

Bylaws of The Oak Hall Architectural Review Committee Of Oak Hall Community Association, Inc.

Introduction

This document contains the bylaws governing operations of the Oak Hall Architectural Review Board, hereafter referred to as the Architectural Review Committee (ARC). These bylaws fall under control of the Oak Hall, Woodlands, and Gables Homeowner's covenants. In the event of a conflict between these bylaws and the homeowner's covenants, the covenants prevail.

These bylaws are compiled by the ARC, and become effective once signed by a representative of the Oak Hall Homeowner's Board of Directors (BOD). These bylaws will be updated over time by the ARC, with each new version becoming effective upon signing by the BOD. Depending upon the nature of the changes being made, one of two criteria shall be met before a new version is signed and becomes effective. If the change adds clarification of an area not previously covered by any article within the bylaws, i.e. a completely new article for a topic not already covered by an existing article, or the change makes an existing article less restrictive upon the homeowner, then a simple majority vote of the BOD is adequate to approve the new version. If the change makes an existing article more restrictive upon the homeowner, or removes an existing article, or changes these requirements for making future modifications to the bylaws, then a simple majority (>50%) vote of the association class A membership is required to approve the new version. As each new version becomes effective, it shall supercede all previously dated versions.

These bylaws consist of two major sections: the general section containing information of an introductory or general nature, and the architectural guidelines (referred to by the covenants as "Standards and Construction Specifications"). The architectural guidelines contain specific criteria governing Oak Hall architectural issues. That section details what is acceptable within Oak Hall, or more accurately, what is not acceptable. It is organized into numbered articles to facilitate easy reference.

Operating Paradigm

The purpose of the ARC is to maintain acceptable architectural standards throughout Oak Hall for the benefit of all those living within the community. This includes responsibility for architectural matters on all properties within Oak Hall (including but not limited to private, common, under development, and vacant parcels). Unfortunately, this requires limiting the freedom of the individual property owner to do as desired with their property. It is therefore recognized that actions taken by the ARC are primarily restrictive in nature.

To ensure no property owner's freedom is unnecessarily limited, the ARC shall approach every request as already approved. A request shall only be disapproved if a specific documented reason exists, for example one or more articles of the regulatory bylaws is violated, or if it contains insufficient data for evaluation.

ARC Process

Anyone planning an architectural change, modification, or improvement must submit written request to the ARC and await an approval before beginning the project.

The ARC meets once each month. Upon acceptance of a request, a written acknowledgment is sent to the property owner containing the official date of receipt and the date it is scheduled for review.

If the ARC fails to send further written notification within thirty days following the official date of receipt, the request is automatically approved.

Upon reviewing the request the ARC will classify it under one of the following categories.

- ◆ **Approved**

The request does not violate any articles of the bylaws or covenants and is therefore approved.

Upon approving a request the ARC will send written notification to the property owner.

- ◆ **Approved with Conditions**

The request is approved, but the approval is contingent upon certain conditions.

In this case the notification will detail the conditions under which the approval is granted.

- ◆ **Disapproved for Cause**

The request violates one or more article(s) of the bylaws.

Upon disapproval of a request the ARC will send written notification to the property owner.

The notification will reference the specific article(s) of the bylaws or covenants being violated.

- ◆ **Disapproved for Lack of Data**

The request lacks adequate information for evaluation.

In this case the notification will describe the required information.

The property owner may add the required information and resubmit the request for consideration the following month.

Resubmission for Reconsideration

In the event a request is *disapproved for cause*, or *approved with conditions* which are unacceptable to the property owner, that property owner may *resubmit for reconsideration* up to six times. The resubmitted request(s) should be changed to eliminate the violation(s), contain additional information to support approval of the request, or contain a request for the ARC to look closer (e.g. visit the site and/or discuss the situation with the property owner).

Resubmitting a request to supply additional information because it was *disapproved for lack of data* does not count as a *resubmission for reconsideration* because it was not previously considered.

Right of Appeal

Should the property owner disagree with the ARC's classification of their request, they may appeal in writing directly to the Board of Directors (BOD). The decision of the BOD is final and shall be binding upon both the property owner and the ARC. The ARC does not accept resubmission of a request which was previously appealed to the BOD.

Complaints

A property owner offended by a possible violation of the covenants or ARC by-laws on someone else's property may complain in writing to the ARC. The ARC will review complaints received during the following monthly meeting, time permitting. Anonymous complaints will not be reviewed by the ARC.

