

FAIR OAKS GREEN HOMEOWNERS ASSOCIATION HANDBOOK ARCHITECTURAL GUIDELINES AND RULES AND REGULATIONS

The Board of Directors of Fair Oaks Green Homeowners Association, Inc. (the Association) has approved the following handbook of policies, architectural guidelines and covenants. The guidelines should be looked upon as protective rather than restrictive because they are designed to enhance the quality of life for individuals living in the Association by protecting the property values and safety of all residents and owners.

The handbook addresses a broad range of rules and regulations as well as exterior modifications for which homeowners must submit an application to the Association. It is not intended to create, nor should it be construed to constitute a contract between the Association and homeowners or residents. The policies and procedures apply to all owners and residents without regard to race, color, religion, national origin, age, sex or citizenship. Applicable State or Federal law or County ordinance will prevail where in conflict with any provision of this handbook.

The Board of Directors (the Board) is responsible for policy formation, implementation and interpretation. The Board reserves the right to make policy changes at any time. Changes will be made to reflect amended policies, covenants, and procedures consistent with the needs of the Association, homeowners and residents. The administration of the activities of the Association rests with the Management Agent (Management). You should contact Management if you have any questions.

RULES AND REGULATION

Animals. No horse, pony, cow, chicken, pig, hog, sheep, goat or other domestic, wild animal or potentially dangerous animal shall be kept or maintained on any Lot. However, common household pets such as dogs and cats may be kept or maintained, provided that they are not kept, bred or maintained for commercial purposes and do not create a nuisance or annoyance to surrounding Lots or the neighborhood and are in compliance with applicable County ordinances.

Permission has been extended to the County Animal Warden to enforce all applicable portions of the County Code with regard to all animals within the Association. Owners and all other persons who are owners and/or custodians of pets shall not allow such pets to run at large. A dog or cat shall be deemed to run at large while roaming, running or self-hunting or when not restrained by a dependable leash and controlled by a responsible person as defined by the County Code. All pets must have appropriate shots, licenses and tags as required by County Code. Pets shall not be chained or confined in any common area. No kennels for breeding or for multiple pets are allowed on the property.

Pet owners shall be responsible for the clean up and proper disposal of pet wastes deposited in the

common areas, the property of other community residents as well as their own yards. Pet owners shall be responsible for any and all costs incurred in the repair of damage to the common areas as well as the property of other Association residents caused by their pet(s).

Residents or guests who own pets shall ensure that their pets do not become a nuisance to other residents in the community. Actions which may constitute a nuisance include, but are not limited to, barking, scratching or being hygienically offensive.

Firewood and Compost Piles. Firewood shall be kept neatly stacked and shall be located in the side or rear yard of the home and in such a manner as to avoid any adverse visual impact on neighboring homes as well as damage to adjacent fences. Firewood piles must contain firewood only (no debris) and should not exceed five and one-half (5 1/2) feet in height. Screening may be required in certain cases.

Compost piles are prohibited in front and side yards and homeowners must submit an application to the Association if one is to be located in the rear yard. Under no circumstances will a compost pile larger than 15 square feet be approved.

Hazardous Waste Disposal. The dumping or disposal of oil, grease, or any other chemical, residual substances or any substance or particles from holding tanks of any type is not permitted on the property. Disposal must also conform to environmental regulations.

Leases. Homeowners may lease their units but should recognize that the owner is responsible for the actions of his or her tenant(s) and may be held accountable by the Association for violations of the rules and/or damage to the common area. The initial lease term must be at least six (6) months and shall expressly provide that the terms of such lease shall be subject in all respects to the provisions of the rules and regulations of the Association and that any failure by the lessee to comply with the terms of such documents shall be a default under such lease.

Signs. No illuminated sign of any kind will be permitted. No nonilluminated sign that is larger than two (2) square feet shall be displayed to the public view on any Lot except for temporary real estate signs not more than four (4) square feet in area advertising the property for sale or rent. All signs advertising the property for sale or rent shall be removed within three (3) days from the date of execution of any agreement of sale or rental.

