

# **WELLINGTON MANOR**

## **Design Guidelines**

**Effective Date 04/01/06**

## I. Introduction.

**Wellington Manor** is a unique development with unique architecture, beautiful landscaping and wooded lots. As with many communities, **Wellington Manor** has a homeowners association ("Association"), a Declaration of Protective Covenants ("Declaration"), Bylaws for the Association, a New Construction Committee ("NCC") with jurisdiction over all original construction, a Modifications Committee ("MC") with jurisdiction over modifications, additions or alterations made on or to existing structures on Lots, and a set of Design Standards. These Design Standards are designed to effectively protect the common interests of the community yet not be unduly restrictive.

A. Objectives of the Association. The primary objectives of the Association are: 1) to protect the property values of all homes in the community by ensuring properties are maintained in compliance with the Declaration and the Design Standards; and 2) to ensure that the Association is operated on sound financial basis at all times. The common areas must all be maintained in order to protect the property values in the community. Funds must be obtained to cover all maintenance and operating costs. Further, the Declaration and the Design Standards are legally enforceable and bind all owners.

B. What is the difference between Declaration and Design Standards? All owners should have a copy of the Declaration and Design Standards for reference. The Declaration of Covenants for **Wellington Manor** provides the authority for the creation of the NCC, MC, and Design Standards and establishes the guidelines and procedures to apply for approval of architectural modifications. The Design Standards provide detailed information regarding modifications and improvements. The Design Standards are created to enhance, augment, and clarify the Declaration and to provide additional guidance to homeowners as to the standards set in our community. If a conflict exists between the Design Standards and the Declaration, the Declaration will govern. All owners, occupants and tenants are subject to the governing documents of the Association. Therefore, owners should make all reasonable efforts to make the new homeowner, occupants, or tenants aware of the Declaration, Bylaws, Design Standards and any rules and regulations that are adopted by the community.

## II. Approval Process

A. General Information. NCC or MC approval shall not, in any way, be construed as a statement as to the structural integrity, quality or soundness of a proposed project. Such approval shall not be construed as ensuring compliance with building codes, zoning regulations or adherence to local county ordinances. Further, approval is not to be construed as a guarantee that the approved project is fit for its intended purpose or meets any applicable safety standards. Approval or denial of a request for a modification or improvement shall be based entirely on the documented request and anticipated aesthetic appearance of the project and/or appearance of the community. To preserve the architectural and aesthetic appearance of the community, the NCC or MC, as applicable, reserves the right to deny final approval when the specified project is completed if the completed project is not consistent with the specifications submitted with the original request. Modifications made to any lot, dwelling, structure, or landscaping must be done

in a professional manner with workmanship, materials, colors, and design consistent with the overall community-wide development standard.

Any reference in the Design Guidelines requiring that a modification or improvement be of the same construction as the existing house or dwelling shall mean that the modification or improvement be of the same construction, materials, and colors as that on the front of the house. The MC must approve any exceptions to this policy.

B. Documentation and Project Approval Request Form. A written request should be initially delivered to the Declarant to submit to the developer appointed MC. After turnover of control of the MC by the developer, the contact for the Association will be provided by the Association's Board of Directors to homeowners. Homeowners should complete a Project Approval Request Form to the MC. The form should be completed and submitted with any required supporting materials that may be necessary to consider for approval by the MC. Such supporting materials may include, but not be limited to, drawings, sketches, pictures, paint samples, or other descriptive materials that will be helpful to the MC in review. The MC has fifty (50) days to approve or disapprove the request from the date of receipt of a submission of a properly completed Project Approval Request Form and all information and materials reasonably requested by the MC.

The MC shall consider many factors in the review of each application for an exterior change, addition and/or improvement. The review may include, without limitation, the following factors:

1. Size and dimension;
2. Color and harmony with existing structures and improvements;
3. Quality of construction materials;
4. Location;
5. Community-wide standards as defined in Article I(v) of the Declaration;
6. Existing structures on both the applicant's property as well as surrounding properties;
7. The potential impact on property values and appearance to surrounding properties and the community at large;
8. The consequences of a physical change upon a property if applied universally throughout the community; and
9. The long term benefit, consequence, or harm to the community at large.

C. Commencement of Construction. All changes, modifications and improvements must be commenced within one (1) year from the date of approval. All work approved by the MC must be completed within ninety (90) days from the date of commencement, unless otherwise agreed in writing by the MC. All approved changes, modifications, and improvements must be completed in their entirety.

