

**NEIGHBORHOOD
DESIGN REVIEW STANDARDS
FOR
LIBERTY HILL
AT STONEHILL VILLAGE**

Located At

**STONEHILL VILLAGE
BEAVERCREEK TOWNSHIP, GREENE COUNTY, OHIO**

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Neighborhood Design Review Standards For Liberty Hill at Stonehill Village

The following Neighborhood Design Review Standards are adopted pursuant to Part Four of the Master Declaration of Covenants, Conditions and Restrictions for Stonehill Village.

Article One Overview

Section 1.01 Purpose of Neighborhood Design Review Standards

The purpose of this Neighborhood Design Review Standards is to establish the particular standards, specifications and requirements that will give the Liberty Hill at Stonehill Village Neighborhood its unique character and appeal. This Neighborhood DRS provides specific requirements and restrictions that apply to all Improvements in this Neighborhood.

Section 1.02 Relationship to Community Design Review Standards

This Neighborhood DRS supplements the Community Design Review Standards for the Stonehill Village Community. It also modifies certain requirements in the Community DRS, as those particular provisions relate to this particular Neighborhood. As a supplement, this Neighborhood DRS is subordinate to the Community DRS. But the Community DRS and this Neighborhood DRS are to be read together as compatible documents addressing different aspects of the design and construction of Improvements in this Neighborhood. This Neighborhood DRS further refines the standards applicable to this Neighborhood, but does not create any lower standards than apply to the Community as a whole through the Community DRS.

Section 1.03 Relationship to Other Governing Documents

This Neighborhood DRS is one of the Governing Documents for the Community. It must be read and interpreted in conjunction with the purpose and scope of the other Governing Documents, and not as an independent document. But its application is limited to issues relating only to this particular Neighborhood. It does not have any impact upon other Neighborhoods in the Community, or upon other Governing Documents that do not apply to this Neighborhood.

Section 1.04 Identification of Developer

In Article VII of the Supplemental Declaration of Covenants, Conditions and Restrictions for Liberty Hill at Stonehill Village, the Developer of the Stonehill Village Community, Nutter Enterprises, Ltd., assigned and delegated its rights as Developer of this Neighborhood to its Related Entity, Stonehill Development, Ltd. For purposes of this Neighborhood DRS, Stonehill Development, Ltd., is the Developer of this Neighborhood. The powers and authority of Stonehill Development, Ltd., is concurrent with the powers and authority of Nutter Enterprises, Ltd., under all of the Governing Documents, and is subject to those rights Nutter Enterprises, Ltd., reserved for itself in the Supplemental Declaration.

Section 1.05 Interpretation

This Neighborhood DRS must be liberally construed in a manner that will best achieve the purpose, intent, goals and objectives of the Declaration. During the Development Period, the Developer will have the exclusive power and discretion to resolve any questions concerning the proper interpretation of this Neighborhood DRS. After the Development Period, the Board of the Association will have the exclusive power and discretion concerning these interpretations. All interpretative decisions of the Developer and the Board will be final and binding on all Persons. If there is a conflict between the terms of the Declaration and this Neighborhood DRS, the terms of the Declaration will control. If there is a conflict between the terms of this Neighborhood DRS and the Community DRS, the terms of the Community DRS will control, except as specifically modified in this Neighborhood DRS.

Article Two Adoption and Administration

Section 2.01 Adoption of Neighborhood Design Review Standards

Attachment 1 contains the standards, specifications and requirements applicable to all Improvements in this Neighborhood. That Attachment is incorporated by reference into, and made a material part of, this Neighborhood DRS. The Developer adopts the standards, specifications and requirements described in Attachment 1 as the Neighborhood Design Review Standards for this Neighborhood. All Owners of Lots in this Neighborhood are subject to this Neighborhood DRS. No Owner will begin or continue any Work on any Improvements on any Lot in this Neighborhood unless and until the Owner has complied with all terms, conditions and requirements in the Declaration, the Community DRS, and this Neighborhood DRS.

Section 2.02 Administration of Neighborhood Design Review Standards

The Design Review Board has exclusive jurisdiction over, and all rights, powers and authority relating to, all aspects of the administration and enforcement of this Neighborhood DRS, as well as related provisions of the Declaration and the Community DRS. However, all powers and authority of the DRB are subordinate and subject to the rights of the Developer during the Development Period, and to the continuing supervision and control of the Board at all times.