Real estate directional signs may be placed on the common area between 9:00 P.M. Friday and 9:00 P.M. Sunday. Any directional signs placed on the common area in violation of the above stated time period will be removed and disposed of by the Association.

No signs, advertisements or messages other than for purposes of identification shall be displayed on the Lot which offer or imply commercial or professional products or services, or which may constitute any other kind of business solicitation in or from any residence or residential property without written approval of the Association. Security signs shall not exceed 64 square inches and no

more than one may be located on a Lot.

Trash Removal. Trash and garbage containers shall not be permitted in public view earlier than dusk the evening before the pickup and all containers shall be removed from public view no later than dusk the day of the pickup. Trash must be collected and stored in trash receptacles only and not solely in plastic bags. Trash containers shall be placed at curbside or other areas designated for pickup. Trash containers and recycling bins may not be stored in front or open side yards.

No accumulation or storage of litter, new or used building materials, or trash of any kind shall be permitted on any Lot. Each resident is responsible for picking up litter on his or her property and preventing windblown debris from originating from his or her Lot.

Vehicles. No junk vehicles (i.e. a vehicle leaking fluids or with a flat tire, etc.), recreational vehicles, house trailers or commercial industrial vehicles, such as but not limited to, moving vans, trucks, tractors, trailers, vans, wreckers, hearses, buses, boats, boating equipment, travel trailers or camping equipment shall be parked within the boundaries of the community except on the written approval of the Association. The Association shall not be required to provide a storage area for these vehicles.

Any lettering on a commercial vehicle or any other indication that it is a commercial vehicle (e.g. the dome light on a taxicab) must be covered or removed while the vehicle is visibly parked within the boundaries of the Association. As an alternative for standard-sized automobiles, the Board has approved the use of an acceptable vehicle cover that would fit over the entire vehicle.

No portion of the property or common area shall be used for the repair of automobiles or any other vehicles nor shall any vehicle other than a private automobile be parked in any of the parking spaces maintained by the Association.

No unlicensed vehicles, including but not limited to motorized bicycles, mini-bikes, go-carts, etc., shall be operated on or parked upon any common area. All vehicles shall display current licenses and other required registration and safety inspection permits and decals and shall be maintained in proper operating condition so as not to be a hazard or nuisance due to noise, exhaust emissions or fluid leakage.

No motor vehicles shall exceed the posted speed limits while operating in the community and all vehicles shall be operated on the paved street and parking lot areas only.

Owners of vehicles will be held liable for all costs to repair damages to common areas caused by negligence, repair operations on the vehicle or the storage of any combustible, dangerous or otherwise hazardous material on common area.

ANY VEHICLE IN VIOLATION OF THESE RULES AND REGULATIONS MAY BE

REMOVED BY THE ASSOCIATION AT THE EXPENSE OF THE VEHICLE OWNER AFTER FIVE (5) DAYS NOTICE IN WRITING OR IN THE FORM OF A VIOLATION TAG PLACED ON THE VEHICLE. MOREOVER, MONETARY CHARGES OF UP TO \$50 PER VIOLATION OR \$10 PER DAY MAY BE ASSESSED BY THE BOARD AGAINST THE VEHICLE OWNER.

The Association, Board and Management bear no responsibility for the safety or security of any parking areas or streets within the Association's boundaries. In the event any owner or his family members, tenants, guests or other invitees violate any of the rules or regulations adopted herein and such person's vehicle is towed, that person shall be responsible for the cost thereof and in the event the Association incurs any expense associated with the violation or the towing, said charges will be treated as an assessment against the homeowner's Lot.

ARCHITECTURAL APPLICATIONS

While it would be impossible to address each specific modification or addition, these guidelines attempt to define the standards by which all applications will be considered regarding size, quality, location, materials and color of any architectural modification, which of course must take into consideration the intended use and relationship to adjoining properties. The basis for many of the following guidelines and rules can be found in the Declaration of Covenants, Conditions and Restrictions of the Association.

