

# **The Park at 1850 Homeowners Association, Inc. Architectural & Community Guidelines - July 2023**

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# **The Park at 1850 Homeowners Association, Inc. Architectural & Community Guidelines - July 2023**

## **GENERAL CONSIDERATIONS:**

These Design Guidelines are intended by The Park at 1850 Homeowners Association, Inc. ("The Park at 1850"), to promote a high standard of exterior architectural appearance throughout The Park at 1850. 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 The Park at 1850.

Pursuant to Article VII of the Declaration of Protective Covenants, Conditions, Restrictions and Easements for The Park at 1850 Homeowners 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 The Park at 1850. 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 The Park at 1850, 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 The Park at 1850 Homeowners Association, Inc. and, accordingly, each Owner should familiarize themselves with the provisions of the Covenants and By-Laws of The Park at 1850. 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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### 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)
2. A complete Form must be submitted through to the Board of Directors 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. <https://www.fieldstonerp.com/theparkat1850/>
3. The Property Manager and Homeowners Association Board 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 The Park at 1850. 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.

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## ARCHITECTURAL & COMMUNITY GUIDELINES

### GUIDELINE # 1 Patios and Walkways

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

### GUIDELINE # 2 Exterior Decorative Objects, Front Porch Flower Pots, 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 flower-pots, (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.

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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 # 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 and cannot extend beyond the edge of the "wooden partition".
  - b. The size of the plot is limited to maximum of 300 square feet.

### **GUIDELINE # 4 Play Equipment**

1. No permanent play equipment is allowed.

### **GUIDELINE # 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 12 hours.

### **GUIDELINE # 6 Fencing**

1. The original design concept of your community promotes a feeling of open space; therefore, fencing is not allowed.

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## **GUIDELINE # 7 Garbage & Recycling Bins**

1. Garbage Bins should be located in the garage except on service day.
2. The side of the home, front stoop, or alley between two homes shall not be used.
3. A modification to install a 4'x4' screen on the rear of the home may be submitted for consideration, so long as it is not visible from the street.

## **GUIDELINE # 8 Decks & Privacy fences**

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 HOA.
  - 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 may be required for deck construction.
6. Decks & fences must be stained to maintain a good appearance. Approved stain colors are: clear, SW 3507, or Ready Seal Natural Cedar #512.

## **GUIDELINE # 9 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

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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 color.

### **GUIDELINE # 10 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 ensure 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 # 11 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.

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## **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 The Park at 1850 Homeowners Association, Inc. broad discretionary powers regarding the remedy or removal of any non-conforming improvements constructed within The Park at 1850. 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, The Park at 1850 Homeowners 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 The Park at 1850 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 the Park at 1850, or affect the quality of workmanship. Profanity or any other unacceptable actions will not be



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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 Park at 1850 Homeowners 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.

## **'REQUEST FOR MODIFICATION' REVIEW FORM**

Please see <https://www.fieldstonerp.com/theparkat1850/>