Section 2.03 Applicable Law

All procedures described in this document are separate and distinct from, and subject to, all Applicable Laws. In addition to the approvals required in the Neighborhood DRS, all Owners will be required to obtain from the appropriate Government Entities all necessary zoning permits, building permits and other permits and inspections required by Applicable Law. Further, all Owners and their Builders will be required to comply with all Applicable Laws regarding construction standards, disposal of waste, use of public roadways and other aspects pertaining to the performance of Work in the Neighborhood. To the extent that this Neighborhood DRS, the Neighborhood DRS, the Declaration, or any of the other Governing Documents impose greater restrictions, standards or requirements than Applicable Law, the Owner and Builder must comply with those more stringent restrictions, standards and requirements. Compliance with Applicable Law will be at the sole cost and expense of the Owner.

Article Three Amendment to Community DRS

Section 3.01 Neighborhood Builder Group

For purposes of this Neighborhood only, the approved Builder Group for this Neighborhood will consist of G.A. White Enterprises Custom Homes, Inc., as the sole and exclusive approved Builder for all Improvements in this Neighborhood. This amendment to the Community DRS will remain in effect as long as G.A. White Enterprises Custom Homes, Inc., is in compliance with all Governing Documents and is performing without default under the terms of the Real Estate Purchase and Development Agreement between the Developer and G.A. White Development Co., LLC.

Section 3.02 Design Review Board

For purposes of this Neighborhood only, Gordon A. White, Jr. is appointed as a special additional member of the Design Review Board, with all of the rights and responsibilities applicable to other DRB members. This appointment is applicable only to Gordon A. White, Jr., and may not be delegated to any other person or entity without the Developer's prior written

consent. This amendment to the Community DRS will remain in effect as long as G.A. White Enterprises Custom Homes, Inc., is the sole approved Builder in this Neighborhood, is in compliance with all Governing Documents and is performing without default under the terms of the Real Estate Purchase and Development Agreement between the Developer and G.A. White Development Co., LLC.

Section 3.03 Effect of Amendment

The amendments to the Community DRS in this Article apply only to this Neighborhood. Except as specifically amended in this Article, the Community DRS remain in full force and effect, and are applicable to this Neighborhood, as amended.

Article Four General Terms and Conditions

Section 4.01 Enforcement and Remedies

The DRB will have full power and authority to enforce this Neighborhood DRS in the manner and to the extent provided in the Declaration and the Community DRS. In those instances where the DRB does not have specific enforcement authority under the Declaration, the Community DRS or the other Governing Documents, the DRB may refer the matter to the Developer or to the Board of the Association for enforcement. The DRB, the Developer and the Board of the Association will have the right to pursue all remedies provided in the Declaration, the Community DRS and the other Governing Documents if any violation of this Neighborhood DRS occurs.

Section 4.02 Binding Effect

All terms, covenants, conditions, restrictions, reservations, obligations, rights, benefits and privileges in this Neighborhood DRS are binding upon all Persons who now own or in the future acquire any rights, title or interest in any Lot, Common Area or other portion of this Neighborhood, and their respective heirs, beneficiaries, administrators, executors, guardians, conservators, custodians, attorneys-in-fact, legal representatives, successors and assigns.

Section 4.03 Constructive Notice and Acceptance

Every Person who now or in the future owns or acquires any rights, title or interest in any Lot, Common Area or other portion of this Neighborhood will be conclusively deemed to have notice of this Neighborhood DRS by virtue of references to this instrument in the Master Declaration for Stonehill Village recorded in the office of the Greene County Recorder. By acceptance of a

deed, mortgage or other instrument conveying any right, title or interest in any Lot, Common Area or other portion of this Neighborhood, the Person holding such interest will also be deemed to have consented and agreed to every term, covenant, condition, restriction, reservation, obligation, right, benefit and privilege in this Neighborhood DRS as being reasonable, necessary and fully enforceable, whether or not the instrument by which the Person acquired the interest specifically referred to the Declaration, the Community DRS or this Neighborhood DRS.

Section 4.04 Amendment

During the Development Period, only the Developer may amend this Neighborhood DRS. Any amendment by the Developer will not require any notice to, or consent, approval or signature of, the Association, Board, DRB, any Neighborhood Society or Council, any Owner, Qualified Mortgagee, or any other Person. After the Development Period, only the Board of the Association may amend this Neighborhood DRS by the affirmative majority vote of the Board members.