APPLICATION REVIEW PROCEDURES

The modifications and improvements listed on the following pages require an application to be submitted to the Association **IN ADVANCE** on an architectural modification form, accompanied by complete plans and specifications. The Association shall review and approve all additions and modifications that comply with the guidelines set forth in this handbook and the Declaration. Approval for any proposed exterior addition or modification, not specifically addressed in the guidelines, shall not be unreasonably denied.

Plans for the construction of decks, patios, sheds and other structures must meet County building codes and appropriate building permits must be obtained before beginning any construction. Projects should be completed in a timely manner. The failure to commence a project within six (6) months of approval by the Association and the failure to complete a project within six (6) months of commencement will require an application to the Association for an extension of time to complete the project.

In consideration of other residents, any and all noise producing work on exterior projects shall be done only during and between the following hours: Monday - Friday from 8:00 A.M. to 7:00 P.M., Saturday from 10:00 A.M. to 6:00 P.M. or darkness and Sunday from 10:00 A.M. to 6:00 P.M.

The modification form must be completed in full, including the acknowledgement of your neighbors,

or it will be returned to be resubmitted. Upon receipt of the request, the Association shall either approve or deny the request within forty-five (45) days after the Association's Management or an authorized member of the Association receives the application. If a request is denied by the Association, the applicant may resubmit a request after bringing it into compliance with the requirements of the Association or notify the Board within twenty (20) days of the receipt of the denial that the applicant has elected to appeal to the Board for approval. The Board at a regularly scheduled meeting of the Board will review the appeal. The decision of the Board will be final.

PLEASE ALLOW ENOUGH TIME FOR THE ASSOCIATION TO MAKE A DECISION BEFORE YOU PLAN ON COMMENCING THE MODIFICATION OR IMPROVEMENT. PLEASE DO NOT SUBMIT AN APPLICATION AND STATE THAT THE CONTRACTOR WANTS TO BEGIN THIS WEEKEND!

Although the Association is required to make a decision within forty-five (45) days of receipt of the application, the Association is NOT required to notify the applicant within forty-five (45) days. If you have not received a written decision from the Association within the prescribed time period, you should contact Management to confirm that a decision has been made. If the Association fails to make a decision within the forty-five (45) day period, approval shall be automatic but shall not be deemed to be a waiver of any provision of the Declaration of Covenants, Conditions and Restrictions.

Any neighboring resident who has acknowledged the proposed addition (s) or modification(s) on the application form and who wishes to submit comments to the Association during the review process, may do so in writing through the Association's Management.

INSPECTIONS

Authorized members of the Association and Management may inspect the site of proposed additions and modifications. Inspections may be done prior to, during and after completion of the project. Access to a homeowner's Lot will be in accordance with the Declaration.

PROCEDURES FOR ENFORCEMENT OF THE RULES AND REGULATIONS

The Association shall notify the homeowner in writing, in person or by telephone of any violation of the procedures for obtaining approval of any addition or modification, of any violation of the guidelines, or of any violation of the plans approved by the Association which are not covered in the guidelines or covenants. If the homeowner is a nonresident, the violation notice shall be mailed to the tenant in the home and to the owner.

In any instance where the violation presents a health or safety hazard, the Board may direct the Association's Management to immediately notify the owner and/or tenant in writing and to take corrective action at the owner's expense within the time frame specified in the notice.

All notifications of violations appealed by the homeowner and reviewed by the Board will include a statement of the Board's findings and conclusions, and the appropriate sanction, relief or denial thereof. A copy of each decision when issued shall be sent to the parties of the proceeding.

In the event the homeowner does not bring the violation into compliance within the time frame specified in the notice or submit a request for an appeal within ten (10) days of the expiration date for compliance, the Association may take legal action. The homeowner may be held liable for any and all costs, including legal expenses, in connection with the correction of the violation.

