

ARCHITECTURAL CONTROLS RULES AND REGULATIONS of Park Avenue Homeowners Association

INTRODUCTION

The Declaration of Covenants Conditions and Restrictions “Declaration”, which is applicable to the property administered by the Park Avenue Homeowners Association restricts your right to modify the exterior appearance of your home and yard without the consent of the Board of Directors (henceforth known as “the Board”). The Declaration also permits the Board to adopt reasonable rules and regulations aimed at controlling undesirable activities in our community.

These restrictions were created to prevent any individual homeowner from creating an unsightly or undesirable condition on their home or yard which could adversely affect the value of other homes in the community.

Part I of this document describes the architectural control guidelines, the procedure which must be followed in requesting approval of any changes in the appearance of your home or yard, and states guidelines which will aid you in determining the types of changes which will be approved. Part II of this document sets forth the rules and regulation restrictions, which are applicable to the use of your property. These restrictions either arise directly from the Declaration or constitute rules and regulations which the Board have adopted to restrict undesirable activities. You should carefully read this entire document and be aware of your rights and obligations as a member of our community.

PART 1 ARCHITECTURAL CONTROLS

In order to assure each homeowner that our community remains attractive, each of our lots is subject to restrictions which prevent us from making any changes to the appearance of our homes, garages or yards without the approval of the Board.

If you desire to make any changes to the exterior appearance of your home or yard, you must obtain the consent of the Board. If you fail to obtain this consent, the Board has the right to require you to remove or remedy any unapproved changes you may make. If you refuse to make those changes, the Board has the

power to sue you and recover from you all of the attorney's fees incurred by the lawsuit.

The purpose of these guidelines and procedures is to:

1. Indicate certain types of changes which are encouraged and will probably be approved and other changes which are discouraged and will probably be disapproved.
2. Tell you how to apply to the for a request for approval of a change.
3. Inform you of your right to appeal a disapproved change.

Approval Procedures: If you desire to make any changes to the appearance of your home or yard, you must apply for and receive the approval of the Board before you commence your project. You must proceed in the following manner:

1. Complete the Architectural Control Application form found in this PAHA handbook or contact a member of the Board for a form.
2. After completing the application form, submit the form to Board.
3. Within 10 days after next Board meeting (meetings are held every third Thursday of the month), the Board will advise you whether your request has been approved. If the request is disapproved, the notice of disapproval will be accompanied by a brief statement explaining why the request was disapproved.
4. If your application is approved, your project must be completed strictly in accordance with the plans submitted to the Board (weather permitting). If the project is not completed in accordance with the plans submitted with your application, the Board may require that your project be redone in accordance with the approved plans. All work must be completed per the approved plans submitted.
5. If any request is disapproved by the Board, you may appeal. The Board will consider any appeal at its next regularly scheduled meeting. You may not appear before the Board unless you are expressly granted consent to such an appearance. If any member of the Board is the applicant, such board member may not be present when his or her application is being considered. Any decision by the Board will be final and binding upon the applicant.

Guidelines: The following guidelines are intended to aid you in determining how the Board will act on various types of requested changes. These guidelines are

addressed only to matters which arise frequently and the absence of a guideline dealing with a particular type of change should not be interpreted either as favoring or disfavoring such a change.

1. Matters Requiring Approval: All exterior changes, such as:

- Decks and stairs;
- Patio slabs of any sort;
- Plantings of any type or size;
- Exterior window or door modifications;
- Three-season porches;
- Fireplaces;
- Modification or additional roof venting;
- Installation of central air conditioning units.

2. Prohibited Changes: All of the following changes will be disapproved and are prohibited:

- Awnings;
- Retractable metal, plastic or any type of shades;
- All permanently mounted window or wall air conditioners;
- Skylights;
- Solar panels and solar tubes;
- Satellite dishes.

3. Birdfeeders and Bird Baths: May be installed with the consent of the Board. They are restricted to the deck and shrub area.

4. Cable: Cable wiring must not be visible or routed through the vinyl siding. See Cable Authorization Form at the end of this section for details.

5. Clotheslines: No temporary or permanent clothesline may be installed or used in any yard.

6. Deck Carpeting: Deck carpeting may be installed with the approval of the Board. No carpeting will be approved for use on the front door steps, any patio or other concrete surface. No carpeting is allowed on any outside surface.

7. Decks and Stairs: It is the responsibility of the homeowners to maintain decks and stairs. Homeowners are required to repair decks, stairs and porches for the safety and aesthetics of the Association's neighborhood and its members. Reference the Declaration of Covenants, Section 8.2.2.
8. Exterior Lighting: Any permanent existing lighting fixtures may not be modified and no additional lighting will be permitted without the approval of the Board.
9. Fences: No fences may be erected in or around your yard. This includes privacy fences around your patio. Lattice dividers require the approval of the Board.
10. Flags: Flags may only be displayed on removable staffs attached to a bracket. Bracket may not be attached to the vinyl siding or trim. Flags may not be larger in area than three (3) feet by five (5) feet and must be maintained in good condition. No flag poles may be located in any area of the yard.
11. Flower Containers: Flower or similar containers may not be attached to vinyl siding or trim. Individual flower containers may be placed on your front steps. Consider removing items from the front stoop during the winter to allow for proper snow removal.
12. Holiday Decorations: Wreaths and lights may be installed without specific approval, but NO HOLES may be made in the vinyl siding or trim. No rooftop decorations will be permitted. All lights and decorations must be removed 20 days after the Holiday.
13. Landscaping: Homeowners are encouraged to landscape their shrub beds. All landscaping projects require the approval of the Board. If any landscaping projects are approved, the homeowner must perform all of the necessary maintenance including, but not limited to, pruning, weeding, and cultivation. If the landscaping is replacing the same or an approved species, then the association lawn care service will provide routine maintenance. No climbing plants or vines which would attach themselves to the vinyl siding will be approved for planting adjacent to walls or decks. Trees having a trunk at least one (1) inch thick may be planted so long as the species of the tree and its location are approved by the Board.

