

**ORCHARD KNOLLS HOMEOWNER'S ASSOCIATION (HOA)**

**ARCHITECTURAL GUIDELINES**

of the

**Architectural Review Committee**

**AUTHORITY:** Declaration of Covenants, Article VIII.

**MASTER DOCUMENT:** Shall reflect Architectural Review Committee (ARC) and Board of Directors (BOD) approved updates and clarifications to-date, except rulings identified in BOD meeting minutes not yet posted to the Master Document. Master Document is kept with permanent records of Orchard Knolls Homeowner Association by Secretary, Board of Directors. The next-most-current document is posted on the association's web page at:  
[www.orchardknolls.org](http://www.orchardknolls.org)

**REVIEWS, RULINGS, JUDGEMENTS:** Reviews, rulings, and judgments shall be made against the Master *Architectural Guidelines* Document, and rulings identified in BOD meeting minutes not yet posted to the Master Document.

**BASE DOCUMENT & APPROVAL DATE:** On November 9, 1998. the Base Document was approved by majority vote at a regularly scheduled meeting of BOD. Base Document , exclusive of *italicized* updates, is recorded and filed with Articles of Incorporation, Declaration of Covenants, By-Laws and other adopted Rules - in the Depository of the Clerk of Montgomery County Circuit Court.

**LATEST CHANGES AND ADDITIONS DATE:** May 16, 2005. Changes and additions to the Master Document are denoted by *italics*. Changes and additions are initiated by ARC, and subsequently pass a majority vote of Committee, followed by majority vote of BOD. Changes and additions are recorded in BOD minutes.

**CLARIFICATIONS Vs. CHANGES/ADDITIONS:** *Any material change to Architectural Guidelines affecting exterior architectural form, fit or function - requires majority passage vote by ARC and by BOD. However, on occasion, clarifications must be made to enhance definition within the master document . A clarification will not materialistically change or add-to to exterior form, fit or function within Architectural Guidelines. ARC Chairperson must pre-approve any clarifications to the master document. A clarification does not require a vote by ARC or BOD, but must have already been discussed, approved and recorded in minutes of a regularly scheduled meeting of the BOD wherein ARC Chairperson or Acting ARC Chairperson was present. Clarifications will not be denoted by italics or identified with a date of change in the Master Document.*

**DISTRIBUTION:** New owners receive *Architectural Guidelines* in the *New Buyer Package*

available for a fee from Associated Bookkeeping Services when their assessment is established. In addition, On November 13, 1998, a bound copy of *Architectural Guidelines, Declaration of Covenants and By-Law* - was distributed by U.S. first class mail to assessment owners of record for every lot. Current *Architectural Guidelines*, including most recent updates, is also posted on HOA web page at: [www.orchardknolls.org](http://www.orchardknolls.org).

**PURPOSE:** The purpose of architectural guidelines and standards is to document, measure, preserve, and maintain architectural and environmental standards of the community and ensure that its residents continue to enjoy an attractive and appealing living area.

**INTENT:** ARC intends to maintain the entire development in harmony with the original developer and home builder's design plan, while still allowing opportunity for individual expression and general community improvement. Compliance with these guidelines will also protect, preserve, and enhance property values.

**ALL EXTERIOR CHANGES:** Any permanent or temporary change to exterior appearance of a lot or dwelling, regardless of viewpoint, requires advance submission, (minimum 60 days before implementation), of an *Architectural Change Request (ACR)* form to the Architectural Review Committee. The form is found at: [www.orchardknolls.org](http://www.orchardknolls.org). Every ACR is subject to review and approval by ARC. The ACR submission, review, and approval process is required for any alteration to appearance, such as building a deck or patio, as well as other changes such as repainting trim a different color or installing storm doors. All homeowners must receive approval from the ARC before proceeding with any exterior improvement or alteration.

**ARCHITECTURAL CHANGE REQUEST (ACR) PROCEDURE** All applications for proposed improvements must be submitted in writing using the *Architectural Change Request* application form provided by ARC. The form is on the web at [www.orchardknolls.org](http://www.orchardknolls.org). Homeowners should mail completed applications to:

Orchard Knolls Homeowners Association  
P.O. Box 4225  
North Potomac, MD 20885

**Incomplete Submissions:** Applications must be complete in order to commence review process. Incomplete applications will be returned to applicant with a statement of deficiencies which must be remedied prior to review. Incomplete submissions re-start the 60 day approval cycle. Oral requests will not be considered for approval. In addition, building outside one's property, either on a neighbor's property or common ground, will not be approved under any circumstances.