Section 4.05 Prior Non-Conforming Improvements

If as a result of any amendment to this Neighborhood DRS, an Improvement that existed or that the DRB had approved prior to the effective date of the amendment would no longer be deemed to comply with this Neighborhood DRS, that prior non-conforming Improvement will be permitted to remain, and will not be deemed to be in violation of the Neighborhood DRS, as amended. However, all prior non-conforming Improvements must be brought into full compliance with this Neighborhood DRS as then in effect if that Improvement is materially damaged, destroyed, removed, repaired or replaced.

Section 4.06 Partial Invalidity

If a court of proper jurisdiction determines that any provision of this Neighborhood DRS, or its application to any Person, is to any extent void or invalid, then the remainder of this Neighborhood DRS will not be affected, and each remaining provision will be valid and enforced to the fullest extent permitted by Applicable Law.

Section 4.07 Governing Law

This Neighborhood DRS will be governed by and construed and enforced in accordance with the laws of the State of Ohio, and other Applicable Laws of any appropriate Government Entity.

SIGNATURES BEGIN ON NEXT PAGE

This Neighborhood DRS has been adopted by the Developer and unanimously approved by the Council of the Liberty Hill Neighborhood Society, Inc., on the 15th day of January, 2006.

DEVELOPER:

STONEHILL DEVELOPMENT, LTD.,
An Ohio Limited Liability Company

By: **NUTTER ENTERPRISES, LTD.,**
An Ohio Limited Liability Company
Its Sole Member

By: 
Robert W. Nutter, Authorized Member

APPROVED BY COUNCIL OF SOCIETY:


Robert W. Nutter, Director


Kenneth E. Nutter, Director


Gordon A. White, Jr., Director

Attachment 1

NEIGHBORHOOD DESIGN REVIEW STANDARDS

**STANDARDS, SPECIFICATIONS, AND REQUIREMENTS
FOR
LIBERTY HILL AT STONEHILL VILLAGE**

Liberty Hill Design Review Standards

Introduction:

The following are the Design Standards for building a home in Liberty Hill at Stonehill Village. Because the developer and the Community Association understand that each home, and each neighborhood of the Community, is unique and will have different density, architectural, topographical, and landscape issues, this document describes the core goals and objectives for the design of the Neighborhood. Some properties will be more conducive to specific styles and materials. Likewise, materials and technology evolve over time. Consequently, the Stonehill Village Design Review Board keeps an open mind to suggestion and change. Each submission will be considered on a case-by-case basis. No prior approval or denial shall be considered as precedent for subsequent approval or denials.

Architectural Style: The approved architectural style at LIBERTY HILL is derived from American Traditional architecture.

Architectural Massing and Scale: The architectural massing and scale for LIBERTY HILL can best be achieved by close adherence to the scale and proportions of this American Traditional style. Included in these Design Review Standards is a collection of the three models available (The Liberty, The Lexington and The Champion) exterior elevations. Particular attention should be given to the basic massing of elements, the roof forms, the floor to ceiling heights, the window arrangements and proportion and relationship of each part of the Improvement to the whole, as well as general Improvement symmetry.

Construction "Envelopes": Construction envelopes will be established by the Builder in conjunction with Beaver Creek Township Zoning Ordinance for each lot indicating the area designated for construction of the Improvements.

Home Size and Height: The minimum heated and air-conditioned area, exclusive of basements, permitted in a dwelling shall be not less than 2,400 square feet (S.F.) nor more than 2,700 S.F. with an attached two (2) car garage. Three (3) car garages may be allowed on some lots with the approval of the DRB. Garages, basements and rooms over garages are not considered in square foot calculation. The DRB shall have the right to modify these requirements to accommodate unusual-shaped Lots.

Exterior Finished Materials

Any change to products due to unavailability must be approved by the Design Review Board prior to installation.