14. Painting or Staining: A homeowner may touch up any painted or stained areas without the consent of the Board if the same color and paint type or stain is used. Painting/staining of decks must be aesthetically compatible with the color scheme of the complete twin home. No other painting/staining will be allowed without the Board's approval.
15. Signs: No signs are allowed. The except is a home for sale sign. Home For Sale must be placed in the yard and cannot be attached to the vinyl siding.
16. Storage Sheds: No detached storage structures, including, but not limited to, storage sheds, tool sheds, or other outbuilding whose principal intended use is the storage of goods or materials, shall be erected on any property.
17. Storm Doors: Storm doors may be attached to your home if the type of door is approved by the Board. The color of the door must match the trim of your home.
18. Vinyl Siding: No holes shall be made in the vinyl siding. Heat from cooking grills can cause the vinyl siding to melt. Maintain distance between the siding and your grill. Keep plants, shrubs, and flowerpots at least 6-inches away from the vinyl due to moisture. Vinyl siding is brittle when it gets cold which can cause it to easily crack.
19. Vegetable Gardens: No vegetable gardens are allowed in or around your yard. They are allowed within containers on your deck and within the perimeter underneath your deck.
20. Windows and Doors: May be replaced on your home if the type of window and/or door is approved by the Board. Replacement windows and/or doors shall be the same in size, color and style.

PART II ARCHITECTURAL CONTROLS

In addition to the Architectural Controls established by the Declaration, the Declaration also authorizes the Board of the Association to adopt Rules and Regulations. These rules and regulations, along with certain specific provisions of the Declaration, permit the Board to prohibit activities on your lot which may constitute a nuisance to other members of our community. Some matters may be regulated both as activities and as architectural control matters, such as the erection and use of clotheslines. In any event, the Board has adopted the following rules and regulations:

1. Animals and Pets: Homeowners are responsible for pet mess to be pick-up daily. The Declaration in Section 6.1 provides as follows:

“No animal may be bred, kept, or maintained for business or commercial purposes anywhere on the Property. Notwithstanding the foregoing, Owners and Occupants shall have the right to keep common domestic pets such as dogs, cats, fish, birds, and the like, subject to the Board’s right to reasonably regulate the same through Rules and Regulations.”

The Association has adopted the following rules relating to pets. All pets must be properly controlled in accordance with any applicable leash law. The owner of any pet is solely responsible for cleaning up after his or her pets on a daily basis. This includes both the pet owner’s yard and any other yards which your pet may have soiled. Any damage to the landscaping or the exterior of the home by a pet must be repaired at the expense of the pet owner. No pet’s home may be permitted outside of the home. This includes doghouses and kennels. While outside of the home, all pets must be securely tethered on a line which is no longer than 15 feet and which does not permit a pet to cross onto any adjoining yards. Pets may not be tethered on any wrought iron railings. Dog chains must be kept off the steps and sidewalk from mid-October through mid-April during the snow season. Summertime chains must be kept off the yards. This is for safety of the maintenance crew.

2. Driveways: Remove vehicles for snow removal. Park vehicles on your own side.

3. Major Auto Repairs: All major auto repairs must be conducted inside of the garage. Any oil or gasoline spilled on the driveway must be cleaned up immediately. Inoperable vehicles must be stored inside the garage. Any damage sustained to your driveway as a result of your activities will be repaired at homeowner's expense.
4. Outside Storage: Nothing may be stored outside of your home or beneath your patio deck. This includes bicycles, loose toys, trash/recycling containers, trailers, motorcycles, snowmobiles and watercraft, all of which must be stored in your garage or home. Wood piles are acceptable, but need to be stored in an orderly and inconspicuous manner near your home.
5. Recreation Equipment: No permanent recreational equipment may be affixed to a home or yard, including but not limited to, basketball backboards, volleyball nets, swing sets, play bars and similar equipment. All damage to landscaping resulting from any recreational use must be repaired at the expense of the homeowner.
6. Recreational Vehicles: Driveways shall not be used for storage of motor vehicles including but not limited to inoperable vehicles, unused vehicles or for the storage of RVs during non-seasonal usage.
7. Trash and Recycling Pick-up: All trash and recycling must be placed in the containers provided on the curb for pick-up on the scheduled day. Trash and recycling containers must be stored inside the garage except for on pick-up day.
8. Wading Pools: Portable wading or swimming pools may be used in your yard, but only if they are removed on a daily basis. These pools must always be removed so they do not interfere with lawn maintenance. Homeowner's are responsible for any harm or damage resulting from the wading pools, swimming pools or any similar water item.