



*GINGER WOODS
HOMEOWNERS
ASSOCIATION*

**DESIGN REVIEW
(ARCHITECTURAL)
GUIDELINES**

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SECTION I - INTRODUCTION

- 1.1 The purpose of these Design Review (Architectural) Guidelines is to assure the highest quality of design standards within Ginger Woods.
- 1.2 No construction, which term shall include within its definition staking, clearing, excavating, grading, and other site work, no exterior alteration or modification of existing improvements, and no planting or removal of plants, trees, or shrubs shall take place except in strict compliance with Article VII of the Declaration of Covenants and Restrictions for Ginger Woods.
- 1.3 The following Guidelines flow from and supplement provisions found in the First Amended and Restated Declaration of Covenants and Restrictions for Ginger Woods Home Owners Association and the By-Laws of Ginger Woods Home Owners Association. *It is not the intent of these Guidelines to be a substitute for the Declarations and By-Laws.*
- 1.4 To the extent that the provisions of applicable law (federal, state, or local), the Declarations, By-Laws, Design Review Guidelines and the Rules & Regulations are in conflict, the provisions of applicable law shall first control followed by the provisions of the Declarations, the By-Laws, Design Review Guidelines, and the Rules & Regulations, in that order.
- 1.5 The Association's role in providing Design Review (Architectural) Guidelines and issuing permits for additions and/or changes to properties within Ginger Woods is to maintain a certain aesthetic quality within the properties and should not be construed as warranting any such change or improvement to be structurally safe, sound or in compliance with applicable law.
- 1.6 The homeowner is responsible for any resulting drainage problem caused by his/her actions to both his own and his neighbors properties.
- 1.7 The homeowner is responsible for replacing or repairing any damage to improvements the utility companies destroy when exercising their easement rights.
- 1.8 The homeowner is responsible for replacing or repairing any damage to Common Areas or neighboring properties that may occur while completing improvements to his/her property.
- 1.8 The homeowner is responsible for obtaining any required government permits and to meet any government requirements for improvements to his/her property.
- 1.9 Please remember to contact J.U.L.I.E (1-800-8920-0123) prior to the start of any digging to help protect against damage to utilities. Any damage to utilities is the responsibility of the homeowner.

SECTION II – CHANGES THAT MAY NOT REQUIRE APPROVAL (READ EACH SECTION FOR DETAILS)

2.1 GENERAL

The following changes to private property within Ginger Woods DO NOT require prior approval by the Design Review Committee (DRC). Changes shall be made in accordance with the guidelines presented below. If a property is found to be in violation of the guidelines set forth in this section, then the property WILL BE FINED as detailed in Section IV.

2.2 DRIVEWAYS

Replacement of driveways in the same shape, color and material as the originally installed driveway may be done without DRC approval. Changes from concrete to asphalt are not allowed. Changes from concrete to brick pavers require prior approval by the DRC.

2.3 EXTERIOR COLOR SELECTION

Your home may be repainted or re-sided in the same material and color scheme at anytime. Color changes and siding material changes require prior approval by the DRC. In no case will any siding be accepted other than cedar siding. Brick is also an acceptable replacement for siding.

2.4 EXTERIOR LIGHTING

Exterior lighting shall be permitted for architectural enhancement or security purposes. Acceptable lighting includes Malibu-style lights and floodlights, in-driveway, wall and step cover lighting. Lighting should be directed away from neighboring properties and NOT shine into a neighboring residence. Lighting fixtures must be kept close to the house. No rope or string style lighting or color light sources are allowed unless seasonal in nature. Pole mounted yard lights require prior approval by the DRC.

2.5 LANDSCAPING

2.5.1 Shrubs & Trees. Landscaping must blend with the existing plantings on both your lot and the adjacent lots. Large shrubs and trees should be sufficiently set in from the property lines to avoid overhanging the property line or obstructing sight distance at intersections on corner lots at maturity. Check that side and rear yard drainage patterns are not adversely affected. Generally, items planted at least 3 to 5 feet from property lines will not affect drainage.