- 1.1. **Roofing:** Roofs on dwellings in LIBERTY HILL shall be constructed of approved Tamko laminated fiberglass shingles Heritage Series 30 AR or 50 AR Series in the Aged Wood color.
- 1.2. **Gutters and Downspouts:** Gutters and Downspouts shall be constructed of aluminum and painted according to the color selection package chosen. Placement of gutters and downspouts will not interrupt the front elevation wallspace.
- 1.3. **Brick:** Bricks shall be oversized. Mortar joints should be traditional grapevine. The mortar color should compliment the brick color. Brick selection from the Triangle Brick washed and tumbled series in the color determined by the Color Selection package chosen of which there are four. Traditional brick detailing is encouraged, such as English and Flemish bonds, watertable capes, sills, jack arches, segmental arches and soldier courses.
- 1.4. **Stone:** Stone will be Citadel Building Stone (manufactured stone) by Arriscraft International. The specific color of the stone will be selected with the Color Selections package chosen.
- 1.5. **Windows:** Windows utilizing traditional themes (and muntins) will be required on the front and side elevations. The rear elevation may have windows with or without partial grids as shown on the blueprints submitted for model approval. However, on the rear elevation the use of grids must be consistent by floor level. Exterior muntin colors must match color of exterior sash. The approved manufacturer is Kolbe and Kolbe Heritage series aluminum clad windows. Window boxes, if any, must be approved by the DRB if not on the original blueprints. Window boxes must be maintained or will be replaced by the HOA at the owner's expense. No artificial plants may be used in the window boxes.
- 1.6. **Paint Colors:** Doors, fascias, cornices, soffits and other miscellaneous trim are subject to color selection approval by the DRB. Colors are chosen with the color package selected of which there are four which are included within these Design Review Standards.
- 1.7. **Shutters:** Shutters will not be used in the Liberty Hill neighborhood.
- 1.8. **Front Doors:** Front doors shall be the Barrington Sierra 2 Panel Chamber Top Plank door by Masonite. The color of the front door will be determined by the color package selected for the house. Front door hardware will be Camelot 613 by Schlage Residential Locksets F-Series 613 Oil Rubbed Bronze.
- 1.9. **Secondary Doors:** Shall be "French Door" style with vertical glass and full grids (exterior color shade of grids to match exterior color of door). Approved manufacturer is Kolbe. The use of grids on secondary doors on the rear elevation will be consistent with the use of window grids by elevation.

- 1.10. **Utility Doors:** Shall be paneled and color matched to exterior color of windows and other secondary doors.
- 1.11. **Skylights:** Skylights are permitted, however not on the front elevation and must be consistent with the architectural theme.
- 1.12. **Garages and Garage Doors :** Garages shall be side-entry attached only. Nine (9) foot wide and Eight (8) foot high individual bay doors by Cloplay – Coachman Collection Series 3. The garage door color will match the house trim color. Windows are encouraged in the walls of garages. Sufficient storage area should be planned for tools, auto accessories and trash storage in the total garage space.
- 1.13. **Garage Doors (Pedestrian):** All such doors shall be solid six panel.
- 1.14. **Driveways:** The appearance of driveways and entry courts should be consistent throughout the neighborhood. Driveways shall be made of concrete. Driveway to be “flared” at street. The courtyard area of the driveway may be pavers or stamped concrete in a complimentary color to the house with prior approval by the DRB.
- 1.15. **Screen Porches:** Screen porches are encouraged on the rear of homes but are not permitted on the sides or front. Detailing shall be traditional wood with a break in screening at the rail height. Columns or full height vertical wood members shall be at least 6”x 6”. All screen porch trim shall be painted or stained to blend with the exterior of Primary Structure.
- 1.16. **Balconies, Porches, Platforms and Decks:** All constructed platforms at grade shall be located within the construction envelope and of concrete unless otherwise approved by the DRB. All constructed platforms above grade shall be located within the construction envelope and of Timbertech decking material Twin Finish 5/4 Plank (GREY). The dimensions of all decks and patios must be submitted to the DRB for approval.
- 1.17. **House Numbers:** House numbers shall be standard for all houses and be provided by the Builder. House numbers will be located on the top of the mailboxes only.
- 1.18. **Solar Collectors:** Solar collectors are not permitted.
- 1.19. **Storm and Screen Doors:** Storm and screen doors shall not detract from or adversely alter any entryway’s appearance. Storm and screen doors are not permitted on the front door facing the street. All storm and screen doors must meet DRB approval.
- 1.20. **Trellis.** A trellis should harmonize and integrate with the architectural style, design and visual scale of the building to which it is attached. A free standing trellis is generally not permitted because it is awkward and visually disjointed.
- 1.21. **Wiring:** An integrated system is to be included in all homes in LIBERTY HILL. The standard integrated system will be CAT5 (Phone lines, Ethernet, TV) with the upgraded system being fiber optic. Both systems will enter into a central location and distribute throughout the home.

