

ARCHITECTURE AND LANDSCAPE GUIDELINES

FOR THE ARCHITECTURAL CONTROL COMMITTEE FOR THE

CHASE OAKS VILLAGE HOMEOWNER'S ASSOCIATION, INC.

PURPOSE These guidelines are intended to explain the concepts and philosophy used by the Architectural Control Committee (ACC); in its review of plans and applications for activities undertaken in the Declaration of Restrictions, Covenants and Conditions of Chase Oaks Village. They are intended to provide the design philosophy under which the Committee will function and provide property owners with guidance in submitting applications for modification of the existing home to the Committee. The intent is to give direction in order to achieve the harmonious design discussed in the Declaration.

GENERAL CRITERIA The ACC will make its decision based upon these General Criteria and upon specific Elements Criteria which are presented in the following section. The decisions made by the ACC are not based upon personal opinion or taste. The overriding concern is one of harmony. By way of a guide harmony may mean "in keeping with the style established by the design, (clean lines, elegant, simplicity), of Chase Oaks Village. The following criteria are presented as guides for the Community.

CONFORMANCE WITH DECLARATION All applications are reviewed to confirm that the project is in conformance with the Declaration.

LOCATION AND IMPACT ON NEIGHBORS The proposed alteration should relate favorably to the landscape, the neighbors' homes and improvements and the existing structure of the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage. For example, blocking views or breezes, casting an unwanted shadow on a neighbor's property or infringing on a neighbor's privacy are to be avoided. It is suggested that changes to a property which affect a neighbor's property be discussed with that neighbor in advance of submitting the application. In some cases, it may be appropriate to submit the neighbor's comments along with the application.

SCALE The size, (in three dimensions), of the proposed construction should relate well to existing structures. The topography should be considered when considering scale.

MATERIALS Compatible materials should be used within the requirements of Article VII of the Declarations. Greater harmony can be achieved with the use of few materials. For example, brick and wood or stucco and wood can achieve this effect.

WORKMANSHIP The quality of workmanship prevalent in the neighborhood should be maintained. Poor quality can be a visual blight to the neighborhood. Poor quality can also create health hazards.

TIMING Construction should be so scheduled so as to not leave a partially completed project for an undue period of time. Projects which remain uncompleted for a period of time with no visible signs of work each week are a visual blight. They can also be an unattractive hazard and nuisance and therefore for purposes of safety, work should move as rapidly as possible toward completion. The length of time for completion stated on the application shall be a factor to be considered prior to approval.

Fencing is used to separate property, provide security, visual privacy and architecturally define space. In achieving any one of these goals a barrier is created which has both visual and physical impact on the boundaries of common land and property of adjacent homeowners. Careful consideration should be given to the basic fencing concept and the manner in which the concept is executed.

There are alternatives to fencing that may achieve the needed results. For example, short segments of screen fence may be combined with landscaping to achieve the desired amount of privacy without a severe impact on natural open space. Use of plant material alone can be an alternative.

Fence height should not be greater than is necessary for its intended use since fencing can have a significant impact on adjoining properties and community open space. The height and design of fences should generally conform to other fencing in the area.

Fencing shall be either cedar-board-on-board or wrought iron. Fence heights should range a minimum 2 feet to a maximum of 6 feet. Fencing in front yards is prohibited. The tops of all fences shall be maintained horizontal. If the ground slopes, the top of the fence may not slope with the lay of the land. The bottom of the fence may follow the slope of the ground or be stepped. The bottom of the fence shall be no more than 3" above grade at any point depending on fence type. Vertical members shall be plumb and generally shall not extend beyond the upper horizontal portion of the fence. Ridge caps on posts are generally not acceptable unless painted to match the fence. Gates shall match fencing in design, material height and color with top being straight and flush with the fence (not rounded).

Chain link fences and wire fences are not acceptable.

SECURITY Many homeowners wish to restrict children or pets to or from their property. Security fences where privacy is not a factor can be the "open" type. Where security is desired for safety reasons, such as around swimming pools, vertical iron fencing or black security mesh of sufficient height should be more appropriate since horizontal fencing may easily be climbed by small children.

TREE HOUSES Prohibited.

CLOTHESLINES Prohibited

EXTERIOR LIGHTING Exterior lighting should be a low level, non-glare type and located to cause minimum visual impact to adjacent properties and streets. Exterior spotlights or floodlights should be situated to eliminate glare onto adjacent properties or present a potential hazard to pedestrian or vehicular traffic.