- ◆ If the situation is in compliance, the ARC will notify the complaining property owner in writing.
- ◆ If the situation is not in compliance, the ARC will notify both the complaining and offending property owners in writing.

An offending property owner who receives a *notification of violation* from the ARC has a specified timeframe¹ from the official date of notification to eliminate the situation or to request and obtain ARC approval. Should an offending property owner fail to comply within the required timeframe, the ARC will notify the BOD for possible legal action.

Time Limits

Once approval is granted for a request, the approval is valid indefinitely.

To prevent unsightly construction from being prolonged for unreasonable periods of time, each type of project has a specific time limit (see specific articles). The time limit specifies the length of time the property owner has to complete the project beginning the first day of construction.

Decision Making

All decisions made by the ARC will be based upon *simple majority rules*. In the event of a tied vote, the decision shall be in the favor of the requesting property owner.

Record Keeping

Detailed minutes shall be kept on file of all ARC meetings. Minutes shall include a record of attendance, the agenda and results of each agenda item, a list of requests and complaints considered, and any other information deemed appropriate by any single member of the ARC

All correspondence shall be filed with the management company.

All ARC records are available to any property owner upon request.

¹ Timeframes to eliminate violations may be stated within specific articles. When an article specifies a timeframe, that timeframe shall apply. If no article-specific timeframe is available, the general-purpose timeframe of 120 days shall be used. The *notification of violation* will state the applicable timeframe.

Architectural Guidelines

This section contains specific Architectural Guidelines (referred to as Architectural Standards and Construction Specifications, Uniform Sign Regulations, Uniform Mailbox Regulations, Landscape Guidelines, and

Environmental Rules and Regulations by the covenants). The guidelines are organized into numbered articles for reference.

The first subsection of each article is “Supporting Documentation”. This section describes the minimum documentation, which must be submitted for the type of request addressed by that article.

1. Landscaping

1.1. Supporting Documentation

Submit landscaping plan for approval on an official plot plan with notes or on an architectural lot drawing. Size should not exceed 11 by 17 inches.

2. Fences

2.1. Supporting Documentation

Plot plan with location (placement), material, style, and finish (color).

2.2. Height

Fences shall be between 3 feet and 6 feet in height.

2.3. Length

- Six-foot patio enclosures are not to exceed forty linear feet.
- Perimeter fences have no limit.

2.4. Material

2.4.1. Unacceptable fence materials include but are not limited to the following.

Wire, , Chain Link.

2.4.2. Acceptable fence materials include but are not limited to the following.

Rot resistant lumber, durable plastics, Brick, Stone, Black Finished Aluminum, Wrought Iron

The good side should always face outward.

2.5. Style

2.5.1. Unacceptable fence styles include but are not limited to the following.

Chain Link and Chicken Wire..

2.5.2. Acceptable Fence Styles include but are not limited to the following.

Shadowbox, Spaced Picket (of 4 feet or less), and decorative top such as Scalloped Top, Lattice Top and Gothic.

2.6. Location

- Fences are only permitted in back yards.
- A patio enclosure is considered a fence. If more than one fence is present, the inside fence must be at least one foot shorter than the outside fence.
- The location of each fence shall be reviewed by the ARC.
- The fence must be either on the property line or at least 3 feet inside the property line to allow for lawn maintenance.

2.7. Finish

2.7.1. Type

Paint over treated lumber is not acceptable. Stain should be used instead to prevent peeling.

2.7.2. Color

Color samples must be submitted to the ARC for approval.

3. Doors

3.1. Supporting Documentation

Type, location (placement), material, style, finish (color), and picture (brochure).

3.2. General

Door finish and color shall be in keeping with the external décor of the house.

3.3. Front Doors

Only single hung entry doors are permitted.

3.4. Back and Side Doors

Sliding glass, French, and single hung doors are acceptable.

3.5. Storm Doors

No security series doors are permitted.

3.5.1. Front

Must be wood stained/painted or aluminum with permanent painted finish.
Must be full view. Kick plate must be no greater than 8 inches.

3.5.2. Back

No additional guidelines.

3.6. Enclosed Porch Doors

Must be consistent in color and finish with the porch.

3.7. Garage Doors

Garage doors cannot be altered in appearance to the extent that they no longer look like a garage.

