

Winter Rose Homeowners Association

Architectural and Landscaping Standards

Developed by the Architectural Control Committee and the Winter Rose Homeowners Association
September 5, 2001

I. Landscaping Standards

A. Definition of the high-visibility standard.

In areas of high visibility, as noted below, there shall be no weeds or grass taller than six (6) inches. Grass around all areas of the property shall be maintained in neat condition by trimming around mailboxes, flower beds, utilities, and the house foundation. All paved areas (driveways, curbs, sidewalks, etc.) shall be edged. Lawns that show high infestation by weeds must be treated to remove the weeds. Except during the Winter, dead grass shall not be visible. Annual plants shall be removed as soon as they die. Mulch in garden beds shall be removed/replaced as soon as it begins to "look bad" (e.g. if there are visible bare patches).

B. Front and side yards visible from the street should be maintained according to the high-visibility standard.

C. Portions of the back yard visible from the street, at any angle of view, should be maintained according to the high-visibility standard.

D. Portions of the back yard that are not visible from the street, perhaps being behind a fence, should be kept in good condition for the sake of the adjacent homeowners. "Good condition," in this regard, means that grass or weeds should not be allowed to grow taller than six (6) inches.

E. These standards pertain to portions of each lot that include a berm or hillside. The fact that a berm or hillside is not covered with grass does not mean that it is not a portion of the homeowner's yard.

F. All areas of each homeowner's property must be maintained in good order in recognition of the impact each lot has upon the appearance of adjacent lots.

G. These standards are promulgated in order to ensure that all homeowners work to maintain the appearance of respectability in our neighborhood.

II. Maintenance Standards

A. General philosophy: Homes must be maintained such that there are no visible maintenance needs. Any external home maintenance needed that is obvious to a casual observer from the street must be addressed.

B. This includes, but is not limited to, the following:

1. Large cracks in driveway or paved walkway.
2. Cracking or peeling exterior paint.
3. Broken windows.
4. Bent or loose rain gutters.
5. Bent or damaged mailbox or mailbox post.
6. Sagging or leaning fences.
7. Badly warped or splitting fence pickets.

C. As outlined by the Declaration of Covenants, Restrictions, and Easements for Winter Rose, no homeowner shall decorate, repaint (using colors other than already in place for their home), or change by materially altering the appearance of any portion of the exterior of his/her residence or of any other improvements within a Lot unless such alterations are first approved, in writing, by the Architectural Control Committee.

III. Enforcement

A. If a homeowner is found to be not in compliance with these standards, a written complaint may be registered by any other homeowner in the Community. One copy of the complaint should be delivered to the homeowner who is out of compliance and another copy should be delivered to either the President of the Homeowners' Association or to the Chairman of the Architectural Control Committee. Alternatively, the homeowner making the complaint may do so to either the President of the Homeowners' Association or to the Chairman of the Architectural Control Committee, who will then take the appropriate action on behalf of the complainant. There is no form for this purpose; a written statement outlining the issue(s) will suffice. The homeowner making the complaint should identify him/herself so that to the Architectural Control Committee so that a member of the Committee may communicate with him/her if necessary.

B. Placement of a written complaint in the mailbox of the homeowner who is out of compliance shall be sufficient to serve as notification to that homeowner.

C. If the situation causing the homeowner to be out of compliance is not addressed within fifteen (15) days of receipt of the complaint by said homeowner, then the Architectural Control Committee will take action to remedy the situation at the sole expense of the homeowner out of compliance.

D. If the situation causing the homeowner to be out of compliance cannot be addressed within this time period, the homeowner must provide to the Chairman of the Architectural Control Committee an explanation as to why this is the case within seven (7) days of the complaint. The Chairman of the Architectural Control Committee shall have complete authority to review such an explanation and to determine whether further actions shall be taken.