**Survey Required:** All applications must be submitted with a copy of the homeowner's house location survey, which was received at settlement. Other supporting documentation as noted in Item 6 of the Architectural Change Application that will aid in the Committee's decision must also be submitted with the review application

**Committee Makeup and Voting:** ARC is a volunteer committee. Members are self nominated or nominated by other owners, and appointed by BOD to serve indefinite terms. BOD, if owners in

the community, are also representatives of community desires. Therefore BOD may temporarily appoint a member, or may appoint the whole BOD body to also act unilaterally as an ARC body, or may substitute one-for-one on the ARC in the absence of other ARC members to achieve an odd number allowing an ARC vote to proceed. ARC meets the first Tuesday of each month. In lieu of a meeting, ARC Chairperson may independently review *Architectural Change Requests* with ARC members, obtain their approval signatures, and/or review disposition or concerns at a next regularly scheduled meeting of BOD. ARC is required to provide notification to homeowners of approval or disapproval of any proposed alteration within sixty (60) days after receipt of a properly completed application. Any application not so acted upon within the sixty day review period is automatically approved. The sixty day review period will only commence upon the receipt of a complete application form including adequate supporting documentation.

Review Errors Remain Homeowner Responsibility: Homeowner's are cautioned that they retain both the initial review responsibility and the ongoing post-change incorporation responsibility to include every element of every *Architectural Guideline* and *Declaration of Covenants* that has been approved by majority vote of ARC and/or BOD, up to date of submission. Homeowner's responsibility to correct, adjust, restore, or remedy is not negated by an ARC or BOD review process error during preliminary site inspection, review and approval process, or any subsequent site inspection.

Approval or Rejection: Homeowners will be notified in writing when their application has been approved or disapproved. The ARC reserves the right to refuse permission for a project that may be viewed as detrimental to neighboring properties or the community as a whole. If an application is denied, the applicant may resubmit the request to the ARC if new or additional information demonstrates its acceptability.

Appeals and Hearing: Homeowner's are encouraged to read detail of Article VIII in this regard. Generally, homeowner has the option to appeal the final decision of ARC within fifteen (15) days after the rendering of such decision and make an appeal thereof to the BOD. The request for appeal must be submitted in writing to the Board of Directors at the following address:

Orchard Knolls Board of Directors  
Request for Appeal  
P.O. Box 4225  
North Potomac, MD 20885

Upon request, not less than fifteen (15) days, nor more than sixty (60) days after the noting of such appeal, the BOD shall conduct a hearing thereon. Within fifteen (15) days of such hearing, the BOD may affirm, reverse, modify or remand the decision appealed. A majority of the BOD shall be required to reverse the decision of the ARC.

If additional application forms are required, or if there are any questions concerning the guidelines or application procedure, please submit all questions in writing to the ARC at the above address.

**RESPONSIBILITIES OF HOMEOWNER** The ARC will not knowingly approve a project

that is in violation of any building or zoning codes. The responsibility of compliance rests solely with the homeowner, who will be held responsible for any building violations and the penalties they incur.

Approval of any project by the ARC does not waive the necessity of obtaining the required county building or work permits, at the owners' expense. On the other hand, the obtaining of such permits does not relieve the applicant of the responsibility of obtaining the approval of the ARC.

All construction or alterations approved by the ARC must be commenced within six months following the date of approval, and must be completed within one year of the approval date. In the event that construction/alteration is not commenced within the six month period, the approval of the ARC will be considered void. The homeowner must then resubmit the application for approval before undertaking the project. Also, there shall be no deviations from the plans and specifications approved by the ARC without the ARC's prior written consent.

As a common courtesy, your neighbors should be informed of all exterior changes. Remember that most exterior alterations have an impact on your neighbors as well as yourself.

Projects should be completed as expediently as possible in a manner that does not create a nuisance or annoyance to the neighborhood. It is homeowner's responsibility to keep children away and maintain a clean, safe work area.

**COMPLIANCE WITH GUIDELINES** The architectural guidelines and standards are an accepted part of the covenants; the Board of Directors and the ARC have the right to enforce compliance with these guidelines and standards.

**TOWNHOME STANDARDS - UNIQUE TO BUILDING UNITS:** It is the intention of ARC and BOD to maintain consistency and precisely maintain original standards of Elm Street Development Corporation and Northern Virginia Ryan's original design, materials, style, color, application, appurtenance, dimension, form, fit and function of the building units in the entire townhome community – except where a standard is further defined by Covenants or Guidelines. These standards are unlikely to be revised or approved by Architectural Review Committee.

**DETACHED HOME STANDARDS - UNIQUE TO EACH HOME:** Each detached home's design style and exterior architecture is unique. Therefore, detached home standards are the original builder's design, style, colors, application, dimension, form, fit and function for that home only, and apply exclusively to that home only - except where a specific standard is further defined by Covenants or Guidelines. Standards for a specific detached home are only allowed to be revised or changed by the homeowner - if an approved "Architectural Change Request" form is on file in the permanent records of the HOA. The approved ACR form remains identified with, and applies to, the physical address of the home – regardless of resale, occupancy, or ownership.