### III. General Design and Maintenance Standards

#### A. Minimum Lot Size, Setbacks and Dwelling Size

The size of lots and the minimum setback requirements for improvements on the lots shall be determined solely by the recorded subdivision plat, these Design Guidelines and local zoning requirements. All dwellings shall contain a minimum of 1,300 square feet of heated and/or cooled space.

#### B. Decks

Decks must be to the rear of and behind the house unless specifically approved otherwise by the MC. Deck materials must be cedar, redwood or pressure treated pine. Deck supports shall consist of wood posts with a minimum size of 4x4 posts. All deck surfaces should be a natural wood tone that is stained or sealed with water treatment. Slight variations to decks may be allowed with specific approval of the MC, such as the use of improved materials not readily available prior to the initial construction of the home.

#### C. Mailboxes

Mailboxes shall conform to the community standard and, whenever possible, shall be placed on the left hand side of the driveway, but in no case closer than six feet (6') to the side yard property line. All mailbox structures must be repainted and/or replaced with the same color, style and material as the original installation. Street address numbers are the only items allowed to be placed on mailboxes.

#### D. Fences and Outbuildings

A request to erect or change a fence shall be specifically submitted to the MC for approval of design and placement. No fence, wall or outbuilding of any kind shall be erected, maintained or altered on any Lot without the prior written approval of the MC of a submitted Project Approval Request Form (with appropriate plans and specifications). Surveys are recommended before construction commences. Under no circumstances shall any regular chain link, barbed wire or hog wire fence be permitted in the community. Black vinyl covered chain link fences may be allowed with prior MC approval.

All fencing must have the "finished" side facing out. Fences must be solid, "privacy style", when facing a street. Fences located to the rear of the house and to the property lines or directly behind the house shall generally be approved. Exceptions to this guideline may be considered to in extenuating circumstances. Any exceptions may be made in the sole discretion of the MC.

Corner lot fences in the street side yard shall be no closer to the street than the building line and may be required to be screened with landscaping. Custom designs must be consistent with the house design, approved by the MC and located directly behind the house.

Fences are generally not allowed in buffers or landscape easements. If an easement lies within the proposed fenced area, a double gate must be provided to allow access to the easement.

All sheds, tool storage areas, workshops or outbuildings shall be constructed in the same architectural style using similar colors and materials as the main dwelling on the lot, including roofing materials. Each lot shall be restricted to only one (1) outbuilding. Metal outbuildings are prohibited. Freestanding dog pens are prohibited.

E. Attached Structures

Attached structures and additions must be designed and constructed to be compatible with the existing house and must be approved by the MC prior to commencement of construction.

F. Gazebos

Gazebos are allowed but must be specifically approved by the MC and must be placed within the building setback lines.

G. Patio Covers and Trellises

Patio covers and trellises should be constructed of cedar, redwood or pressure treated pine, finished to match the trim of the house, and detailed to be compatible with the design of the house.

H. Pools, Hot Tubs and Landscaping Ponds

Pools, hot tubs and landscaping ponds shall be located behind the house with the edge of the water no closer than twenty feet (20') from the property lines. Such improvements will be considered on a case by case basis. Once approved and constructed, such improvements must be properly maintained so as to avoid causing unpleasant odors or unsightly algae growth. All pool equipment must be within a fenced area, a minimum of ten feet (10') inside the property lines. Such equipment shall be located and screened so it will not be visible by or a nuisance to neighbors.

Above ground pools and inflatable bubbles are prohibited.

I. Recreational or Play Equipment

Recreational or play equipment, whenever possible, shall be located directly behind the house. If this is not possible, the equipment must be at least ten feet (10') inside all property lines and screened from view from the street. Such equipment will not be approved for location in the front or side yards. Equipment shall be made of natural wood, dark colored metal or dark

colored plastic. The only approved colors for such equipment are black, dark green or dark brown. The tops and/or roofs on any such equipment shall be of natural dark painted materials, dark green canvas or dark shingles.

J. Basketball Goals

No permanent basketball goal shall be installed. All movable basketball goals shall meet the following guidelines: clear backboard, black pole and support structure, and black or red rim. No basketball hoop or net shall be installed other than on a movable basketball goal. Nets shall be maintained in good condition and replaced, as necessary.

K. Tennis Courts

Tennis courts may be permitted on lots where they will naturally fit into the topography and within all building setbacks and easements upon receipt of prior MC approval. Court lighting is prohibited.