2.0 Site Details

- 2.1. **Landscape Plan Review:** The landscape plan will be the standard plan unless an alternative plan is submitted. Any alternative plan shall be drawn at a scale of 1/8" or 1/4" = 1"0" and shall emphasize the foundation planting. Design restraint shall be used in the space between the curb and to within ten (10) feet of any Primary Structure in order to maintain a uniform street scene. Landscaping requirements will be stringent for all exposed foundations, especially walk-out elevations. A complete listing of all plant materials designated in the landscape plan is required. A partial plant list approved for use at STONEHILLVILLAGE is available.
- 2.2. **Fencing:** Fencing will be permitted on most lots within LIBERTY HILL with the approval of the DRB. See the Liberty Hill Fencing Guidelines for the specific lots prohibited. A layout of the fence placement must be submitted with only perimeter fencing allowed. The approved fencing material is to be Jerith Residential #200 in bronze and 48 inches in height or an underground electronic pet containment system. Refer to the Liberty Hill Fencing Guidelines for guidance and specific detail.
- 2.3. **Tree Preservation:** Fencing around street trees (if applicable) must be installed prior to any clearing or construction and must be maintained in good condition until construction is completed. Care should be taken on lots adjoining wooded areas so that no trees are harmed. Any existing trees greater than 2 ½ inches in diameter on the lot will not be removed without the express approval of the DRB.
- 2.4. **Exterior Lighting:** Must be submitted to the DRB for approval prior to installation. A plan showing the location, height above grade, type of illumination, type of fixture, the source lumens, and the luminous area for each source of light proposed. Indicate whether the lighting plan will be operated by a switch or photo cell. To prevent light pollution, any up lit areas of the front elevation should specify the maximum height which will not exceed the height of the front elevation of the residence. Up lit areas will be permitted on the front elevation only. Avoidance of light pollution should also be considered in the selection of the fixtures and lumens selected. Additionally, the lighting plan must be designed so that the light produced does not exceed the boundaries of the property on which it is located.
- 2.5. **Satellite Dishes:** Refer to the Liberty Hill Satellite Dish guidelines prior to installation.

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Design Review Standards
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Revised: 01/31/07

Liberty Hill Fencing Guidelines

The Following is a guideline for those interested in constructing a fence in Liberty Hill at Stonehill Village. Because the developer and the Community Association understand that each home, and each neighborhood of the community, is unique and will have different density, architectural, topographical, and landscape issues, this document is not intended to convey any final word on acceptable fences. Some properties will be more conducive to specific styles and materials. Likewise, materials and technology evolve over time. Consequently, the Stonehill Village Design Review Board keeps an open mind to suggestion and change.

Each submission will be considered on a case-by-case basis. No prior approval or denial shall be considered as precedent for subsequent approval or denials.

Design Review Board (DRB)

As with all changes to the exterior of your home within Stonehill Village the introduction of fencing, (above ground or any electronic pet containment system) or changes to approved existing fencing must be reviewed by the DRB prior to installation.

All design requests must be submitted with your original construction application or submitted to the property manager for DRB approval by using the Application for Approval of Improvements. Fence plans should have the following elements to facilitate the approval process:

1. A completed Application for Approval of Improvements.
 2. A site plan showing the entire proposed fence on an accurate scale of your property. The site plan must include all existing structures, property lines, setbacks, and easements; as well as any gate locations and dimensions. The location of the addition of any landscaping if applicable.
 3. An accurate description (photo or illustration) of the style of fence as it appears in the elevation view, including height, dimensions, and material specifications, if not the standard Liberty Hill fence due to an in-ground pool fence requirement.
 4. All construction details must be submitted in writing.
 5. Any applications that are incomplete and/or do not include the necessary information for the DRB to review will be disapproved or not reviewed.
- *It is recommended that a design professional prepare the design and plans.*
 - *Stonehill Development, LTD., the Stonehill Village Homeowners Association and/or DRB accept no responsibility for the placement of a fence on applicant's property, misplaced on the neighbor's property, or within an easement. Fences placed within a utility easement may be subject to damage or removal at the owner's expense by utility company construction and/or access.*
 - *Regarding fencing between residents, the DRB will consider the style of fence which has been installed first as the precedent for any new fence which will adjoin or extend from the existing fence. If an adjoining property owner already maintains a fence adjoining your property this should be noted on the plan submitted.*

Liberty Hill Restricted Lots

Lots 1, 24, 25, 26, 27 and 38 of Liberty Hill will be restricted that no above ground fencing may be installed due to lot size and/or location.