Any exterior addition or alteration to a home's form, fit or function, without prior approval of the ARC will be deemed in violation of the community covenants. The homeowner may then be

required to restore the addition or alteration to the original condition at the owner's expense.

Compliance with the architectural guidelines and standards also includes proper maintenance of one's property. For example, tears in screens, cracks in windows or doors, and chipped paint will not be considered acceptable. In general, one's property should exhibit a neat, well kept appearance.

## **SPECIFIC GUIDELINES: (Alphabetical)**

**Antennas**: External antennas or external receiving devices of any kind, *except satellite dishes*, are prohibited. *Satellite dish units are allowed, however location and quantity are controlled by Homeowner Association. Dish must be installed in least conspicuous location on the property consistent with receiving a clear signal. Homeowner Association must be notified of addition of any dish. (Rule 2001-3 Pertaining to Satellite Dish Antennae).*

### **Awnings**

General: Exterior awnings at the front of the unit are prohibited. Exterior awnings at the rear of the property will be prohibited unless prior ARC approval is obtained. Awnings must be compatible with the architectural designs of the house and the color scheme of the unit.

*Townhomes: Awnings are prohibited in townhomes. The Architectural Review Committee's mission is to maintain uniformity and neatness in townhome areas. Since awnings were not part of original townhome design, even a few would interfere with appearance. Even with best intentions, open awnings can break apart in high winds and storms. Townhome awnings are an overall community safety issue. (Updated by majority vote of ARC October 16, 2003).*

**Basketball Hoops**: Basketball hoops shall be permitted for Detached Homes units only and approved on a case by case basis.

**Building Additions**: Town Homes: No building additions shall be constructed from the main dwelling.

**Clotheslines**: Clotheslines or similar apparatus for the exterior drying of clothes is prohibited.

**Decks and Railings**: will be approved on a case by case basis, provided they meet the following specifications:

Town Homes:

(A) Material: Framing shall be constructed of pressure treated lumber, natural redwood or cedar, and be painted and finished in the same manner and color as constructed by the original builder. (See "Exterior Paint"). *Decking surface may be 5/4 or 1-1/2 (nominal) thickness material and may be patterned as desired. Decking surface may be artificial outdoor wood materials such as "Trex" or equivalent. (Revised by majority vote of ARC July 12, 2004)*

(B) Style and Off-Sets: Must be same style as those constructed by the original builder. *Town Home decks must be off-set from each other on the sides by 3-feet. Every deck must be either 2-foot longer or 2-foot shorter than their neighbor as measured from the back of the house exclusive of any bump-out or chimney. Town Home deck floor must be at exact height of the exit from the house – no step down or step up decks. (Revised by majority vote of ARC July 12, 2004)*

(C) Deck and Railing Styles: Deck railings shall comply with the requirement of the building codes. *Rail materials may be artificial outdoor wood or vinyl materials such as "Trex" or equivalent.* Deck railings shall retain Chippendale style as installed by the builder. Front stair rails shall also retain one or more Chippendale pattern rail section units parallel to the street as installed by the original builder. All railings must be painted to match the original trim color of the townhome building unit – see "Paint". (Revised by majority vote of ARC July 12, 2004)

(D) Dimensions: Deck structures must be at least one foot from the property line on either side, except that end units may extend stairways three feet (3') into the side yard. An end unit deck may not extend into the side yard, except as stated above regarding the stairway. Decks shall not extend forward of the rear building line of the dwelling on the Lot upon which any such deck is erected. Deck length must leave at least a three foot clearance from the rear property line. No structure above the hand railing will be permitted. *Deck length, from the back of the home, must be offset at least 2-feet shorter or 2-feet longer than neighbor's deck on either side.*

Detached Homes:

(A) Material: Various materials will be considered, such as, but not limited to, pressure treated lumber, natural redwood, painted picket fences, etc.

(B)Style: Various styles of decks will be considered for approval.

(C)Railings: Deck railings should be within the limits as set by county, state and local building codes.

(D)Dimensions: Decks shall not extend forward of the rear building line. Exceptions will be considered on a case by case basis.

**Decorative Objects (Exterior)** : Seasonal decorations are permitted as long as they are removed when the season/holiday is over. (For example, no mangers in the summer.) Decorative lawn ornaments are not permitted.

**Doors**: (Also see "Storm doors" and "Garage Doors")

Town Homes: Replacement of front doors will be prohibited, unless necessary due to damage or malfunction, and must match original color.