L. Exterior Lighting

Exterior lighting is generally acceptable, as follows:

1. Utility or security lighting will normally be approved if installed in the soffit, to the rear of the front corners of the house, and directed away from the street and adjoining properties.
2. Carriage type pole lights within the building setback lines may be approved by the MC.
3. Minimal "moon-lighting" and landscape lighting may be approved by the MC.
4. Seasonal decorative lights will be allowed between Thanksgiving Day and January 15<sup>th</sup> of the following year.
5. All exterior lighting should be a low-level, non-glare type of lighting and located to cause minimal visual impact to adjacent properties and streets.

M. Satellite Dishes

Satellite dishes one (1) meter or less in diameter with a location that results in the least visual impact allowing for an acceptable signal shall be approved. Dishes shall be mounted on the rear of the house on the roof or back wall so as to not be visible from the street. Homeowners must make every reasonable effort to install dishes on the rear of the roof of the house. If a signal cannot be obtained from such location, a Project Approval Request Form should be submitted to the MC for approval of an acceptable alternative location on the lot.

Satellite dishes shall not be mounted on fencing. The MC may require that satellite dish equipment be painted to minimize visual impact.

N. Sculptures and Flag Poles

The MC must approve exterior sculptures, flag poles (except flag holders or brackets permitted by the Declaration), fountains, bird baths or any other similar exterior items. Decorative lawn ornaments are not recommended for the front yard, side street yard, or back yard that backs up to a public amenity area; however, such items may be approved by the MC, with such approval in the sole discretion of the MC. Criteria considered for approval of lawn ornaments shall include, without limitation, the following: (i) the lawn ornament cannot be over two feet (2') in height; (ii) the lawn ornament must be made of concrete or metal; (iii) the color must be either earth tone, white, gray, black or green. All other lawn ornaments such as wagon wheels, sculptures, large rocks, and decorative fencing for location in side street yards and yards that back up to a public amenity area may be considered if placed in an appropriate location, which shall be determined in the sole discretion of the MC.

O. Fountains and Bird Baths

All bird baths must be approved by the MC prior to installation. Bird baths are NOT allowed in the front yard or side yard if visible from the street.

P. Bird Houses

Bird houses and or bird feeders may be permitted subject to approval of the MC so long as the bird house and/or bird feeder is not placed in the front yard.

Q. Benches/Swings

Benches and swings visible from any street or amenity must be approved by the MC.

R. Clotheslines

Clotheslines of any type are prohibited.

S. Woodpiles, Air Conditioning Units and Garbage Cans

Woodpiles and garbage cans must be screened from view from all adjacent properties and streets. Window air conditioning units are prohibited. All rubbish, trash and garbage shall be regularly removed and shall not be allowed to accumulate. There shall be no dumping of grass clippings, leaves or other debris, rubbish, trash, or garbage, petroleum products, fertilizers or other potentially hazardous or toxic substances in any drainage ditch, creek, storm sewers or stream or any portion of the common property within the community.

T.     Signage

Signs required by legal proceedings are permitted. All other signage shall be governed by the Declaration.

U.     Maintenance

Lots must be kept clean, mowed, weeded, mulched and free of debris. Residences must be maintained, including, but not limited to, paint, roof(s), windows, trim and caulk. Any variation from the original paint colors for the house, including the trim, doors, and windows, must be submitted to the MC for approval.

V.     Vehicles and Parking

Please refer to the Declaration for restrictions on vehicles and parking in the community.

W.     Animals and Pets

Please refer to the Declaration for restrictions on animals and pets in the community.

X.     Landscaping

Front yards must be sodded with Bermuda grass, with the exception of natural or undisturbed areas of a lot. Corner lots are required to be sodded on all street frontages. Side and rear yards must be seeded and strawed or sodded.

All beds shall be mulched with pine straw or natural shredded pine bark. Bark must be brown in color; no red bark is permitted. Any type of rock (lava rock, river rock, or pebbles) is not permitted unless previously approved by the MC.

Seasonal planting areas may be changed and planted as appropriate for the season. All beds shall remain the general size and shape of the original planting beds installed by developer or homeowner, as previously approved by the MC.

All edging material used in beds and planting areas MUST be approved by the MC.

Artificial vegetation of any type is prohibited.

All additional landscaping added after initial construction must be approved by the MC prior to installation.