# Towns at Old Mill Community Association, Inc.
# Community Guidelines December 2018


1. **GENERAL CONSIDERATIONS**
2. **APPLICATION INFORMATION**
3. **COVENANT ENFORCEMENT PROCEDURES**
4. **COMMUNITY GUIDELINES**
    - Guideline Number 1 Patios and Walkways
    - Guideline Number 2 Exterior, Decorative Objects, Front Porch Flowerpots, Lighting, Holiday Decor
    - Guideline Number 3 Garden plots
    - Guideline Number 4 Play equipment, playhouses, tree houses
    - Guideline Number 5 Basketball Goals
    - Guideline Number 6 Private pools
    - Guideline Number 7 Fences
    - Guideline Number 8 Exterior landscaping, maintenance, and composting
    - Guideline Number 9 Firewood
    - Guideline Number 10 Decks
    - Guideline Number 11 Exterior building alterations
    - Guideline Number 12 Vehicles, parking, and traffic
    - Guideline Number 13 Satellite Dishes

5. **INSPECTION**
6. **CONDUCT**
7. **LIMITATION OF LIABILITY**
8. **FENCING EXHIBITS**
9. **REQUEST FOR MODIFICATION REVIEW FORM**

# Towns at Old Mill Community Association, Inc.
# Community Guidelines December 2018

GENERAL CONSIDERATIONS:

These Design Guidelines are intended by Towns at Old Mill Community Association, Inc. ("Community Name"), to promote a high standard of exterior architectural appearance throughout Towns at Old Mill. These guidelines and procedures will assist Owners in the planning and construction of improvements on Lots and provide a uniform process for review and approval of construction plans. Your adherence to these Design Guidelines will enhance the marketability of Lots and homes in Towns at Old Mill.

Pursuant to Article VII of the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Towns at Old Mill Community Association, Inc. ("Covenants"), the Board of Directors has reserved the authority to review (and approve or disapprove) plans for any proposed new construction or alteration of any existing structure or Lot within Towns at Old Mill. In making its review, the Board of Directors will consider aesthetic impact of the design, construction and development including architectural style, colors, textures, materials, landscaping, overall impact on surrounding property, and other aesthetic matters. It is not the intent of the Board of Directors to impose a uniform appearance within Towns at Old Mill, nor discourage creativity on behalf of Owners. Its intent is to promote and assure that all improvements are aesthetically compatible with each other; incorporate a unique yet pleasing discriminating character; and, are constructed to reflect the quality and permanence of timeless residential architecture.

These Guidelines do not include all building, use, and other deed restrictions associated with Towns at Old Mill Community Association, Inc. and, accordingly, each Owner should familiarize themselves with the provisions of the Covenants and By-Laws of Towns at Old Mill Community Association, Inc. ("Association"). The inclusion of any recommendation in these Guidelines shall not preclude the Board of Directors the right to disapprove any proposed matter to the extent of its power to do so under the Covenants. These Guidelines are intended to serve as guidelines only. In the event of a conflict between these Design Guidelines and the provisions of the Covenants, the provisions of the Covenants shall control.

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# Community Guidelines December 2018

**APPLICATION INFORMATION**

1. The following exterior modifications, and only these modifications, do not require a Request for Modification Review Form ("Form") to be submitted, if certain conditions are met:
    - Portable Wading Pools (Guideline 6)
    - Ornamental Trees and Shrubbery (Guideline 8)
2. A complete Form must be submitted through to the Manager for all other types of modifications. **THE VERBAL APPROVAL OF ANY SALES AGENT AND/OR NEIGHBORHOODS EMPLOYEE, OR ASSOCIATION REPRESENTATIVE IS NOT SUFFICIENT. ALL MODIFICATION APPROVALS MUST BE IN WRITING**. When plans are required, they must be submitted with the Form. A Form is attached to these Standards. Additional Forms are available from the Manager.
3. The Manager and Covenants Committee typically meets on a regular basis. A response to a modification request must be provided within thirty (30) days from the Property Manager &/or HOA Board.
4. Any deviation from approved plans must also be submitted and approved.

**COVENANT ENFORCEMENT**

Pursuant to the Covenants, **the Board of Directors** has broad discretionary powers regarding the remedy or removal of any nonconforming improvement constructed within Towns at Old Mill. In this regard, if **the Board of Directors** finds that any improvement was not constructed in substantial compliance with the plans and specifications receiving final approval, **the Board of Directors** may remedy or remove the nonconforming improvement and charge the action to the Owner of the Lot as outlined in Section 9 of the Covenants. **The Board of Directors** also has the right to assess fines for violations of the Covenants and these Design Guidelines. Established fines are as follows:

A. Fines will be assessed if a violation is not corrected within 30 days of written notification.

B. If after the first 30 days, no correcting action has been taken, an escalated fine of $25.00 per day will be assessed until the violation has been corrected.