No exterior lighting shall be directed outside the applicant's property. Light fixtures which are proposed in place of the original fixtures should be compatible in style and scale with the applicant's house. However, lighting which is a part of the original structure must not be altered without approval. Applications for exterior lighting should include wattage, height of light fixtures above ground, and a complete description, including descriptive material of the light fixture and location on property.

TENNIS COURTS Prohibited.

ANIMAL HOUSES Prohibited.

MATERIALS AND COLORS Masonry may be an integral part of a fencing scheme. Masonry should match the masonry used in the applicant's house.

DECKS Decks are an extension of the house and thus have significant impact on its appearance. Decks may also affect the privacy of adjacent properties. These two factors are weighed heavily in the review of applications. Decks should be compatible in materials and color with the applicant's house. Wood left to weather naturally is not an accepted option. Modifications to existing decks should provide continuity in detailing such as material, color, and the design of railing and trim.

Deck configurations should relate to the plan outline and window and door openings of the house where possible. Approvals of other exterior modifications such as new exterior door locations which are a part of the deck application are contingent upon completion of the deck. Privacy of adjacent homes should be considered when planning decks. Decks on attached houses should not adversely affect the privacy of adjacent houses.

Planting should be provided at post foundations and on low decks to screen other structural elements and to soften visual impact. Shadow patterns created by decks should be considered both as they affect the use of outdoor space as well as impact on grass and plant material.

If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage.

Patios may be concrete, concrete stepping blocks, brick or concrete pavers. It is recommended that safety restraints, (hand rails, banisters, benches, planters, etc.), be incorporated on all decks and patios that are vertically located 24" or more above finish grade. Hand rails are recommended to negotiate any steps in decks and patios. Design and construction of decks and patios shall comply with all local building codes.

Decks shall be constructed of wood. Redwood is highly recommended to use as deck finish material. Cedar is a recommended substitute material. Walks constructed of wood decking, exposed aggregate concrete, brick, etc. whether or not designed as an integral part of the house must be approved by the ACC. Loose flagstones "dropped" on top of the ground in an ill-defined pattern are not accepted. Approved deck materials are cedar, redwood and womanized pine. Vertical supports for second story wooden decks must be a minimum 6" X 6" wood post. Metal columns must be boxed in wood to a minimum of 6" X 6".

STORAGE SHEDS Prohibited.

STORM AND SCREEN WINDOWS AND DOORS Storm or screen doors should be painted to match entry doors behind them. However special consideration will be given to doors that match architectural trim. Consideration will depend upon the design of the particular door and its relation to the design of the house and adjacent houses. Generally, storm windows and screen window frames should be compatible with the color of existing window frames

RECREATION AND PLAY EQUIPMENT Attached to the house are prohibited. There is a recreation area near the pool.

FRONT DOOR ENTRY Front door and entry decorations should be simple in design and in keeping with the style and colors of the house. Plants and flowers in pots should always be neat and healthy. No plastic or artificial plants are allowed.

WOODPILES Prohibited

PERMANENT BARBEQUES BBQ's shall not be a dominant feature on the landscape and shall be located so that they will blend as much as possible with the natural background. Supplemental planting shall be provided to soften the visual impact of the barbecue, particularly when little or no natural background or screening is available. Barbecues will be located in the rear yard and screened within the property wall.

SWIMMING POOLS Prohibited. The common area provides for a pool for the enjoyment of all the residents.

OUTDOOR HOT TUBS The Tub and any mechanical equipment must be protected by a fence. Fences and gates should conform to that portion of these guidelines pertaining to fencing. Approval of the fence will be considered a part of the Hot Tub application and shall be contingent upon completion of the Hot Tub. All pumps and equipment must be hidden from view.

HOUSE BODY AND TRIM Primary colors for siding stucco and trim must be confined to earth tones which are compatible with the natural environment. Stucco and synthetic stucco must be painted or integrally colored. Colors for windows, doors, louvers and gutters must be compatible with primary trim colors. Repainting or staining to match original colors need not be submitted; all other colors must be submitted to the ACC for approval.