Detached Homes: Replacement of front doors will be considered on a case by case basis.

**Driveways**:

*Townhomes: Garaged Townhomes shall be poured concrete only. No change in dimension or style from original builders plan will be approved.*

*Detached Homes: Driveway materials replacement, other than with materials installed by the*

*original builder, or adjustments to dimension and style, require submission of an Architectural Change Request. Each submission will be reviewed for approval on a case-by-case basis*

**Fencing:** Fences will be approved on a case by case basis, provided they meet the following specifications:

Town Homes:

(A) Style: Wingate or board on board style only. In general, the type and style of fencing must be the same as that installed by the builder - alternating board, using boards that are consistent with the original construction. No fence shall be more than six feet (6') in height and the top shall have the appearance of a straight line.

(B) Material: Town Home fences must be built with pressure treated lumber or cedar. Chain-link and other wire fencing are specifically prohibited.

(C) Gates: Gates shall be located so that they open onto common area without trespassing on the private property of a neighbor. The gate should be approximately forty-eight inches (48) in width and constructed of the same material as the fence.

(D) Dimensions: Fences shall not extend forward of the front building line of the dwelling on the Lot upon which any such fence is erected.

(E) Extension of Existing Party Fence: In addition to meeting the other requirements of these restrictions and the restrictions stated in the Declaration, Article X, any Owner proposing to modify, make additions to or rebuild in any manner which requires the extension or other alteration of any party fence shall first obtain the written consent of the adjoining Owner(s), and submit this consent as a part of the application.

(F) Disputes: In the event of a dispute between Owners with respect to the repair or rebuilding of a party fence or with respect to the sharing of the cost thereof, then, upon written request of one of such Owners addressed to the Association, the matter shall be submitted to the Board of Directors or its designated committee, who shall decide the dispute. The decision of the Board of Directors or its designated committee shall be final and conclusive upon the parties.

*(G) Removal of Rear Section: Owner may remove rear section without ARC approval, however sod and end posts must be restored. Unwanted materials must be removed within 72 hours.*

*(H) Materials and Design: Side yard fencing between Town Homes is required. All original Orchard Knolls Town Home fencing is cedar.*

*(I) Lawn Care: If rear fencing is installed,, community does not do lawn care. Installing a fence does not negate maintenance between outside of fence and boundaries of the property.*

*(J) Maintenance: Leaning, broken or missing parts require maintenance. Repairs must be cedar and match both sides. Surfaces must remain natural. Maintenance of rear section must be to both sides. Maintenance of dividing sections is responsibility of owners on face side.*

*Maintenance of top, rails and posts are equally divided between adjacent owners. Maintenance of end-unit freestanding fences is to both sides.*

*( Paragraphs G-J Adopted at General Membership meeting: November 16, 1998).*

Detached Homes:

(A) Styles: Various styles will be considered.

(B) Materials: Fences must be built of pressure treated lumber. Chain-link and other wire fencing are specifically prohibited.

(C) Gates: Gates shall be located so that they open on to common area or Lot owner's property without trespassing onto the private property of a neighbor. Gate widths shall be considered on a case by case basis and must be constructed of the same material as the fence.

(D) Dimensions: Fences should not extend forward of the rear (building line of the dwelling on the Lot upon which such fence is erected).

**Garage Doors:**

*Detached Homes: Changes to color or appearance of garage door and door trim style will be reviewed and approved on a case by case basis.*

*Townhomes: Changes to color or appearance of townhome garage doors will not be approved. Townhome garage door and door trim style must remain same as installed by the original builder. End-units must include 8 windows and decorative window inserts in same style and location on the door. Materials may be changed without ARC approval as long as the exterior finish and style remain the same. Color must match or be painted to match building unit trim.*

**Gardens:** Vegetable gardening is prohibited in front of all homes. Vegetable gardening in rear of homes must be kept in a neat manner and pests must be controlled. Should vegetables grow above three feet (3') in height, there must be a fence or hedging obscuring view of vegetables from surrounding properties at ground level. Side vegetable gardens are prohibited for Town Homes but will be allowed for Detached Homes units. Shrubs and flowers are not to extend over the property line or over common area property or walks.