**GUIDELINE NUMBER 1**

**Patios and Walkways**

1. A Form must be submitted for walkways, patio covers, awnings, trellises, permanent seating, railings, and all other items.

# Towns at Old Mill Community Association, Inc.
# Community Guidelines December 2018

**GUIDELINE NUMBER 2**

**Exterior Decorative Objects, Front Porch Flowerpots, Lighting, etc.**

1. A Form must be submitted for all exterior decorative objects, both natural and man-made, including, but not limited to, items such as bird baths, wagon wheels, sculptures/statuary, fountains, pools, antennas, flower pots, free-standing poles of any type, flag poles, and items attached to approved structures.
2. A Form is not required to be submitted for a single attached flagpole, not to exceed six (6) feet in length, attached to the front portion of the house or attached to the house in the garage entry area. An owner can display the US Flag, a sports team flag or a seasonal flag from the flagpole. A form is also not required for one (1) additional attached flagpole, not to exceed six (6) feet in length, attached to the front portion of the house or attached to the house in the garage entry area for the display of a US armed services flag.
3. A Form must be submitted for all exterior lights or lighting fixtures not included as a part of the original structures. Approval is based on the following criteria:
    a. Lighting does not exceed twenty-four (24) inches in height.
    b. The number of lights does not exceed twenty-four (24).
    c. The total lumens does not exceed 1800 Lumens, all lights are white or clear, non-glare, and located so as to cause minimal visual impact on adjacent properties and streets.
4. Front doors and front entry area decorations must be tasteful and in keeping with the style and colors of the house. Plants and flowers in pots must always be neat and healthy. Neatly maintained front porch flowerpots, ~~(~~maximum of four (4) that blend with the exterior color of the house, containing evergreens/flowers do not require the submission of a Form.
5. Objects will be evaluated on criteria such as location, proportion, color, and appropriateness to the surrounding environment.
6. Holiday decorations and lighting may be installed in a reasonable manner for the various recognized holidays There shall be no decorations in the lawn or on the exterior of structures except for decorations specific to generally accepted holidays from a time period of forty five (45) days prior to and fifteen (15) days after said holiday. Holiday decorations and lighting must be placed to have a minimum sensory impact on neighboring properties.
7. Celebratory (i.e. baby, graduation, and birthday) signs shall be allowed for a period of fifteen (15) days.
8. Security signs less than 1 square foot in area shall be permitted.
9. Political signs are limited to 2, measured at a maximum of 18” x 24” each. They may be displayed up to 60 days prior to the election and must be removed within 5 days after the election.

**GUIDELINE NUMBER 3**

**Garden Plots**

1. Form must be submitted for all garden plots. The following conditions must be met:
    a. The plot is located behind the rear of the house and can't be seen from the street.
    b. The size of the plot is limited to maximum of 300 square feet.

**GUIDELINE NUMBER 4**

**Play Equipment**

1. A Form is required to be submitted for play equipment. Approval is based on meeting the below criteria:
    a. Located in the rear yard.
    b. Must be located in the extended left or right of the home.
    c. Does not exceed fifteen (15) feet in height and will have a minimum visual impact on adjacent properties.
2. All play equipment, including, but not limited to, swing sets, slides, seesaws, jungle gyms, etc., exclusive of wearing surfaces (slide poles, climbing rungs, swing seats, etc.) will generally be required to blend into the surrounding environment through the use of earthen colors comparable to dark green or brown.
3. A baseball backstop or similar item is not considered as play equipment.

**Playhouses and Tree Houses**

1. A Form must be submitted for all playhouses and tree houses.
2. Playhouses and tree houses must be located where they will have a minimum visual impact on adjacent properties. In most cases, material used should match existing materials of the home.