2.5.2 Planting Beds. Planting beds that are at least 3 feet from the property line or non-raised planting beds that abut an existing fence may be installed without DRC approval. The beds can be spade edged or edge with commercially available brick/stone edging products in earth tone colors. Improvements requiring approval (see 3.5.20) include planting beds elevated more than 6 inches above grade and any bed material change, i.e., from mulch to stone.

2.5.3 Parkway Trees. There must be at least one Parkway tree per 30 feet of lot frontage. Corner lots shall have at least two parkway trees on each street frontage. Parkway trees are replaced by the City of Aurora. Contact the Park Department at 630-898-7228.

2.5.4 Garden / Planter Walls. Garden or planter walls made of brick, stone, or block pavers must blend with the decor of the neighborhood (timbers and railroad ties are not acceptable for this use). The owner is responsible for ensuring the installation does not cause drainage problems for adjacent properties. A minimum of 3 feet is required from the property line unless approved by the DRC. The maximum height for pre-approved garden/planter walls is 12 inches. Any wall higher than 12 inches requires prior approval by the DRC.

2.5.5 Tree Removal. Shrubs or trees that are diseased or dead, or needing to be removed to promote the growth of other trees or shrubs, or for safety reasons, may be removed. Other trees with a caliper of less than four inches may also be removed at the owner's discretion except that the provisions of 2.5.4 regarding Parkway trees must be observed. Any tree removal must include removal of the stump below ground level and ground with sod or otherwise landscaped. Property landscaping must be maintained in accordance with the standard for the neighborhood.

2.5.6 Walkways. Side and rear walkways must be a minimum of 1 foot from all property lines. Front walk ways, or side yard walkways for corner lots, connecting to the sidewalk need DRC approval.

2.5.7 Vegetable Gardens. Vegetable Gardens must be a minimum of 5 feet from all property lines. And may not be located in front or side yards. Items grown must be less than 3 ft tall. Corn, sunflowers, or large vines are not allowed.

2.5.8 Lawns. Lawn areas originally landscaped on the property by the builder must be maintained. Any changes in lawn size or lawn material (i.e. mulch, stone, etc...) must be approved separately by the DRC.

2.6 SPRINKLER SYSTEMS

In ground sprinkler systems may be installed without DRC approval assuming the system does not cover any Common Areas. Systems that spray onto Common Areas must first be approved by the DRC prior to installation.

2.7 RECREATIONAL EQUIPMENT

2.7.1 General. Installed recreational equipment (except basketball hoops) must be located in the rear yard only, must conform to the side yard set backs for the lot, and be a minimum of 6 feet from the rear property line. No play equipment may be installed on landscaping easements or in any common areas. Side set back restrictions can be found on your plat of survey and varies from 6 to 8 feet for interior lots and 15 to 25 feet on corner lots. All recreational equipment shall be less than 15 feet in height. All recreational equipment may not exceed 40% cumulative space of the rear yard. Recreational equipment is not allowed in the street at any time.

2.7.2 Basketball Hoops. Basketball hoops may be portable, permanent or removable sleeve types. Garage mounting type standards are strictly prohibited. Backboard, net, and pole must be

in good condition. If backboard, net, or pole is broken, cracked, rusted, or missing it must be replaced immediately.

2.7.2.1 Portable Standards. Portable basketball hoops are allowed and shall be set up only on the property line side of the driveway and never in front of the house or in the front lawn area. Portable systems shall never be set up on Common Areas or on sidewalks and/or streets. These systems must be taken down during the winter months and stored in the garage or must be stored so as not to be visible from view of neighboring homes, streets, and property located adjacent to the home.

2.7.2.2 Permanent and Removable Sleeved Standards. Permanent or Removable Sleeved Standards may be installed no closer to the public sidewalk than 10 feet. The pole or sleeve may only be installed on the property line side of the driveway and never in front of the house or in the front lawn area. The sleeve of removable sleeve standards must be cemented into the ground with the top of the cement below grade surface and covered with earth, stone or grass. A gravel layer is necessary to aid in drainage for the sleeve's open bottom. A bolt shall be installed to secure the pole from spinning. The sleeve should not be more than 2 inches above ground in order to accommodate a cap. It must not be a trip hazard or be able to cause harm if fallen upon. When the pole is not in the sleeve, the sleeve must be capped.