- *Below ground electronic pet containment systems will be considered on these lots with prior approval by the DRB.*

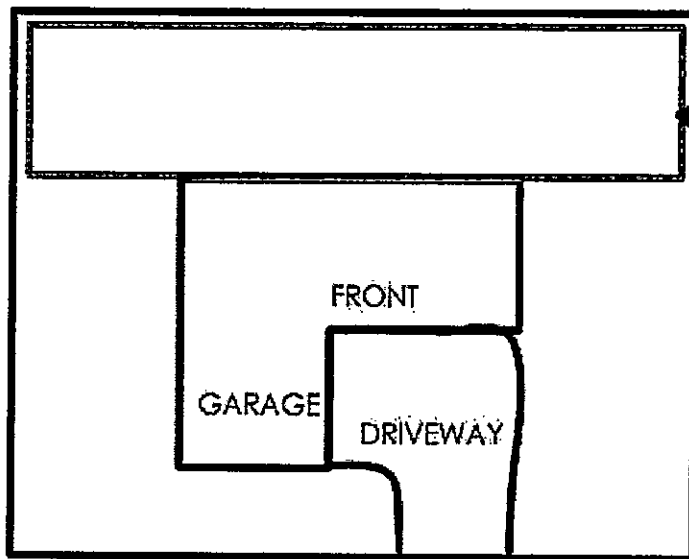
General Guidelines

1. A fence is not to be out of scale or otherwise inappropriate to the settings.
2. A fence is not to be visually incompatible with the site or destroy site patterns, vistas, or streetscapes.
3. Fences will be 48" in height unless higher required for in-ground pool by local government.
4. Fences must be constructed of powder coated or anodized bronze aluminum. No unfinished pressure treated lumber fencing or chain link fencing will be accepted.
5. Lot owner is responsible for maintaining fence and vegetation on both sides of fence. Landscape beds against fence are not to be mulched higher than the bottom of the fence. No vegetation is to grow into fence.
6. Fencing that parallels or is adjacent to Stonehill Village Common Area Fencing is to be determined and requires special DRB approval. Fencing in lots adjoining common area fencing will not attach to the Common Area fence.
7. All gates placed to allow access to leisure trail and/or common areas are to have all hardware inside of fence not visible from common area. Residents with lots adjoining common areas with common area fencing may elect to request a gate in the common area fencing for access to the leisure trail and or common area from the DRB prior to installation. Materials and installation will be at resident's expense with no expectations of reimbursement from the Development Company or the Homeowner's Association.
8. No part of fence may straddle the property line or protrude over the property line.
9. Fences that impede "clear vision" at intersections sacrifice safety and will not be allowed.
10. Fences or a landscape hedge are not to be in the front yard of the main house structure.
11. The use of barbed wire or electrically charged fence is prohibited on all land used for residential purposes.
12. Accessories or Graffiti is prohibited: Banners and signs of any size are prohibited on all residential fences.
13. The DRB maintains the right to require additional landscaping in conjunction with the installation of the new fence.
14. Fences must be maintained including, but not limited to, replacing rotted, defective, loose and aged posts and boards.
15. All removal, painting, or staining, of existing fencing must be approved.
16. No dog runs are permitted.
17. The fencing should generally run parallel or perpendicular to the rear wall of the building. The DRB will consider approved site elements such as patios, or decks in determining the fence layout.
18. All underground pet containment systems permitted are subject to all applicable fencing guidelines.

Construction of Fencing

It is highly recommended that all fencing to be installed by a professional.

- All posts not to exceed 8' apart.
- All finished sides of fencing must face out.
- In all cases, zoning, and any other applicable governing agencies should be consulted by the applicant for other requirements prior to installation.
- It is highly recommended that you have your lot surveyed before constructing any fence.
- Resident is responsible for proper placement of any fencing in regards to property lines, easements, and utilities. It is strongly recommended that you have utilities marked prior to beginning installation.
- All fencing if perimeter layout (see attached). Electronic pet containment systems may vary from the perimeter layout while observing other applicable restrictions.



Fence must be no further than 6" inches from the property line.

Fence Layout Intro

The proposed location of the fence is important. We hope this illustration will assist homeowners in understanding how placement of their fence will compliment the neighborhood and not detract from streetscape or natural areas. No part of the fence may straddle the property line or protrude over the property line. Placement of fences that the fence is visible from the street warrants additional scrutiny for appropriateness. Heights and designs of fences play an important role.