4. Windows

4.1. Supporting Documentation

Type, location (placement), material, finish (color), and picture (brochure).

4.2. Guidelines

Window design, finish and color shall be in keeping with the external décor of the house.

5. Paint

5.1. Supporting Documentation

External Paint or Stain - Type, location (placement), color, existing color scheme of overall property.

5.2. Guidelines

All paint requests must be submitted to the ARC for review including gutters and downspouts, except where paint is original color and brand.

6. Detached Buildings

6.1. Supporting Documentation

Type, size, location (placement), complete color scheme, and complete plot plan (showing existing, approved, and requested structures including size).

6.2. Number of Structures

A property owner may build a maximum of two detached buildings in addition to their main dwelling. One is a storage shed and the other is a workshop. Refer to page 2 article 5, and page 3 article 9 of the Woodlands or Gables covenants.

6.3. Building Size

No parcel of land may have more than 15% (22% within the Gables) of its total area occupied by structures. Structures include the main dwelling, garage, shed, and workshop. Doghouses, porches, decks, patios, and gazebos are not considered in calculating the area of structures.

As an example, consider a ¼ acre lot with a 28 by 38 main dwelling and a 20 by 22 double car garage.

$$\begin{array}{r}
 43,560 \text{ (square feet per acre)} \\
 \times .25 \text{ (1/4 acre)} \\
 \hline
 10,890 \text{ (square feet per 1/4 acre)} \\
 \times .15 \text{ (15\% maximum structure size)} \\
 \hline
 1,634 \text{ (maximum structure area in square feet)} \\
 - 1,064 \text{ (main dwelling size in square feet)} \\
 \hline
 570 \\
 - 440 \text{ (garage size in square feet)} \\
 \hline
 130 \text{ (maximum total area of additional detached buildings)}
 \end{array}$$

Therefore, assuming a single detached shed is to be built, a 10 by 13 size would be the maximum size acceptable within the Woodlands.

6.4. Storage Shed

Single story with attic.

6.5. Workshop

Two story with attic.

7. Modifications and Expansions

7.1. Supporting Documentation

Type, size, location (placement), complete color plan, and complete plot plan (showing existing, approved, and requested structures including size).

7.2. Guidelines

Complete plans and elevations must be submitted for approval. In addition, details of previously approved and existing structures must be included. Design, finish and colors shall be in keeping with the external décor of the house.

8. Mailboxes

8.1. Supporting Documentation

N/A

8.2. Woodlands

Must be a green metal mailbox on a white wooden post, identical to those already installed throughout the Woodlands.

8.3. Gables

All posts must be white and all mailboxes must be green or black metal or plastic.

9. Signs

9.1. Supporting Documentation

If other than specified submit: type, size, location (placement), and finish (color).

9.2. Guidelines

No signs larger than 6 feet square are permitted. Signs must be placed only on the property owner's lot. Special event signs (e.g. yard sale, birthday, birth, Parade of Homes, etc.) must be removed immediately upon completion of the event.

10. Numbers and Lettering

10.1. Supporting Documentation

If other than specified submit: size, location (placement), and finish (color).

10.2. Guidelines

Street address may only be placed on door, mailbox, mailbox post, porch post, lamp post, above front or garage door on trim or a plaque. Numbers should be placed on both sides of the mailbox in white numbers and at least 3" tall.

11. Maintenance

11.1. Supporting Documentation

N/A

11.2. Guidelines

House and grounds must be maintained in an aesthetically pleasing state at all times.

12. Decks

12.1. Supporting Documentation

Material, size, location (placement), complete color scheme, and complete plot plan (showing existing, approved, and requested structures including size).

12.2. Guidelines

Materials sold specifically for decking are generally permissible. Deck extensions shall be the same color and material as the existing deck.

13. Porches

13.1. Supporting Documentation

Material, size, location (placement), complete color scheme, and complete plot plan (showing existing, approved, and requested structures including size).

13.2. Guidelines

Must be masonry or rot resistant wood. Design, finish and colors shall be in keeping with the external décor of the house.

14. Siding

14.1. Supporting Documentation

Material, color, and complete color scheme of lot.

15. Vinyl Siding

15.1 Supporting Documentation

Color sample of siding and trim.

Thickness of vinyl siding.

Copy of warranty.