2.7.3 Swing Sets. Swing sets must be constructed of wood. Wood sets may be left natural, stained, painted white or painted to match the exterior color of the house. Slides must not exit toward adjacent property when located within 6 feet of the property line. When the swing set is cemented into the ground you must observe the side set backs but may extend to no longer than 3 feet of the rear property line.

2.7.4 Play Areas. Play Areas may include sandboxes and large mulched areas around swing sets. Play areas must conform to the same side set backs but may extend to no longer than 3 feet off the rear property line. The areas may be edged with landscape blocks or other suitable edging material. To avoid the use of sandboxes by animals, you are encouraged to cover them when not in use.

2.7.5 Trampolines. Trampolines must be placed at least 3 feet from the property line. They must be kept rust free with no torn canvas or missing springs.

2.8 ROOF REPLACEMENT

New or repaired roofing must be of the same shape, color scheme and material as the originally installed roof. Any change to the roofing material or the roof configuration, must be approved by the DRC.

2.9 STORM/SCREEN DOORS Storm/Screen doors in pre-finished colors, (white, sand, almond, hunter green, cranberry, beige, or black) matching the existing exterior home design and color scheme, including changes authorized under section 2.3 Exterior Color Selection, are permissible if

they comply with the following:

The doors must be of the Full View or Decorative type with integrated doorknob or door lever mechanisms. (Doors with push-button type hardware are not permitted).

Ventilating and Security doors are permitted if they meet the color, design schemes, and integrated hardware requirements outlined above.

Unpainted aluminum doors and/or any doors using push-button hardware of any type are not permitted.

2.10 WINDOWS & DOORS

Replacement windows and doors that fit pre-existing openings and comply with the existing color scheme and style are permissible.

2.11 YARD DECORATIONS

2.11.1 Decorative Sculptures. Decorative sculptures 3 feet or less in height are permissible and must be made of concrete or wood and must be in earth tone, white or gray color. Sculptures larger than 3 feet require DRC approval. Only four (4) decorative sculptures are permitted per home.

2.11.2 Flags and Flag Poles. Seasonal flags mounted by bracket to the wall are permissible. Flag poles (of a permanent nature) installed in the ground require DRC approval. Flag pole may not be more than 25 feet in height and only 1 flag pole is permitted per home.

2.11.3 Fountains (Self-Contained). Small self-contained fountains of earth tone, white or gray colors are permissible. Only two (2) fountains are permitted per home. Ponds & fountains that involve excavation require DRC approval.

2.12 BIRD HOUSE / FEEDER / BIRD BATH

Bird houses, feeders and/or self-contained bird baths of earth tone, white or gray colors are permissible. Only two (2) bird baths and three (3) bird houses feeders are permitted per home.

2.13 AIR CONDITIONING UNITS

No window air conditioning units are permitted to be installed on any home.

2.14 CLOTHESLINES

Clotheslines must be located or screened so as not to be visible from view of neighboring homes, streets, and property located adjacent to the home.

2.15 MAILBOXES

All mailboxes shall be constructed of black metal material. All supporting structures to the mailbox shall be constructed of either black metal material or brick. All mailboxes shall be installed and anchored into the ground and shall conform to United States Postal Regulations. No

newspaper receptacles may be attached to mailboxes or supporting structures. Replacement mailboxes conforming to the above guidelines may be installed without DRC approval. All new mailboxes and supporting structures that do not conform to the above guidelines must be approved by the DRC prior to installation. Black metal mailboxes must be traditional arched cross-section type box cantilever supported on pole. "T-type" mounting of boxes on poles are not allowed.

2.16 TEMPORARY POOLS (WITH FILTERS)

Temporary above ground pools with filters may be used provided they are relocated and/or removed within 48 hours from set-up. Temporary above ground pools shall be no higher than 30" and shall not be left unattended while full of water. These pools are recommended to be relocated often to keep from browning out the grass yard areas.

2.17 MOSQUITO/BUG ATTRACTION DEVICES

Devices used for attracting and killing mosquitoes and other bugs are allowed in the rear or side yards only. These devices shall be screened from view by the neighboring properties and shall in no case be allowed in the front yard or street side yard for corner lots.