A letter notifying a homeowner of a proposed legal action under the Declaration of Covenants, Conditions and Restrictions shall contain the following:

1. The estimated cost of repair, as determined by the contractor who the Board proposes will do the work if the homeowner fails to take corrective action.
2. A statement that the Board will have the work done if the homeowner does not correct the problem within a specified period of time or if the homeowner fails to provide the Board with acceptable evidence that corrective action has been initiated.
3. A statement that any funds expended by the Association, including legal and estimated expenses, will become a part of the owner's assessment and that such assessment may constitute a lien upon the property.
4. A statement that a majority vote from the Board supporting the position being taken has the concurrence of the Association's attorney.

THE FAILURE OF THE BOARD TO ACT TO ENFORCE ANY RIGHT, PROVISION, COVENANT, CONDITION, RULE OR REGULATION SHALL NOT CONSTITUTE A WAIVER.

Additions. Additions are not permitted. No alterations, additions or improvement shall be made to any garage, which would defeat the purpose for which it was intended, and no garage may be converted to living space.

Antennas and Satellite Dishes. Exterior antennas, satellite dishes or similar device should be located in the rear of the house or rear of the roofline where possible to be as inconspicuous as possible but compatible with obtaining a signal.

Attic ventilators and exhaust ducts. Attic ventilators, turbines and exhaust ducts are permitted and should be the color of the house siding or trim (if mounted on a gable end). Ventilators and turbines should be mounted on the backside of the roof, not extend above the ridgeline, and should match the color of the roof, the chimney duct or be mill-finished.

Awnings. As a general rule, exterior awning will be prohibited unless they are demonstrated to be clearly compatible with the architectural design and qualities of the home or are screened from the

view of adjoining neighbors due to the proposed location of the installation.

Chimneys and metal flues. All chimneys must be installed on the back or side of the house. The chimney or flue shall extend above and behind the ridgeline to the same height as adjacent chimneys and flue enclosures or as required by the County code. Chimneys must either be masonry or enclosed in the same finish material as the exterior of the home to which they are attached.

Clotheslines. No clothing, laundry or wash shall be aired or dried outside of any house.

Decks. Homeowners are encouraged to consider the following variables for proposed decks and patios and other structural modifications:

Location: A deck should generally be located in the rear yard. Specific locations will be evaluated on the individual merits.

Scale: The scale of all decks shall be compatible with the scale of the house as sited on the property. Decks, particularly elevated decks, should be of a scale and style that are compatible with the home to which they are attached, adjacent homes and the environmental surroundings.

Color: Decks made from wood may be stained but may not be painted. Use of pre-approved stains will be allowed upon submission of an architectural modification. Stain colors that are not pre-approved must be approved in advance by the Association. All decks that are not stained must be maintained with colorless, weatherproof sealant

Storage Under Decks: The use of decorative screening or landscaping to minimize any adverse visual impact on neighboring homes from storage under an elevated deck may be required.

Elevated decks attached to the top level of the townhouse are prohibited.

Decks shall maintain a setback from all property lines as required by County regulations.

Doghouses and dog runs. Doghouses shall be compatible with the applicant's house and within a fenced yard. Doghouses should be located where they are visually unobtrusive to neighboring homes and the use of appropriate screening is encouraged. Dog runs are prohibited.

Driveways. Driveways may not be widened or altered without prior approval by the Association.

Electronic insect traps. Electronic insect traps will be regulated based on the same criteria as exterior lighting. In addition, no device shall be installed or maintained in such a way as to cause discomfort to adjacent owners from noise and may only be operated during those times when the immediate area protected by the trap is occupied by the owner or his guests.

Exterior appearance/maintenance guidelines. Property ownership includes the responsibility for the maintenance of all structures and grounds that are a part of the Lot. This includes, but is not

limited to, items such as mowing grass, removal of trash and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood and, in some cases, safety. Residents are responsible for maintaining the exterior of their dwellings and any other structures on their Lots. No storage of bicycles, trash or trash cans, barbecue grills, snow shovels, tires, work tools, boxes, building supplies, etc., in the front yard, front stoop or side yard (if unfenced) is permitted.