Itemized list of work to be done, including what is to be replaced (siding, trim, window frames, gutters, soffits, etc.)

15.2 Guidelines

If any part of the siding is damaged for any reason, the color of replacement siding must match existing siding exactly or the entire house must be resided (vinyl cannot be painted).

Siding must be a minimum thickness of .040 inches thick (40 gauge).

All corners must have mitered edges and be covered with casings.

All cutouts (around hose bibs, electrical outlets, etc.) must be boxed.

All installations must carry a warranty.

All existing siding must be removed prior to installation of vinyl siding.

16. Roofing

16.1. Supporting Documentation

Material, color, and complete color scheme of lot.

16.2. Guidelines

Only asphalt shingles and glass solar shingles that mimic asphalt shingles are permissible. All shingles must be uniform in color.

17. Driveways

17.1. Supporting Documentation

Material, location (placement), and color .

17.2. Guidelines

Nothing other than concrete is permissible.

18. Sidewalks/Walkways/Walking Trails

18.1. Supporting Documentation

Material, location (placement), and color .

18.2. Guidelines

Only concrete is permissible in the front yard area.

Sidewalks may be constructed any place, but must be concrete.

Walkways may only be located in side and back yard areas. Walkways must be constructed from flagstone, formed concrete, brick, gravel, mulch, stepping stones, or raised wood boardwalks.

Walking Trails may only be located within common areas and must be constructed from asphalt, mulch, or raised wood boardwalks.

19. Food Producing Gardens

19.1. Supporting Documentation

Location (placement) and size.

19.2. Guidelines

Front yard not permissible and can not visible from front street.

20. Garbage Storage Area

20.1. Supporting Documentation

Location (placement), material, design drawings, color, and complete color scheme of lot.

21. Lawn Ornaments

21.1. Supporting Documentation

N/A

21.2. Guidelines

No plastic animal decorations, such as pink flamingos, shall be permitted in the front yard of any property. Exterior sculpture, fountains, birdbaths, birdhouses, and similar items are permitted in moderation.

22. Holiday Decorations

22.1. Supporting Documentation

N/A

22.2. Guidelines

All decorations must be removed within 30 days following the holiday and not to be up more than 90 days total.

23. Satellite Dishes and Antennas

23.1. No application is required for 1 meter or less in diameter. Larger dishes are not allowed.

23.2. If location is necessary to be visible from the street, an approved screening is required.

24. Skylights

24.1 Supporting Documentation

Location, size, color, and picture.

25. Solar Panels

25.1 Supporting Documentation

location (placement), brand/model, size, color, and picture (brochure)

25.2 Guidelines

All panels should be monotone in color (frame and panel the same color) and must match the color of the existing roof shingles.

All panels visible from the street shall be mounted on the roof of the house. All panels visible from the street shall only be mounted parallel to the pitch of the roof, and shall extend no more than 6" off the surface of the roof. Tilt-mounted panels are approved for use only on the rear facing roof, and only when not visible from the street. Panels are not permitted to overhang the edge of the roof.

The panel coverage area should not exceed 60% of the total roof area.

All installations must carry a warranty and must be completed by a licensed installer.

26. Driveway Pavers

26.1. Supporting Documentation

type, location (placement), material, style, finish (color), and picture (brochure)

26.2. General

Finish and color shall be in keeping with the external décor of the house

26.3. Guidelines

Can be used on either side of the driveway. Recommend using a paver that is easily obtainable in the future (not special ordered) for repair and replacement purposes.

- Match paver color to house color & roof color
- Pick a neutral color that will blend with all homes on the subject street

27. Play/Recreation Equipment Guidelines

- Play/Recreation equipment includes trampolines, basketball goals, workout equipment, playground or playset equipment, swing sets, ball return nets, etc. This list is not all-inclusive, and covers any and all equipment that might reasonably considered for play or recreational activities.
- When visible from the street, no recreation equipment may be mounted or attached to the home.
- Any semi-permanent/permanent installations or attachments of recreation equipment must be submitted and approved through the Oak Hall Architectural Review Committee prior to installation occurring.
- Any non-permanent equipment must remain in good repair and fully functional as intended at all times. Damaged equipment, or equipment not in-use, shall be removed or taken down.

28. Swimming pools

28.1 No permanent above ground pools allowed. Only temporary above ground pools are allowed only during the summer months. Should be stored out of site during the off season.