SECTION III – CHANGES REQUIRING DESIGN REVIEW APPROVAL

3.1 SCOPE

All changes and additions to the exterior of your residence that are not detailed under Section II, Changes That Do Not Require Prior Approval, must be submitted to the Design Review Committee for approval prior to the start of work. This includes, without limiting the foregoing, fences, decks, patios, gazebo, hot tubs, sports courts, color changes, sun rooms, room additions, screened porches, bay window additions, swimming pools, privacy screens, berms, pole mounted lights, freestanding flag poles, sculptures and lawn decorations over 3 ft high, storage buildings, awnings, antennas / satellite dishes, playhouses, and solar panels. Approval will be based on the assumption that owner is responsible for and has obtained all required permits as applicable and that the work performed is in accordance with acceptable building regulations and statutes.

3.2 ROLE OF DESIGN REVIEW COMMITTEE (DRC)

The Design Review Committee shall have exclusive jurisdiction over all original construction, as well as modifications, additions or alterations made on or to existing homes or lots containing a home or any portion thereof per the amended Design Review Guidelines. The DRC shall have the responsibility to prepare the initial and amended Design Review Guidelines. The Board of Directors shall be responsible for approval of the initial and any amendment to the Design Review Guidelines.

3.3 DESIGN REVIEW APPLICATION FORMS (See Appendix A)

Design Review Application forms can be obtained from the Design Review Committee (DRC), on the Ginger-woods.org website or from the members of the Board of Directors. All information required on the submittal form must be complete in order to be considered for approval. Three copies of the application and all supporting materials shall be submitted to any member of the DRC. The DRC will issue a permit upon approval of the application for posting in the front window of the home.

3.3.1 Assessments. All assessments must be current before a Design Review Application will be approved.

3.3.2 Timeline for Approvals. In the event that DRC fails to approve or to disapprove an application or to request additional information reasonably required within forty-five (45) days after submission, the plans shall be deemed approved (Declaration of Covenants and Restrictions - Article VII, Section 1d).

3.4 APPEAL OF DRC DECISION

If an applicant disagrees with the decision of the DRC, then the owner may make a written request that the Board of Directors review the proposal and the DRC decision. The Board may uphold, reverse or modify the decision of the DRC. The decision of the Board shall be final (Declaration of Covenants and Restrictions - Article VII, Section 1d).

3.5 INFORMATIONAL GUIDELINES

3.5.1 General Information. All structures constructed on any portion of the Properties shall be designed by and built in accordance with the plans and specifications of a licensed architect. The following information is provided for guidance purposes only.

3.5.2 Decks, Patios & Gazebos. All decks, patios and gazebos must be installed in the rear or side yards except for entry decks and patios. The installation may not extend into the side and rear setbacks nor into any landscaping easements. Owner must obtain building permit, if applicable.

Deck post supports should be a minimum of 42” below grade. Decks more than 18” above grass should have railings. Railings generally range in height from 36” to 42”. Stairs cannot encroach into required setbacks. Decks may be made of wolmanized lumber, cedar, or vinyl wood grain embossed products (i.e. Trex). Decks and railings may be finished natural, stained a natural color, be painted white or be painted or stained to match the rear exterior siding color of the house.

Patios can be either brick paver or stamped colored concrete style. Concrete slabs are not acceptable. All patios must be approved by the DRC with appropriate design, colors, and dimensions submitted with application form for approval. Block seat walls shall also be submitted, if applicable.

Detached gazebo can be screened or unscreened. Roofing material should either match that on the existing house or be cedar shake. Complete construction details must be submitted. Siding of knee walls, etc. should be wolmanized or cedar siding. Flooring is similar to a deck floor or a patio pad.

Homeowners requesting covered (roofed) decks and patios must submit details on roof style, roof pitch, construction details, and the roofing materials and color. In most cases, roofing materials should match roof on existing house.