**Gutters, Downspouts and Related Landscape Drains:**

*General: All gutters and downspouts must be 6-Inch heavy duty vinyl or aluminum. Addition of downspouts and gutters require submission of an Architectural Change Request. Changes to downspout drains onto/into the landscape or driveways require submission of an Architectural Change Request.*

*Detached Homes: Changes to color, or appearance of gutters and downspouts will be approved on a case by case basis.*

*Townhomes: Changes to color or appearance of gutters and downspouts will not be approved.*

**House Numbers:** *Quick response to an emergency is desired by all. Fire, Rescue and Police advise that they follow house numbers in their search for location of an emergency. Although some owners may wish to not display house number, Board of Directors concluded that it is the greater benefit of all that every home in Orchard Knolls display a number.*

*Garaged Townhomes: An optional, additional set of brass house numbers, in a more visible location at bottom of stairs facing the street, is recommended. Original builder's brass, six-inch, script-style numbers, in original location, must be retained. For consistency in the townhome community, only one second location is allowed. The second location must be brass numbers, no smaller than four-inch height. Script style is required. Optional second set of house numbers should be placed vertically, centered top-to-bottom on bottom right post facing townhome from the street. One-half-inch spacing between numbers is most effective. Post and stair rails color must match original builders trim color of home. Curbside painted house numbers are not allowed in the townhome community.*

*Non Garaged Townhomes: House numbers must remain original builder's location, style, color, mounting type, and dimension. A second location will be not approved*

*Detached Homes: Original builder's dimension, style and location should be retained. Any change requires prior submission and approval of an Architectural Change Request. Optional curb-painted house numbers do not require ARC approval, but must be black letters on white background. Curb-painted numbers are restricted to curb locations directly adjacent to either or both sides of the driveway entrance*

*House Numbers Guideline Adopted by ARC April 21, 2004, at Monthly Meeting of BOD.*

**Hot Tubs:** *Hot tubs shall be allowed in the rear of units only, and must be screened from view.*

**Ladders (Appearance, Use, Secure Storage on Lots or Vehicles)**

*General: Exterior-stored maintenance or construction ladders present a commercial and unsightly appearance. The intent of this guideline is focused on maintaining a residential appearance from a neighbor's view. Stored ladders prevent proper lawn cutting when stored on grade. For community appearance and safety of neighbors in high-wind conditions, our Architectural Review Committee has developed the following ladder storage and use restrictions for all Orchard Knolls owners:*

*Temporary or permanent exterior storage of maintenance or construction ladders of any type, if the ladders have-been, are now, or will be utilized for commercial purposes, is prohibited anywhere in Orchard Knolls.*

*Exception: An exception to these restrictions is the periodic utilization of ladders on Orchard Knolls lots by the owner, or owner's contractor, specifically in-use for property maintenance or*

*ARC approved construction, and with a known completion date. When in use for an ongoing project, ladders must be lowered at end of each day (not left leaning against a work area).*

*Specific Restrictions:*

*Townhomes:* *Only one construction ladder per lot is allowed to be stored on the exterior of any unfenced townhome. Multiple ladders may be stored in the interior, in an orderly fashion if the lot is completely fenced. (See material restrictions on town home fences). Ladder is not to be stored on grade unless the rear yard is completely fenced. If the ladder is stored hanging parallel to grade on a suitable structure such as a fence, the closed length shall not exceed the length of any one side of the fence, or protrude into common area, or other's private lots.*

*Ladders on Vehicles:* *Temporary or permanent exterior storage of ladders utilized for commercial purposes is prohibited on vehicles of any type in Orchard Knolls, including overnight storage.*

*Storage and Locking Requirement:* *When permitted, ladders that are stored on grass must be securely stored on edge, (not flat) to prevent accumulation of unsightly tall grass and weeds through sections of the ladder. When stored, the ladder must be closed, on grade, or safely hanging parallel to grade, on a suitable structure such as a fence. To reduce the possibility of the use of ladders for criminal intent in our neighborhood, all stored ladders must be locked to a secure post with a suitable cable-lock arrangement.*

*(Adopted by majority vote of ARC and BOD at regularly scheduled meeting May 16, 2005).*

**Lighting:** *Lighting which is part of the original structure may not be altered without prior approval. Proposed replacement or additional fixtures must be compatible in style and scale with the applicant's house. Exterior lighting shall not be directed outside the owner's property, and should not have an adverse visual impact upon adjoining neighbors*

*Detached Homes: Changes to builder lighting will be considered on a case by case basis.*

*Town Homes:*

*(A) Post lights: The garaged townhome post light is a non-elective appurtenance. The system is community-integrated to enhance safety and character leaving ownership, maintenance, operating and financial responsibility with lot owners. Builder specified a strategically located post light at every address. The system benefits owner, neighbor, and community.*

*Required Illumination: Each post light shall contain three independent bulbs for continuous dusk to dawn illumination, and photocell activation. No device or process shall be installed or implemented to defeat automatic operation. Wattage of the bulbs shall not exceed 40 watts each. Typically, they are 15, 25, or 40 Watt bulbs.*

*Fixture: Polished brass, one-piece, multi-sided, with three-light candle base, approximately 19 inches tall. Single-light fixtures will not be approved. Fixture is:*