Exterior lighting. Any proposed replacement of exterior lighting or additional fixtures must be compatible in style and scale with the applicant's home.

No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting should not result in an adverse visual impact on adjoining neighbors due its location, wattage or other features.

Decorative holiday seasonal lighting (e.g., Christmas lighting) may only be installed during the holiday season and at the holiday season's conclusion must be removed. No approval by the Association is required for holiday seasonal lighting during the defined period.

Exterior painting. An application is not required in order to repaint or restain a home or exterior improvement to match the original color. However, all exterior color CHANGES require an application and prior approval by the Association. This requirement applies to siding, doors, shutters, trim, roofing and other appurtenant structures.

In general, only those areas that are painted may be repainted and only those areas that are stained may be restained. Concrete or block foundations exposed more than one (1) foot above grade shall be painted in harmony with the house.

Fences. Any fence, screen or wall above grade must have the approval of the Association before installation is undertaken. No such structure will be approved if its installation will obstruct sight lines for vehicular traffic.

Wood fencing or screening will be in general conformity with the architectural design of the community. Fences may not be stained or painted. The fence must have at least one entry to common property to allow emergency access.

Fences may not be higher than six (6) feet and must be wholly erected on the homeowner's private property so that no part of the fence is installed on common area that is the property of the Association. Fences separating two adjacent lots shall be jointly maintained by the owners of the two townhouses. Replacement fencing must be of identical material and design of any existing fences to which it is connected and must be contiguous with other fencing and the house.

Fencing shall not extend forward of the front house line and no fencing shall be permitted to enclose any front yard. The side yard fence for any end townhouse must be set back at least twelve (12) feet

from the front of the house line **UNLESS PRIOR APPROVAL TO EXTEND THE FENCE TO THE FRONT LINE OF THE HOUSE HAS BEEN OBTAINED FROM THE ASSOCIATION.**

Flagpoles. Any permanent, freestanding flagpole must be installed and maintained in a vertical position and must be approved in advance by the Association. The height, color and location of the flagpole must be consistent with the size of the property and scale and design qualities of the home. A temporary flagpole staff that does not exceed six (6) feet in length and is attached at an incline to the wall or entrance area of the home does not require approval by the Association.

Greenhouses. An attached greenhouse must meet the following criteria to be approved:

1. They must be attached to the rear yard side of the home.
2. The size and design must be architecturally compatible with the home and neighboring homes.
3. Any adverse visual impact on neighboring homes must be minimized as much as possible.
4. Greenhouses shall not be used for commercial purposes.

Grills. Permanent barbeque grills must be placed in the rear yard of the home and away from adjacent property lines.

Gutters and downspouts. The replacement of existing gutters and downspouts is permitted without Association approval if they are the same as the original installation. Any other installation requires the approval of the Association. In no instance shall the addition of gutters and downspouts be permitted to adversely affect drainage on adjacent properties. Downspouts must not bisect a wall. Gutters must be contiguous with the roofline. The color of downspouts, gutters and any supporting structures or attachments must be the same as the exterior trim or be white.

Hot tubs and spas. Exterior hot tubs and spas that are permanently installed must be installed within a fenced area and must have prior Association approval. Under no circumstances may any hot tub be placed within public view from the street. Portable hot tubs placed on ground level surfaces or decks less than eighteen (18) inches above ground require no Association approval as long as they are placed within fenced areas and are reasonably hidden from public view.

Any hot tub installed on an elevated deck must have Association approved screening to shield the hot tub from public view. Such hot tubs shall be constructed so that there is proper drainage and that no ground level drainage problems are created on either the adjoining properties or common ground. Wastewater from such tubs shall meet County code as to the discharge of such waters.