DOWNSPOUTS All houses must have a complete rain carrying gutter system of aluminum or vinyl with creates a crisp eaves line. Gutters must be painted to match the color of the house. The location of downspouts on the front facade must be placed so that there is a logical relationship between the design of the front facade and the downspouts mounted to it. Where possible, downspouts should be located at the corners of the building, at offsets in the building facade, and along vertical lines that extend the full height of the facade. Where symmetry is characteristic of the facade, there should be symmetrical placement of the downspouts. Change of location of downspouts must be approved by the ACC.

ROOF Primary residential roofing materials must be asphalt shingles, in colors and textures which complement the balance of the colors and materials selected for a house and must comply with Article VII (k) of the Declaration of Covenants, Conditions and Restrictions. Sheet metal and PVC work such as roof caps, flashing and plumbing vents must be painted to match the roof colors. Roof stacks and plumbing vents to the extent possible must be placed on the rear slopes and be painted to match the roof color.

MAJOR EXTERIOR ALTERATIONS Major alterations are generally considered to be those which substantially alter the existing structure either by subtraction and/or addition. However, other site changes such as driveway modifications are also included.

The design of major alterations should be compatible in scale, materials, and color with the applicant's house and adjacent houses. Pitched roofs should match the slope of the roof on the applicant's house.

The location of major alterations should not impair the views or amount of sunlight and natural ventilation on adjacent properties.

New windows and doors should match the type used in the applicant's house and should be located in a manner which will relate well with the location of exterior opening in the existing house.

If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage.

Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material and debris should be removed as soon as possible.

GARAGES As Built.

DRIVEWAYS AND/OR PARKING PADS Generally only hard stabilized surfaces of concrete will be approved. Materials other than these will be considered if they are compatible with the surroundings. Care must be exercised in any drainage changes.

GREENHOUSES Prohibited.

MISCELLANEOUS There are numerous exterior modifications which are of a smaller scale than the previously noted items but still require approval. The same basic principles of compatibility of scale, materials, and color apply. Consideration must also be given to impact on neighboring properties.

AIR CONDITIONERS Air conditioner units extending from windows will not be approved. Compressors for central air conditioning units will not be allowed at the front of a house, visible from the street. Exterior units may be added or relocated only when they do not interfere visually and acoustically with neighbors.

ATTIC VENTILATORS Attic ventilators or other mechanical apparatus requiring penetration of the roof should be as small in size as functionally possible and should be painted to match the roof. They should be located generally on the least visible side of the roof and not extend above the ridge line.

CHIMNEYS AND METAL FLUES Not Applicable.

DOG HOUSES AND RUNS Prohibited. The common area has a Puppy Park.

WINDOW CURTAINS Amended March 31, 2006 – All curtains must have white lining so that only white appears to the street. White shades, white mini blinds, white sheers are allowed,

EXTERIOR PAINTING Repainting or staining to match original colors need not be submitted. Color changes apply not only to the house siding, but also to doors, shutters, trim, roofing's, and other appurtenant structures. Change of exterior color should relate to the colors of other houses in the immediate area.

TRASH CANS Trash cans, containers for garbage, tied bundles of plant materials, bags of rubbish, etc. must be kept inside the garage.

HOUSE NUMBERS House numbers should be legible but should be of a size which is appropriate for the applicant's house. In certain cases, decorative house numbers will be accepted dependent upon location and type of house.

AUTO MAINTENANCE Emergency auto repair or infrequent scheduled maintenance performed in the garage is acceptable. However, constant or very frequent work on one or more autos is considered a health and environmental nuisance and will not be permitted. Except in the case of emergency no automotive repair or maintenance may be conducted within or upon a residential Living Unit lot unless such repair is completed within the garage of the residential Living Unit and can not be seen from any adjoining lot or street. (See Rules and Regulations)

SHUTTERS As per original construction.

ORNAMENTAL STATUARY Ornamental statuary is generally not functional or consistent with the harmony of the community. Unless a statue is of exceptional artistic merit, it will not be located in the front or side yard and should be screened from view of neighboring properties in the rear yard. Ornamental figures of animals or persons will not be approved in front yards or rear yards of house.