*P5432-10, available from Progress Lighting, PO Box 5704, Spartanburg, South Carolina. 29304. Similar fixtures available from Home Depot, or Quoizel Outlets*

*Post & Crossbar: 8-foot, 3-inch diameter aluminum or fiber post, buried 2 feet below grade in concrete, painted black. Decorative crossbar required if pole has crossbar holes. Replacement crossbar available at Home Depot. Leaning: (Five degrees or more); Restore within 30 days of notification by HOA. No visible props or guy-wires.*

*Bulb Maintenance: Two or more burned out bulbs shall be replaced no more than 2 weeks after notification by HOA. Other failures shall be restored within 30 days.*

*Location: Changes in post location require submission of an "Architectural Change Request".*

*(B) Other (Town Home) Lighting: Illumination is optional, but fixture with bulbs, must be in place as described below:*

*Single Car Garage – Front Door Lights: Brass, one-piece, single or three light, multi-sided fixture, approximately 21 inches tall. Equivalent is product number P5730-10, available from Progress Lighting, PO Box 5704, Spartanburg, South Carolina. 29304*

*Two-Car Garage – End Unit Front Door Lights - Same as single car garage except four fixtures must be present; one either side of garage door and one either side of front door.*

*Rear Exit Lights – Replace with equivalent original builder unit. Equivalent fixture product number P5604-10 available from Progress Lighting, PO Box 5704, Spartanburg, South Carolina 29304. Glass shall be smoked or tinted.*

*Non-Garaged Front Light – Replace with equivalent original builder unit*

*(C) Availability: Replacement fixtures that meet minimum requirement do not require an "Architectural Change Request". Fixtures available at Home Depot, or Quoizel Lighting*

*(Adopted at General Membership meeting: November 16, 1998).*

### **Landscaping:**

General: Landscaping will not require special approval. However, no tree, hedge or other landscape feature shall be planted or maintained in a location which obstructs sight-lines for vehicular traffic on streets, driveways or roadways. Prior approval is necessary for the following cases:

(A) Plantings intending to form a hedge or natural screen.

(B) Substantial or total removal of turf and replacement with another material, such as mulch or gravel.

(C) Planting of shade trees or planting of trees on or near a two party property line. Certain varieties of shade trees will be prohibited because they may cause future damage to the owner’s surrounding property or may interfere with a neighbor’s enjoyment of his own property. Restricted tree varieties are as follows: weeping willow, black willow, silver maple, box elder (black maple), Lombardy Poplar, Black Walnut, Siberian elm, mulberry, and large fruit trees.

(D) No sound hardwood trees measuring in excess of six (6) inches in diameter two (2) feet above the ground shall be removed from any Lot without written approval of the ARC.

**Paint and Colors :**

Detached Homes: All exterior painting involving color changes from the original color scheme requires approval. This requirement applies to siding, front doors, shutters, trim, roofing, and all other exterior painting. All requests for change in exterior colors will be reviewed on an individual basis with regard given to adjacent homes and original color. Color samples must accompany all requests. If repainting original color, no approval is required. See “Compliance with Standards” for Detached Homes.

Town Homes: All Trim, Rails, Shutters and Front Door must be Semi-Gloss Paints.

“Roof Rake” Note: Each orchard knolls townhome has a separate roof with “roof-rake”trim boards. The board appear in a a triangular fashion near the peak on the ends of the roofs. The trim boards are below roof edges on ends of each roof. Middle unit townhomes also have roof rake boards. Depending on architecture, the roof rake may be in front or back or both. These trim boards must be sanded and painted on same schedule as trim on the home. They often are neglected when accomplishing paint maintenance and begin to peel and appear unsightly.

*(A) Front Doors & Shutters - Garaged and Non Garaged Townhomes - (Only 6 Colors allowed). Front door color was selected by original purchaser. No adjacent Town Homes are allowed same color front door. Shutters color must match front door. When one or the other becomes faded – both must be repainted to match.*

<u>Generic Color</u>	<u>Paint Manufacturer</u>	<u>Old Color Name</u>	<u>New Color Name</u>
Bright Red	Duron	Farmhouse Red	Cardinal Red
Dark Red	Duron	Old Colonial Red	Same
Green	Duron	Georgetown Green	Same
Light Blue	Duron	Carolina Slate Blue	Faded Jeans Blue
Brown	Duron	Earth Brown	Chestnut Brown
Dark Blue	Duron	Night Navy	Same

*(B) All Trim, Deck Rails, Portico Rails and Stair Rails - Garaged Townhome Buildings: (Caution - There are two significantly different tones – See Building Identifications Below):*

<u>Generic Color</u>	<u>Paint Manufacturer</u>	<u>Color Name</u>
Lighter Off-white	McCormick	Sea Shell