Landscaping. All new major landscaping must be approved in advance by the Association. The replacement of like kind and size plant material is permitted without approval. Major landscaping is

defined as any planting or change in ground cover which would include fifty (50) percent or more of the front of a Lot. **No live tree of a diameter of more than four inches, measured two feet above the ground level, shall be removed without the express written authorization of the Association.**

Owners shall at all times maintain their property and all appurtenances thereto in good repair and in a state of neat appearance. All lawn areas shall be kept mowed and shall not be permitted to grow beyond a height of six (6) inches.

All trees and shrubs must be located so as not to obstruct walkways, nor encroach on neighboring property. No tree, hedge or shrub planting shall be maintained in such a manner as to obstruct sight lines for vehicular traffic.

Landscape timbers and retaining walls over eighteen (18) inches above local grade at any point must be approved by the Association. All landscape timbers and retaining walls must be constructed so as to not divert ground water onto adjoining properties or otherwise substantially change existing drainage patterns.

Except for flower gardens, plants, shrubs and trees which shall be neatly maintained, all open Lot areas shall be maintained in grass lawns. Monolithic paving of yards is prohibited. The covering of front yards or side yards with decorative stones as the principal design element needs to be approved by the Association. The Association must also approve other lawn material or other coverings.

All flower boxes, lawn ornaments, including but not limited to statuary, bird baths, decorative balls, etc., to be placed on the front or side of any Lot (unless they are located within and below the top of a fenced side yard) require Association approval.

Any changes to the ground elevation of a Lot require prior approval of the Association.

Mailboxes. Mailboxes should be of a standard size within a neighborhood. The cluster mailboxes are owned by the U.S. Post Office.

Patios. Patios should generally be located in rear yards. Any adverse drainage requirements, which might result from the construction of a patio, should be considered and remedied.

Patios and ground level decks may be constructed of poured concrete, brick, stone, commercial paver tiles or wood. Proper workmanship to assure sound construction and attractive appearance is required. All patios and ground level decks shall maintain a setback from all property lines as required by County regulations.

Recreational and play equipment. Recreational and play equipment should be unobtrusive to neighbors and should comply with the following guidelines:

1. The equipment should be located in the rear yard whenever possible.
2. The equipment should be compatible with the Lot size. Screening may be required to minimize any visual impact on neighboring homes.
3. The equipment must be maintained in good working order and made of wood left natural in color or other materials kept in a well painted, rust free condition.

Requests for permanent basketball backboards or for nonportable skateboard ramps will not be approved.

Sidewalks and pathways. Stone, brick, concrete or similar durable construction material should be used for sidewalks and pathways. The scale, location and design should be compatible with the Lot, home and surroundings.

Solar panels. All installations must have prior approval of the Association. Any installation must be out of public view.

Storage sheds. All storage sheds require advance approval by the Association. Storage sheds should be four (4) sided, closed structures and of a scale appropriate to the location. Landscape screening or fencing may be required to hide the shed from view. Storage shed must be properly maintained by the homeowner so as not to present an unsightly appearance. Sheds shall be constructed so that there is proper drainage and that no ground level drainage problems are created on either the adjoining properties or common grounds. Other guidelines are:

1. Sheds are to be located in rear yards.
2. Sheds are to be located within a fenced yard.
3. Sheds may be seven (7) feet high from the ground but not higher than one (1) foot above the fence line.
4. Sheds may not be constructed from metal.
5. If a shed is constructed with siding, the color and material must be comparable to color and material of house.
6. If a shed roof has shingles, the shingles must match shingles on house.
7. If a shed is plastic, the color must be comparable to the color of the house.
8. Sheds may not be constructed with exposed particleboard.

Screens and storm doors and windows. Screen and storm doors should be as harmonious as possible with the architectural character of the dwelling unit and should be painted white, the color of the door or the color of the trim around the door.

Screen and storm doors shall be full view or two view in style. No plastic covering or security bars shall be visible on the outside of any window or door of any home without the prior approval of the Association.

Swimming pools. The installation of swimming pools of any kind must have prior Association approval.

Window air conditioners. Window air conditioners are prohibited.