, matching shingles and trim painted to match the house trim. AERC review and approval is needed for the painting of concrete porch floors, the color must be neutral and subdued, bright colors will not be allowed.

Privacy screens. Privacy screens are to provide privacy, wind breaks and sound barriers on decks. Privacy screens are allowed on decks in the rear of the house only. The installation of a new or replacement privacy screen requires AERC approval. The application must describe the screen style, the material to be used, the size of the vertical and horizontal boards and space between the boards, and the type of finials (post caps) if used. A copy of the plat showing the location of the deck and proposed privacy screen must accompany the application. (See **Decks.**)

1. Privacy screens must be constructed of wood or natural wood-colored vinyl in a lattice style pattern. White vinyl is not allowed. If wood screening is used, the wood must be free of bark.
2. Privacy screens may be coated with clear varnish, clear wood sealer, or clear wood preservative or may match the color of the deck.
3. Privacy screens may not exceed one-third (1/3) the perimeter of the deck.
4. Privacy screens must meet the following specifications:
 - a. Privacy screens may not exceed six (6) feet in height as measured from the deck surface.
 - b. All support posts must be either 2" x 4" or 4" x 4" pressure treated lumber. Lattice panels must be mounted on both sides of the frame that will support the privacy screen.
 - c. Privacy screens may not extend above the top rail of the supporting framework. The mesh size of screening may not be less than 1-1/2" x 1-1/2" or greater than 2-3/4" x 2-3/4".

Propane tanks. AERC approval is required for any permanently installed propane tanks. The application must describe the dimensions of the tank(s) and include a plat showing its location on the property.

1. Tanks must be screened from view using fencing, lattice, evergreen plants, or other appropriate material. When fencing or lattice is used, height of the material is not to extend more than 12” above the highest part of the tank(s).
2. The applicant is responsible for compliance with all county safety standards.

Radon vents. AERC approval is required for the installation of radon vents. The application must contain a description of the style and dimensions. The application must also include detailed drawings showing the location of the vent on the house. The vents must be installed so that they are not visible from the street. Applications for the installation of radon vents qualify for fast-track approval.

Rain barrels. The placement of Rain Barrels is permitted and require AERC approval. Rain Barrels can be installed at the corners of the homes that contain downspouts. The color of the Rain Barrel(s) shall conform to the aesthetics of the property (example Buff Brick, Stone or siding), shall not exceed 50 gallons in capacity and shall contain netting to prevent the breeding of mosquitoes. All Rain Barrels that are approved will be available on the commercial market and shall not contain any commercial logos or designs.

The AERC application shall contain a copy of the proposed Rain Barrel from the manufacturer’s catalog along with a copy of the plat describing the location(s) of the proposed Rain Barrel(s).

Retaining walls. AERC approval is required for new or replacement retaining walls that exceed twelve (12) inches in height. The application must contain detailed plans and specifications. The application must include a copy of the plat showing the precise location of the retaining wall. Retaining walls must be constructed of pressure treated lumber or modular blocks

Roofs, replacement and repair. AERC approval is required for the replacement of roofs. The application must specify the color, type and style of the shingles to be used and specify whether the shingles match the existing shingles or a change from the existing shingles. The application must include a brochure that illustrates the shingle style and color, or a sample of the shingles to be used. Applications for replacement of roofs with no change in style or color of the shingles qualify for fast-track approval. Architectural style shingles may be substituted for three-tab shingles on single family homes and still be eligible for fast-track review.

1. Any change in the color, type or style of shingles on attached units e.g. townhouses, must have the agreement by a majority of the owners of the attached units. When the other attached units require re-roofing, the new color, type and style of shingles must be used. In such cases, the AERC application must contain a document signed by a majority of the homeowners affected that they agree to the change and, when re-roofing is needed, agree to use the same color, style and type of shingles.