Darker Off-white      McCormick      Trade Winds

*Lighter “Sea Shell” is trim color for following Town Home Building Units:*

Cherry Blossom Lane 15700 – 15714 (Even Numbers Only)
Cherry Blossom Lane 15727 – 15733 (Odd Numbers Only)
Cherry Blossom Lane 15732 – 15746 (Even Numbers Only)
Cherry Blossom Court (All)

*Darker “Trade Winds” is trim color for following Town Home Building Units:*

Cherry Blossom Lane (Odd Only)	15701 – 15715
Cherry Blossom Lane (Even Only)	15718 – 15728 15750 - 15760

*Non-Garaged Townhomes Trim Color is the lighter off-white “McCormick Sea Shell”*

*(C) Decking surfaces and structural support members shall remain natural. They may be sealed a translucent natural wood-tone.*

(D) Vinyl-Wrap Trim Color = “Variform” Aluminum Clad Vinyl Coil “Desert Mesa” or exact color equivalent.

**Patios and Walks:**

Town Homes: All patios must be installed with the same materials as used by the builder and of the same dimensions.

Detached Homes: All patios which were not constructed by the builder require approval. In general, patios and walks should be constructed of materials similar to those used by the builder and which harmonize with the colors of the community. Suggested materials include the following: pressure treated wood, slate, flagstone, brick, or concrete.

**Pools:** In ground swimming pools shall be allowed subject to conformance with all jurisdiction codes.

**Railings:** (For Decks and Stairs) – See “Decks and Railings”

**Retaining Walls:**

Townhomes – Townhome retaining walls shall be timber construction only. Materials shall be Pressure treated 6 x 6 constructed using “dead men” procedure. Timbers shall be stacked one on top of the other to achieve desired height, with each upper layer inset a minimum of 1/4-Inch. Dead men shall be approximately 4-Foot long with minimum 2-Foot Tee. Dead men shall be

spaced approximately 8-Feet apart every other course. Top course should not contain “dead men”. Bottom course shall be anchored to grade using minimum .5 x 24-Inch re-bar no less than 48-Inches apart. All timber-construction procedures shall be followed.

Detached Homes – Retaining walls for detached homes will be reviewed on a case by case basis.

General: Retaining walls will only be approved on a case by case basis for the following purposes:

- (A) To prevent soil erosion,
- (B) To increase the usefulness of one’s lot (level area), or
- (C) For landscaping purposes such as flower beds or rock gardens.

Note: Owners of walls which divert ground water onto adjoining properties (private or common) or change existing drainage patterns will be cited for corrective actions. Professional advice *is highly recommended and may be required*. Pressure treated lumber, brick masonry and natural stone are acceptable materials.

**Roofing Materials and Finishes:**

*All Homes: Roofing materials for every home, garage roofs (whether attached or not), and deck roofs attached to the home, shall be natural Cedar Shake Split Wood Shingles. No artificial materials shall be utilized. Owners may chemically clean, treat, or seal cedar shake shingles using translucent materials - without submission of an Architectural Change Request - except if resulting color is expected to change. Permanent color change will not be approved. Weathering change from new natural wood to darkening mature cedar is expected.*

**Security Bars on Windows or Doors:** The use of exterior security bars or grates on windows or doors must be approved by the ARC prior to installation.

**Storage Units, Out Buildings and Sheds (Storage Facilities):**

*General: Storage Facilities require advance submission of an Architectural Change Request form. Storage Facilities planned with poured concrete foundations will not be approved. Storage Facilities will be considered temporary structures and will continue to be controlled by HOA’s temporary structure covenants. Storage Facilities must be constructed of materials that will not rust including all fasteners. Design and color must be in harmony with architectural style, siding, and trim of the home, including cedar-shake roof materials. Locations will not be approved in side yards forward of the rear foundation line of the home on the lot. ARC will not approve locations on any decks. Judgment for acceptable locations shall remain the exclusive right of ARC. No more than one shed will be approved per lot. Storage Facilities of more than one level, interior stairs, or with ceiling-header height greater than seven feet will not be approved (ceilings not required). Storage Facilities with vehicular garage doors will not be approved. Storage Facilities planned with interior and/or exterior lighting, and/or walkways*

*must include specifics of type and location. .*

*Upgrades: Enlargement, changes in design, style, relocation, or color, also require prior submission of an Architectural Change Request, and shall be pre-approved and signed by all owners identified under “Additional Restrictions” below.*

*Structure Damage, Re-Sale Removals and Demolition do not require submission of an Architectural Change Request however must include removal of all materials from the lot and concurrent restoration of the entire footprint with matching sod (not seed). Structure damaged units must be restored or removed within 90 days of cause.*