3.5.3 Fences. The maximum height fence allowed is four feet (4’). Height is measured from grade (ground level) to the highest point of the fence not including posts. Fence locations on corner lots may be further restricted due to side yard visibility constraints, corner yard set back restrictions, and house location on adjoining property. In general, the required minimum side yard set back on corner lots is 10 ft from the public sidewalk in order to maintain the open décor of the subdivision. If special circumstances exist, the DRC may approve less than the 10 ft requirement. Corner lots will be handled on a case-by-case basis. Specific information on the corner lot may be requested prior to submittal of a plan. Homeowner fences must be located only at the base of a landscape berm on the house side of the berm. Fences may extend into utility easements at the owners risk. The fence must be placed so the outside face of the fence is inside the property line. It is suggested the fence be placed six inches (6”) inside the property line to allow for minor survey and installation discrepancies. Except for approved small decorative fences, the front yard areas

forward of the front corners of the house may not be fenced. Fences cannot be placed on landscaping easements.

All fences must be black wrought iron or simulated black wrought iron (aluminum). Rounded, stockade type pickets, horizontal split rail, chain link, vinyl and cedar fences are not allowed.

Information Needed with Submittal for Fencing Approval:

A plat of survey with your house footprint indicating the exact location of the proposed fence installation and any existing easements, drainage structures or drainage paths. Hand drawn sketches of lot boundaries are not acceptable.

The complete details of the fence design including: height in all areas type of material, width and spacing of vertical boards, style placement and width of gates, color and finish of fence surfaces. A catalog photo, supplier's drawing or picture of an actual fence showing the style fence to be installed is required.

The height, style and color of existing fences on any of the adjoining properties must be indicated on your submittal. Back to back fencing along the property line is not allowed. Whenever possible, we encourage the installation of similar style fence on adjoining lots.

3.5.4 Berms / Retaining Walls. New berms and enlargement of existing berms require DRC approval. Retaining walls (any wall over 12" height) also require DRC approval.

3.5.5 Privacy Screens. A privacy screen is a structure erected for the purpose of obscuring the view or blocking the sun. It may offer protection from two sided only. It shall originate from the rear of the house and may not extend into the side yard or rear lot set backs. The maximum height is 6 ft from either ground level or deck floor level if appropriate. It shall be no more than 30 linear feet and may not extend more than 20 feet across the back of the residence.

3.5.6 Room Additions, Sun Rooms, Screened Porches. Roof should be gabled with a roof pitch that matches the existing gables on the house. A minimum of 6 1/2 roof pitch is generally required. In special cases where second story windows make a 6 1/2 pitch impossible, a waiver could be granted for a 5 1/2 or 4 1/2 pitch. Roof pitch of less than 4 1/2 present a cheap, aesthetically unacceptable appearance and are subject to show damage and drainage problems and are not allowed. Shed roof styles are also discouraged because they are generally less attractive, low pitched and have a "tacked on" appearance.

Roofing materials, siding materials, eaves, soffits, gutters, doors, windows, etc., must match the existing house in type, style and color. Lap siding must match existing siding on house in size and color.

Metal sided or roofed sunrooms are not allowed. Metal sunrooms, modified with gabled roofs with 6 1/2 pitches and asphalt singles and siding to match the existing home, may be acceptable.

3.5.7 Storage Buildings. No accessory buildings or storage buildings or structures shall be located in Ginger Woods without approval of the DRC, and, if allowed, shall be finished to blend visually with the home and its surroundings. DRC encourages the use of deck undersides and/or submittal of attached storage buildings using same materials as required for Room Additions, Sun Rooms, Screened Porches (Section 3.5.6). Freestanding storage buildings / sheds are not allowed.

3.5.8 Swimming Pools. In ground Swimming Pools may be installed conditioned upon DRC approval of location, fencing, and landscaping. A City of Aurora permit is required. Permanent above ground pools are NOT allowed based on provisions of the Declaration of Covenants and Restrictions Article VII, Section 14.

3.5.9 Hot Tubs. Hot tubs may only be installed on your deck or approved patio (see section 3.5.2) and shall be equipped with lockable covers that are childproof.