2. Should a majority of the homeowners fail to agree on a change the Board of Directors, upon recommendation by the AERC, shall determine the color, type and style of shingles that will be used for all attached units.
3. Semi-detached units are required to use the same color, style and type of shingle on both units.
4. When roofs are repaired, the shingles used as replacements must be the same color, style and type.

Room additions. AERC approval is required for all additions. The application must contain detailed plans and specifications to include materials, colors and dimensions. The application must include a copy of the plat showing the addition.

1. Additions must have a pitched roof with shingles matching the main roof. Siding must match that used on the house. The trim must be painted to match the house trim.
2. For additions to attached houses, e.g. townhouses, a minimum of three (3) feet is required as a setback from the adjoining house(s). Unit owner shall notify the Lodge office after the footers are dug to have them inspected to ensure they are in compliance with the 3' setback requirement. The unit owner is again to notify the Lodge office once the footers are poured to ensure that changes have not been made since the footers were inspected prior to pouring.

Satellite antenna (dish). Satellite antennas that exceed one (1) meter (39.37 inches) in diameter are prohibited.

Shutters. Shutters on windows are subject to the following.

1. All shutters on the house must be the same color as the entry door and each shutter must be only one color. Except that, if the entry door is stained the shutters shall remain painted.
2. Replacement window shutters are to be the same style and color as the originals or as approved by the AERC. (See **Painting, exterior.**)
3. Shutters installed on the house may not be permanently removed.
4. Shutters and front entry doors that are different colors because the original builder painted them different colors, or the AERC approved the change, must be changed to match when title to the unit is changed, or the entry door or shutters are repainted during maintenance.

Sidewalks and walkways. AERC approval is required for the replacement, repair or modification of existing sidewalks, lead walks and walkways. The application must describe the work to be done, the materials to be used, and the color. If the application is for an extension, a copy of the plat showing the location of the extension must be included. Applications for the replacement of concrete or pervious concrete lead walks, sidewalks and walkways with no change in the surface or dimensions; i.e., widening, qualify for fast-track approval. A copy of the plat showing the installation must be included:

1. Concrete must be used for the replacement or repair of sidewalks. Concrete, pervious concrete, flagstone, pavers, brick and colored stamped concrete may be used for walkways.
2. Concrete lead walks and walkways may be resurfaced by the application of an epoxy coating. The coating must be neutral in color and requires AERC review and approval. The entire sidewalk or walkway must be coated; however, control and expansion joints must be retained. On sidewalks and walkways of joined units, a majority of the owners must agree to apply the identical coating to all of the joined units. The AERC application must include a document signed by a majority of the owners stipulating their agreement with the provisions of this section.

Siding. AERC approval is required for the replacement of siding. Vinyl replacement siding may be in 4" or 8" lap width. The application for replacement of siding must include a manufacturer's brochure that shows the style and color of the siding or a sample of the siding in the proposed color.

Signs. Display of house and/or yard signs is subject to the following:

1. One decal prohibiting soliciting may be displayed in a window or on the front door.
2. Political signs may be displayed 30 days prior to a primary or general election day and must be removed no later than 15 days after the election date.
3. Realtor signs may only be displayed on the day(s) of an open hours.
4. Estate sale signs may only be displayed on the day(s) of the sale.

Solar and/or tile panels. If a solar panel or tile system is being installed, the location of the conversion and distribution components requires an application to, and approval of the AERC. These components should not be visible from the street so long as this does not significantly increase the cost of the system, or decrease its efficiency. The preferred location is inside the garage. The fire disconnect, by law, must be located outside the garage.

Skylights, solar tubes and sun tunnels. AERC approval is required for the installation of skylights, solar tubes and sun tunnels. The application must contain a description of the style and

dimensions of the units to be installed. The application must also include detailed drawings showing the location of units on the roof where an installation or a combination of a skylight or solar tube/sun tunnel may be involved.