**GUIDELINE NUMBER 5**

**Basketball Goals**

1. Basketball goals may not be attached to the house. Portable goals are permissible in the owner's driveway; provided, however, such portable goal must be stored out of view of streets and neighboring property if not in use for periods exceeding 24 hours.
2. A Form is required to be submitted and considered for approval if all the following requirements are not met:
    a. The backboard is perpendicular to the primary street on which the house is located;
    b. The backboard is white, beige, light gray, or clear;

c. The backboard post is painted black; and
d. The homeowner obtains written approval of any neighbor who may be impacted by play.
e. Exposed sandbags are not permitted

**GUIDELINE NUMBER 6**

**Private Pools**

1. A Form is not required to be submitted for portable wading pools (those that can be emptied at night) that do not exceed eighteen (18) inches in depth and whose surface area does not exceed thirty-s ix (36) square feet. Pool must be removed within a reasonable amount of time. Please remove pools when not in use.
2. Pools located above the ground are not allowed.
3. A Form must be submitted for all in-ground pools.
    a. Appearance, height, and detailing of all retaining walls must be consistent with the architectural character of the house. Some terracing may be acceptable.
    b. The pool must have adequate fencing. Privacy fencing for lots with pools or spas must be consistent with the attached privacy fence exhibit.
    c. The maximum allowable pool area is 1000 square feet.
    d. Glaring light sources that have a visual impact on neighboring lots are not allowed.
    e. Landscaping enhancement of the pool area and screening with landscaping is required and must be included with the submitted Form and plan.
4. A Form must be submitted for all exterior spas or hot tubs. Spas and hot tubs must be screened from adjacent properties and streets.

**GUIDELINE NUMBER 7**

**Fencing**

1. The original design concept of your community promotes a feeling of open space; therefore, fencing is not generally encouraged. For any type of fencing to be considered, a Form must be submitted
2. Chain link fences or chain link dog runs are not allowed. Vinyl fences are not allowed.
3. See **FENCE DETAIL EXHIBITS**
    a. Black, powder-coated, aluminum fences only are permitted.
    b. No spear picket tops are allowed.
    c. Fences must have double top railings (see exhibit)
    d. Fences may be 4’ to 6’ tall.
4. All Forms must include the following information:
    a. Picture or drawing of the fence type

b. Dimensions - Maximum heights are noted above. The maximum span between posts shall be ten (10) feet.
c. Site Plan - An exact site plan denoting the location of the fence, house, and property lines must accompany the Form. Fences shall not be located closer to any street than the rear edge of the home. However, on corner lots, the fence shall not be closer to any side street than the building line of the lot.

5. All Fences constructed on any lot shall be of uniform style and construction with adjoining neighbor and other lots in close proximity. The ACC may make exceptions to this requirement in the even an owner's adjoining neighbors have different style and construction of fencing.
6. All fence posts for all fences must be set in concrete.
7. Interior porches - Should the house plan include an interior, corner porch, the fence may begin at the front most corner of the porch in lieu of the rear corner of the house. An interior porch is defined as a porch located on the rear corner of the house, built into the first floor of the house, and covered above by a second-floor heated living space. Neighboring house who does not have an interior porch and the corner of their house exceeds the corner of the interior porch may line up with their neighbor's fence. For detailed standard, (See Exhibit "B").
8. The fence must not impede the flow of water in any drainage easement or swale.

**GUIDELINE NUMBER 8**

**Exterior Landscaping and Maintenance**

A modification form is required for any exterior changes of your home.

1. Grass Height (Bermuda)

   There shall be no predominance of seed heads so as to be visible from the street.

2. Grass Height (Cool Season Grasses such as Fescue)

   Height shall be no greater than 6 inches.

3. Grass Type

   Front lawns shall be of the variety established at each particular lot by the builder at the time of original construction and must be properly maintained. Back lawns must be established and maintained and shall be of any turf type grass.

4. Grass Edging

   Edging shall be required along boundaries between turf and pine or mulch islands, concrete, structures, curbing, and objects used for landscaping.

5. Grass Clippings

   Dumping grass clippings in the road or down storm drains is prohibited.

6. Weeds

   Weed height shall be no greater than 2 inches above the grass height.

   All islands and shrubbery areas shall be properly maintained with pine straw, shredded natural mulch and relatively free of weeds and grass.

   Areas covered by pine straw or other similar material should have sufficient quantities to entirely cover the ground.

   No artificial mulch or other bed covering may be used without the approval of the architectural control committee.

7. Shrubbery

   Shrubbery shall be pruned to accomplish a neatly shaped appearance based on horticultural standards. No tree or bush should be allowed to grow over the street or walkways.

8. Lawn and Exterior Decorations

   There shall be no decorations in the lawn or on the exterior of structures except for decorations specific to generally accepted holidays from a time period of forty five (45) days prior to and fifteen (15) days after said holiday.

9. Garden Tools and Hoses

   Outdoor storage of garden tools and hoses must be screened from view from the street

10. Pressure Washing/Gutter Cleaning

    All exterior surfaces of units must be maintained/pressure washed as to not allow mold/algae to grow. Gutters must remain clear of debris and fully functional. Driveways and concrete walking paths must also be kept clean of stains and mold.