LANDSCAPING **No landscaping of any area maintained by the Association including, without limitation, the yards of the Living Units maintained by the Association, shall be allowed without prior approval of the Association.** The common area, including Landscaping can be effectively used to accent entryways, define space, create "soft" privacy screens, and reduce the visual impact of fences. Since landscaping is a design element the same consideration should be given to relationships to the applicant's house and to adjacent houses as apply to other design elements. Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic. Also the views of neighboring Living Units and shade patterns of larger trees should always be considered. Care should be exercised in selecting plant materials which upon maturity will be of an appropriate size in height and breadth for its intended use and locations. Mature size, both in height and diameter should always be considered especially when planting close to walkways and houses. Consideration must be given to the effect which planting will have on views from neighboring house and property. Planting should be clustered rather than widely spaced. Massing, the three dimensional appearance of planting, may be improved by augmenting trees and taller shrubs with low spreading shrubs and/or ground cover. The types of plants which might be used are in part a function of the desired effect and exposure. However, native plant material is advised because of the increased chances for healthy growth and compatibility with the area. The seasonal color of flowering trees and shrubs should be considered in relation to the color of the applicant's house and those adjacent.

The trees should be placed in a manner that is visually pleasing to the benefit of the lot.

Should any trees that are existing on the lot need to be moved or removed, the Home Owner must replace that tree with another tree of similar size, in an area of the lot that is more desirable.

FLAG POLES Prohibited. The Architectural Control Committee reserves the right to remove any flag on a pole that the ACC in its sole discretion deems offensive.

VEGETABLE GARDENS While vegetable gardens offer certain rewards, gardens and gardening equipment can often be unsightly. Gardens should be generally located in rear yards. Visual screening from view by adjacent homeowners should be provided by means of solid fencing or screen planting. Gardens should be located on land which will not cause water to run onto adjacent property during periods of supplemental watering. Gardens should be properly maintained during the growing season. After the growing season, dead plants, stakes, etc., should be removed.

APPLICATION PROCEDURE All application must be submitted to the ACC. The application must be delivered to the Association offices in time for the Committee to give proper consideration. In accordance with Article VI of the Declaration, a decision will be made as soon as possible but no later than 7 working days. The decision of the Committee may be to approve, approve with modifications, or disapprove.

Where Appropriate, the application shall contain the following information:

- A. Designs and plans, showing dimensions

- B. Colors including paint chips
- C. Elevations
- D. Topography
- E. Materials to be used described in detail
- F. Distances from existing buildings on adjacent property
- G. Sketch or photograph of a manufacturer's product
- H. Provisions for drainage
- I. Statements from adjacent property owners, if appropriate

It is very important to clearly indicate all factors relevant to the project. Lack of information could result in either a modified decision or denial. Major projects such as additions require detailed plans not only for the Committee but also for a building permit from the City. Therefore, it is suggested that a preliminary application be filed with sketches to reduce plan preparation cost. These can be reviewed by the Committee and preliminary approval can be given based upon comments made by the Committee. Note any preliminary approval granted is contingent upon submission of final plans. Preliminary approval is construed as approval to prepare final plans and not as approval to proceed with construction. The Committee is to be notified upon completion of the project. If it is found to have deviated from the approved plans, action will be taken to bring the project into compliance. The pace of construction will also be monitored by the Committee or its representative during construction.

The Applicant represents by the act of entering into the review process with the ACC and by virtue of purchasing a lot in the Chase Oaks Village that all representatives of Applicant, including, but not limited to, the Applicant, Applicant's architect, engineer, contractors, subcontractors, and their agents and employees, shall be made aware by the Applicant of all applicable requirements of the ACC and shall abide by these Procedures, the guidelines and the CC&R's. Neither the ACC nor its respective members, successors, assigns, agents, representative or employees shall be liable for damages or otherwise to anyone submitting plans to it for approval, or to any Applicant by reason of mistake in judgment, negligence or non-feasance, arising out of any action of the ACC with respect to any submission, or for failure to follow these Procedures or Guidelines. The role of the ACC is directed toward review and approval of site planning, appearance, architecture and aesthetics. The ACC assumes no responsibility with regard to design or construction, including, without limitation, the civil, structural, mechanical, plumbing or electrical design, methods of construction, or technical suitability of material.

THESE ARCHITECTURAL CONTROL AND LANDSCAPE GUIDELINES ARE SUBJECT TO CHANGES, ADDITIONS AND/OR AMENDMENTS BY THE BOARD OF DIRECTORS AND TO THE EXTENT THERE IS A CONFLICT BETWEEN ANY OF THE PROVISIONS OF THE GUIDELINE AND THE CC&R'S, THE CC&R'S SHALL CONTROL.