1. Up to two solar tubes or sun tunnels, not exceeding twenty-four (24) inches in diameter, may be approved for installation on the front slope of the roof.
2. Skylights are permitted on the front and rear slope of the roof. Skylight(s) must be installed and aligned in a vertical configuration on the same horizontal plane, be rectangular in shape, and not exceed twenty-four (24) inches in width or forty-eight (48) inches in length.
3. Applications for the replacement of existing skylights, solar tubes and sun tunnels with no change in style, size, location or color qualify for fast-track approval.

Storage Buildings. Metal storage buildings are prohibited. AERC approval is required for the installation and construction of all other storage buildings. Vinyl, wood or resin type storage buildings are permitted after review and approval by the AERC. Only one storage building will be permitted on a property. The application must contain drawings and specifications of the storage building to be constructed, and include a copy of the plat showing location of the shed. (See **Room Additions for storage structures that are permanent additions to the house.**) The storage building must be located in the rear of the house, cannot be seen from the street and cannot extend above the top of the fence.

1. Storage buildings behind single family and duplex homes may not exceed sixty-four (64) square feet and must be located against the rear wall of the house or within two (2) feet of a six-foot (6') high board-on-board fence.
2. Storage buildings behind Villas and Townhomes may not exceed thirty (30) square feet and may be placed inside and against a six-foot (6') high board-on-board fence that encloses the entire rear yard.

Tarpaulins. The use of tarpaulins or similar covers that are visible from the street is prohibited for periods in excess of thirty (30) days.

Terracing. AERC approval is required for terracing. The application must describe the terracing to be done, including materials to be used. The application must also include a copy of the plat showing the location of the terracing.

Trees. Trees are subject to the following:

1. The following trees are prohibited: American beech, female ginkgo, silver maple, weeping willow, mimosa albizzia, flowering fruit (except fig trees), poplar, cottonwood

and Leyland Cypress. Exceptions: Flowering fruit (fig trees are permitted), poplar, and cottonwood trees planted prior to July 2006 may remain.

2. Existing Leyland Cypress trees are not to exceed fifteen (15) feet in height.

Trees, removal. No sound tree over four (4) inches in diameter, measured at two (2) feet above ground level, may be removed without AERC approval. The application must describe the tree to be removed, including the approximate diameter and height. A copy of the plat showing the location of the tree must accompany the application. (Also see **Plants.**)

Trellis. AERC approval is not required for trellis affixed to the house, provided that the trellis meets the following. (See **Arbors, pergolas, or similar enhancements used for shade.**)

1. The trellis must be fan, ladder, or flair shaped. Panels of lattice may be used as trellis.
2. The trellis must be painted white, green or redwood, stained in redwood color, or allowed to weather naturally.

Trim covering. AERC approval is required for the application of aluminum or vinyl over house trim. The application must describe what trim will be covered, the material to be used and the color.

Turbines. (See **Exhaust fans**)

Vegetable gardens. Vegetable gardens visible from the street are prohibited.

Ventilators. Ventilators on the front slope of roofs are prohibited. AERC approval is not required for low mushroom or button style ventilators installed on the rear slope of roofs, or for ridge vents or soffit venting.

Windows. AERC approval is required for replacement of windows, for addition of windows to the house or garage, for changes in style or color of existing windows, and for changes in the color of window frames. Window frames must be either the same color as those installed by the builder or white. No other color is permitted. (See **Painting, exterior** if the color of the window trim is to be changed.)

1. The application for replacement windows must state the number and location of the windows to be replaced, and must include a manufacturer's brochure showing the style, size and color of the replacement windows. Applications for replacement windows with no change in style, size, or color qualify for fast-track approval.
2. The application for the addition of windows must include a drawing to show the location of the new windows, and include a manufacturer's brochure showing the style, size and color of the windows.

3. The application for a change in style or color of existing windows or window frames must describe the changes to be made and include a sample of the color or a manufacturer's brochure showing the style, size and color of the windows.

Yard maintenance equipment. All yard maintenance equipment and supplies, such as lawn mowers, wheel barrows, carts, rakes, shovels, bags of mulch, fertilizer etc. must be stored where it is not visible from the street.