**GUIDELINE NUMBER 9**

**Garbage and Firewood**

1. Garbage Bins should be located either in the garage or in the rear of the home except on service day. A modification request to install a 4'X4' screen on the side of the home may be submitted for consideration.

2. Firewood piles are to be maintained in good order and must be located in the rear yard and not visible from the street.
3. Woodpile coverings are allowed only if the cover is an earthen color and the woodpile is screened from the view of the street. For example, a woodpile located under a deck may be covered with an earthen colored tarp and screened with appropriate shrubs.
4. Woodpiles must never be stacked within 24" of fences.

**GUIDELINE NUMBER 10**

**Decks (Opened or Screened-In)**

1. A Form must be submitted for all decks.
2. The Form must include a site plan denoting location, dimensions, materials, and color.
    a. In most cases, the deck may not extend beyond the right and left sides of the home.
    b. Materials must be cedar or #2 or better pressure treated wood. Any other decking materials must be specifically approved by the architectural control committee.
    c. Color must be natural, stained, or painted to match the exterior of the home.
3. Vertical supports for wood decks must be a minimum of four by six (4" X 6") inch wood posts OR painted metal poles, boxed in to give the appearance of wood columns.
4. The following, without limitation, will be reviewed: location, size, conformity with design of the house, relationship to neighboring dwellings, and proposed use.
5. Owners are advised that a building permit is required for deck construction.
6. Decks must be stained within 120 days of installation. Approved stain colors are clear, Woodridge SW 3504, or Riverwood SW 3507

**GUIDELINE NUMBER 11**

**Exterior Building Alterations**

1. A Form must be submitted for all exterior building alterations, including, but not limited to, storm doors or windows, removal or installation of shutters, construction of driveways or parking pads, garages, carports, porches, attached storage space, and room additions to the home.
2. The original architectural character or theme of any home must be consistent for all components of the home. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character.
3. A paint color change requires that the following information be submitted along with the Form:
    a. A paint sample plus manufacture's model and color code of paint you wish to use.

   b. Area of home to be re-painted.
   c. Photograph of your home and homes on either side (in most cases, adjacent homes cannot be painted the same color).
4. Storm windows and doors must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with the primary and trim colors of the house. The Form must contain the following information:
   a. Picture or drawing of all windows or doors on which storm windows or doors will be installed;
   b. Picture depicting the style of storm window or door to be installed; and
   c. Color.
5. If County authorities make any changes to the plans as approved by the Covenants Committee or during construction, the owner must submit changes for re-approval, prior to construction.
6. Detached buildings, Exterior Buildings, Sheds
   a. May not be used for any purpose that may be deemed by the architectural control committee to cause disorderly, unsightly, or unkempt conditions.
   b. May not be used for living space.
   c. Exterior materials must match the architectural character of the home and be constructed in the same materials
   d. No plastic of metal sheds permitted
   e. Must be located in the extended left or right of the home
   f. Must be less than 100 square feet
   g. Must go through the formal modification process

7. Owners are advised that a building permit may be required for certain exterior building alterations.
8. A Form must be submitted for all dog houses, including a site plan denoting location, dimensions, materials, and color. All dog houses must be located where they will have a minimal visual impact on adjacent properties.

**GUIDELINE NUMBER 12**

**Vehicles. Parking, and Traffic**

1. Commercial vehicles are to be parked in homeowner's garage at all times and the advertised writing on any part of the commercial vehicle is to be covered when parked outside in their own driveway. Ladders and or other items may not be stored on or attached to the vehicle when parked outside even if all other commercial markings are covered or removed. No commercial vehicle of a size that will not fit within the

homeowner's garage is permitted to be parked in any part of the subdivision including homeowner's driveway.

2. All vehicles parked in open view and not in a garage must be operable and may not be unsightly.
3. No vehicle may be parked on any yard. Parking of vehicles on the street is prohibited. Temporary parking (four (4) hours or less) is allowed if not an impediment to traffic flow. Homeowners are responsible for guest parking and must insure that guests park in a safe manner and do not impede access to other driveways and traffic.
4. All vehicle operators should observe all local, county and State traffic regulations at all times while in the Neighborhood.
5. Boats, trailers, and RVs are not permitted to be parked in the community.