3.5.10 Exterior Color Selection Guide. The color of the front elevation, the side elevation, (if applicable in the case of brick front homes), the two houses on either side, the home directly across the street and the two homes diagonally across the street should be considered in making color choices. Side elevation colors may also need to be considered when corner lots are involved. In small cul-de-sac lot appear to be closer together.

Exterior siding color should not be the same as the adjacent homes. However, homes may be similar color if the brick on the front elevations of the adjacent home(s) is significantly different in color. Some exterior colors might also be allowed if the materials are very different and will give a different appearance from the street.

Brick colors should not be the same as the adjacent homes. Similar colors are allowed if the exterior siding on the front elevation of the adjacent home(s) is significantly different. Other things to consider on brick are the size of the brick and whether or not they are frosted. Brick samples with at least 6 to 8 bricks to indicate the variations in the bricks, may be requested.

Trim, gutters and downspout colors should be different from the adjacent homes that must be considered. Similar colors, or even the same color, could be allowed if the exterior siding, brick, garage door, etc., colors are all significantly different.

Garage door colors should be different from the adjacent home that must be considered. Similar colors could be allowed if the exterior siding, brick, and trim colors are all significantly different. An exception would be white garage doors, which are allowed on adjacent homes.

3.5.11 Common Areas and Landscape Easements. There shall be no planting or removal of any landscaping material in those areas identified as Common Areas or as a Landscape Easement without the prior written permission of the Design Review Committee. Further, no maintenance of a Landscape Easement or Common Area shall be undertaken without the prior written approval of the Design Review Committee. In addition, no item may encroach or be installed on common areas or landscape easements with the express written approval of the DRC. This includes without limitation, signs, patios, decks, fences, landscaping, lawn decorations, walkways and other improvements as may be listed herein. Personal items such as play equipment and lawn chairs may not be stored or left overnight on any common area or landscape easement.

3.5.12 Pole / House Mounted Yard Lights. Pole mounted and house mounted yard lights are generally not acceptable. House mounted lighting, if approved by the DRC, must be installed such that the lighting is directed away from neighboring properties such that light is NOT shining into a neighboring home.

3.5.13 Site Distance and Intersections. All property located at street intersections shall be landscaped so as to permit safe sight across the street corners. No fence, wall, hedge, or shrub planting shall be placed or permitted to remain where it would cause a traffic or sight problem.

3.5.14 Basketball / Tennis Courts and/or Concrete Slabs in Rear Yards. Concrete slabs in the rear yard are only permitted as approved by the DRC. Generally, concrete slabs will only be permitted under decks and stamped colored concrete slabs for sidewalks and patios. Concrete slabs for use as an athletic court (I.e. basketball or tennis) will not be permitted.

3.5.15 Doghouses / Playhouses / Tree-houses. Doghouses and children's playhouses that are permanent in nature are not allowed. These types of structures must be movable and may not be permanently installed (i.e. concrete block, pads, footings, foundations).

A. Dog Houses and Play Houses - The structure cannot be any larger than 20 sqft., the maximum height can not exceed 64", the entrance door can not be larger than 48" tall x 32" wide.

B. Tree Houses - Tree houses are not allowed.

3.5.16 Awnings. Roll-up type awnings attached to the rear of the house may be approved by the

DRC, however, the colors, manufacturer's brochure, location on the home, and type of materials must be approved by the DRC prior to installation. The awning must be maintained such that there are not tears in the awning fabric and shall be kept in the rolled up position when not in use.

3.5.17 Solar Panels. Solar panels may be allowed on the rear side of the home, however, designs must be submitted to the DRC for approval prior to installation. Solar panels are only recommended for use on rooftops such that the use does not interfere with neighboring homes and properties.

3.5.17 Antennae / Satellite Dishes. No exterior television antennae or radio antennae of any type whatsoever shall be erected, installed, or maintained, temporarily or permanently, anywhere on the property. Satellite dishes eighteen inches (18") or smaller and/or receivers may be erected and maintained subject to DRC approval and the ordinances and regulations of the appropriate governmental authorities having jurisdiction. The following guidelines are requested to preserve the aesthetic look of our community:

1. On the rear wall of the house at or below the top line of the tallest first floor windows, but less than ten feet (10') above grade (measured from the top of the dish).
2. On a deck or patio located in the rear yard not more than four feet (4') above the deck or patio floor, but less than ten feet (10') above grade measured from the top of the dish.
3. Higher on the rear wall of the house if necessary to receive a signal.
4. On the sidewall of the house as far to the rear as possible.