*Additional Restrictions:*

*Townhomes: Architectural Change Request application must be pre-approved and signed by all owners having capability of viewing Storage Facility from any yard, deck, window or doorway on all sides and rear of the proposed location. Due to fire risk for the entire townhome building unit, ARC will not approve storage facility locations immediately adjacent to homes or under decks. Storage Facility will only be approved for rear yards and only if the yard is completely fenced, in compliance with HOA criteria. Roof peak height shall not exceed top of fence. Total area footprint shall not exceed 10% of available rear yard as measured inside property lines, less the footprint of any other ongoing storage, plantings, garden plots or installed equipment such as a/c unit, stacked firewood, playground equipment, patios, etc.*

*Detached Homes: Architectural Change Request application must be pre-approved and signed by owners on both sides and the rear of the lot location . Total area footprint shall not exceed 200 square feet (200 sq ft equals a typical one-car garage).*

*(Adopted by majority vote of ARC and BOD at regularly scheduled meeting May 16, 2005).*

*Shutters:*

*Detached Homes: Removal of shutters will not be approved. Replacement of shutters matching original builders color, style and dimension does not need approval. Addition of shutters, or change in color of shutters, must be pre-approved by submission of an Architectural Change Request. Shutter color on detached homes must contrast with trim color.*

*Townhomes: Not all townhomes have shutters. Removal or addition of shutters will not be approved. Replacement of shutters matching original builders color, style and dimension does not need approval. Shutter color must match front door color. Changes in color of shutters must occur simultaneous with change in color of front door. There are only 6 approved colors – See “Paint”*

*Siding*

*Detached Homes: 4 or 4-1/2 Inch Vinyl Clapboard or Dutch Lap, and 6-1/2 or 8-Inch Beaded.*

*Town Homes: Siding color changes will not be approved for any Town Home.*

*Garaged Town Homes: Community standard color is no longer available in 8-Inch Beaded Aluminum. Owners should use closest match Vinyl which is "Carolina Beaded 6-1/2 Inch" by CertainTeed or equivalent.. Color is "Desert Tan" with a Brushed Surface. Siding matching the above specification may be purchased from other manufacturers.*

*Non-Garaged Town Homes: Community standard is 5+5-Inch Dutch Lap Aluminum and is available in matching color. The specification is Alcoa, Dutch Oak, Double 5-Inch Dutch Lap Profile, Desert Sand Color, Wood Grain Texture, .019-Inch Thickness. The 5+5-Inch Dutch Lap is also available in Vinyl in a matching color. Equivalent Vinyl must have the same profile (curve of the vinyl as it returns from the break to the flat surface), and must match the community color.*

*(Adopted July 16, 2002 by Majority vote of ARC and BOD).*

**Storm Doors**: In general, storm doors will be approved if the following restrictions are met:

**Detached Homes**: Same as Town Homes except door and frame color must closely match trim of the home (not the front door color). Most manufacturers offer these doors in a close match color.

**Town Homes**: Door and frame color must closely match trim of the Town Home (not the front door color), typically "almond" color for Town Homes. ARC has not objected to almond color storm door units for Town Homes.

(A) Style: Full-view style storm doors only (*any frame edge around the glass must not exceed 5-Inches in width*) - with clear safety glass. (*Updated November 17, 2003 by majority vote of ARC*).

(B) Material: Storm doors are to have an aluminum or vinyl exterior. Wood or other material requiring maintenance is not permitted.

(C) Color: All storm doors must be painted to match the color of the door trim.

**Temporary Structures**: No structure of a temporary character, including, but not limited to, trailer, tent, shack, barn, pen, kennel, run, stable, outdoor clothes lines, shed or other buildings shall be erected, used or maintained on any Lot at any time, without the prior written consent of the ARC.

**Trash**: Garbage and/or trash containers shall not be kept on the front or side yard of any Lot and garbage and trash containers kept or maintained in the rear yards of any Lots, under or upon decks shall be screened from public view at all times. Trash must either be stored inside the unit or within fenced-in property in proper containers, as defined by county code, of non-corrosive material with tight fitting lids, and be vermin proof and waterproof. Trash containers and recycling bins shall not be permitted to remain in public view except on the days of trash collection and may not block sidewalks, mailboxes, or driving areas.

**Window Boxes:** Window boxes are prohibited in the front of the unit. Window boxes may be permitted in the rear of the unit upon prior approval.

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**FINAL NOTE:** These guidelines are not absolute and irreversible dictates. However, the ARC feels that the closer these guidelines are adhered to, the more harmonious and aesthetically pleasing the community will be. The ARC is open to other ideas and suggestions, and will review projects not covered by these guidelines on a case by case basis. The ARC reserves the right to amend or revise these guidelines as necessary.