**GUIDELINE NUMBER 13**

**Satellite Dishes**

1. No transmission antennas or satellite dishes of any kind, and no direct broadcast satellite (DBS) antennas or multi-channel, multi-point distribution service (MMDS) antennas larger than one (1) meter in diameter, shall be placed, allowed, or maintained upon any portion of the Neighborhood, including any Lot, without the prior written consent of the Board of Directors or its designee.
2. DBS and MMDS antennas and satellite dishes one (1) meter or less in diameter and television broadcast service antennas may be installed per FCC regulations. The Association asks Owners to install them in the least conspicuous area that receives signal.
3. The Board and Declarant and its affiliates reserve the right to (but shall not be obligated to) erect any type and size of master antenna, satellite dish, or other similar master system for the benefit of the Neighborhood. Each Owner and Occupant acknowledges that this provision benefits all Owners and Occupants and each Owner and Occupant agrees to comply with this provision despite the fact that the erection of any individual outdoor antenna or similar device would be the most cost-effective way to receive the signals sought to be received.
4. A standard modification Form must be submitted for any installation of more than one satellite

. INSPECTION

The Association and its designated representatives shall have the right to enter upon and inspect any property at any time before, during, or after the completion of work for which approval is required under these Guidelines or the Declaration. Upon completion of construction, an Owner shall give written notice to the Association. Upon "Final Inspection" of

the improvements by the Association and/or its designated representative and provided that such inspection determines that the improvements were constructed in substantial compliance with the plans and specifications approved by the Association, the Association shall issue a final approval.

Owners are forewarned that the Covenants have reserved Towns at Old Mill Community Association, Inc. broad discretionary powers regarding the remedy or removal of any non-conforming improvements constructed within Towns at Old Mill. In this regard, if the Association finds that any improvement was not performed or constructed in substantial compliance with the submittals receiving in approval at its recommendation, Towns at Old Mill Community Association, Inc. or the Board of Directors of the Association may remedy or remove the non-conforming improvement, and assess all costs of such action against the Owner of the lot and if not timely paid, file a lien against the lot in the county land records.

## CONDUCT

All Owners of Lots shall be held responsible for the acts of their employees, contractors, sub-contractors, suppliers, and any other persons or parties involved in construction or alteration of a Lot. In this regard, the Owner shall be responsible for the following:

A. Ensuring that the construction site is kept clean and free of all debris and waste materials, and that stockpiles of unused materials be kept in a neat and orderly fashion. Keeping Towns at Old Mill roadways free of construction mud or other materials. Enforce the parking of vehicles on the same side of the road of the construction site only. If portable toilets are necessary, the location of such must be included in the plans and specifications submitted and must be approved.

B. Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or well-being of other personnel on the site or other parties within Towns at Old Mill or affect the quality of workmanship. Profanity or any other unacceptable actions will not be tolerated. The Owner will be required to permanently bar such workers as described above from the job site.

C. Assuring that the aforementioned are properly insured. The Owner or Contractor must carry a minimum of five hundred thousand ($500,000) dollars liability insurance and provide the Designated Representative with proof of same.

D. Assuring the aforementioned do not commit any violations of the rules and regulations of the Towns at Old Mill Community Association, Inc. or these Guidelines.

E. Ensuring that all disturbed areas are seeded with a permanent vegetative cover once construction is complete.

**LIMITATION OF LIABILITY**

Plans and specifications are not approved for engineering or structural design, quality of materials or for compliance with applicable building codes, permitting requirements, zoning conditions or other applicable laws and ordinances governing construction in the Community and by approving such plans and specifications the Declarant, the Association and their respective directors, officers, members, representatives, agents or employees assume no liability or responsibility therefor or for any defect in any structure or improvement constructed from such plans and specifications or for any violation of applicable building codes, zoning conditions or applicable laws and ordinances governing construction within the Community. Neither Declarant, the Association, nor their respective officers, directors, members, employees and agents shall be liable in damages to anyone submitting plans and specifications for approval or to any Owner of property affected by these restrictions by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any such plans or specifications. Every Person who submits plans and specifications and every Owner agrees that such Person or Owner will not bring any action or suit against the Declarant, the Association or their respective officers, directors, members, employees and agents to recover any damages and hereby releases, remises, quitclaims and covenants not to sue for all claims, demands and causes of action arising out of or in connection with any judgment, negligence or nonfeasance and hereby waives the provisions of any law which provides that a general release does not extend to claims, demands and causes of action not known at the time the release is given.

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These guidelines do not apply to the activities of the Declarant, or anyone acting on behalf of the Declarant.

# REQUEST FOR MODIFICATION REVIEW FORM

## Please visit www.fieldstonerp.com/townsatoldmill

**Fence Exhibit**