If you are unable to obtain a clear signal from these locations, the dish should be placed in a location as unobtrusive as possible. Locating the dish on the front of the house or the peak of the roof is not acceptable. Only one dish per type of service from the same provider is allowed.

Dishes must be gray, black or white in color or painted to match the field or trim color of the house.

3.5.19 Ponds / Water Landscapes. Ponds that are installed and maintained by owner of property must have EPDM liners or a vinyl liner if used as a concrete pond setting. If there will be fish in the pond the depth must be a minimum of 2 feet. For safety reasons ponds must have steps or ledges around the edges of the pond (i.e.: upside down pyramid) if the pond is not enclosed. Ponds that are built under a deck setting must have railings attached to the deck as well. Owners must not have green water in the ponds longer than a 2-week period. Proper maintenance must also be used to prevent weeds or algae (i.e.: algae fix).

3.5.20 Miscellaneous Landscaping. Any landscape modifications other than those listed in Section 2.5 Landscaping Changes That Do Not Require Prior Approval must be submitted to the Design Review Committee for approval. This includes planting beds elevated more than 6 inches above grade and any bed material change, i.e., from mulch to stone.

SECTION IV – ENFORCEMENT

4.1 Reporting Violations

Architectural standards help assure that Ginger Woods property values are maintained. It is not possible to inspect the properties every day nor is it likely that every completed but unauthorized modification will be noticed during a drive through inspection. Therefore, we must rely on each other to maintain the standards of our community. A word to your neighbor who may not realize approval is needed and would be appreciated. Following that, a call to the Property Manager, the Board of Directors, or the Design Review Committee to report modifications in progress that do not have a Ginger Woods Approval Permit is the responsibility of each member of the community.

4.2 Notice of Violation

Violation Notices are issued by the Board of Directors or persons authorized by the Board to do so. The Notice of Violation will be sent by U.S Postal Service certified mail to the owner of record or hand delivered. The notice will include the specifics of the alleged violation along with the amount of fine to be imposed.

4.3 Hearings

Within 10 business days after receipt of the Notice of Violation, person in violation may make a written request to the Board of Directors for a hearing. Provided the person in violation has properly requested a hearing, that person will be given a maximum of one written notice informing him or her of a time and place where the Board of Directors or its duly authorized committee will conduct a hearing to review the case. At that time, the person in violation will have an opportunity to defend him or herself. All hearings will proceed with or without the presence the in violation owner. The decision of the Board or its duly authorized committee shall be rendered in writing within 5 days after the hearing and such decision shall be binding upon all parties.

4.4 Penalties/Fines – Architectural Guideline Violations

1. Failure to submit a required modification request will result in a \$100 fine for the first occurrence or modification (depending on the level of cooperation in resolving the violation, a waiver of this fine by the Board of Directors may be granted if requested). Each additional occurrence or modification, after first offense, will result in a \$ 250 fine per occurrence.
2. Failure to submit a required modification request within two weeks after being fined per step one will result in a \$100 per month fine until the modification is submitted and approved.
3. Installations that are not in compliance with the Design Review Guidelines will result in a fine of \$100 per month until it is in compliance with an approved submittal.

4. Pursuant to Ginger Woods Homeowners Association policy, a lien will be placed against any properties which have unpaid accounts of \$500 or more.
5. Pursuant to Ginger Woods Homeowners Association policy, legal action of ‘forcible entry and detainer’ (eviction) will be taken against any properties which have unpaid accounts of \$1,000 or more.

4.5 Costs

In the event of any violation of the Design Review Guidelines or the Declaration of Covenants & Restrictions, the Board of Directors reserves the right to pursue any and all legal remedies to compel enforcement, legal and equitable. Any and all costs and attorney’s fees shall be charged to the account of the offending owner at the time they are incurred. Any restoration costs to bring property into compliance incurred by the Association will be charged to the account of the offending owner.