

# THE VILLAS OF ASBURY

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## UNIT EXTERIOR POLICY

**PURPOSE OF POLICY:** To provide guidelines for what is permitted and what is not permitted on the Unit exteriors of the Villas of Asbury.

**DEFINITION OF UNIT EXTERIOR:** The outside walls (stucco, stone, brick, wood siding) of the Unit; concrete driveway from garage to asphalt driveway; front porch; patio (unless enclosed by glass or screen); landscaped or mulched areas immediately adjacent to the outside walls of the Unit (approximately five feet from foundation) not including grass areas or other Common Areas.

**DEFINITION OF COMMON AREA:** These areas owned and maintained by the Villas of Asbury Home Owners Association (HOA) outside the Unit Exterior. No items, except real estate signs allowed under the DCR, may be placed or planted in the Common Area without the permission of the Board of Directors of the HOA.

**REFERENCES:** The Amended and Restated Declarations of Covenants, Restrictions, Assessments and Easements of the Villas of Asbury, dated June 2, 2014 (DCR) include various restrictions and delineates responsibilities as to maintenance and repair between the Home Owners Association (HOA) and the Unit Owner toward the purpose of “promoting and preserving the values of Units and the Common Areas.” When allowed under the DCR, the Board of Directors of the HOA through the Architectural Review Committee (ARC) may adopt policies consistent with the DCR to ensure appropriate visual consistency and promote Unit property value in the Villas of Asbury community.

**ARC PROCESS:** Under the DCR, following the completion of the Unit, no exterior addition or alteration (for example, replacement of windows, garage doors or exterior light fixtures, covers on window wells, enclosing or fencing a patio, patio steps, addition of wrought iron railings, etc.) nor significant landscaping changes can be made until the plans and specifications have been submitted and approved. Toward that end, the ARC process was established. Under the ARC process, a Unit Owner submits an Architectural Review Form (available on the HOA website) outlining the request and providing sufficient information, including pictures or diagrams if appropriate. That form is forwarded to the ARC, which then reviews the request and recommends approval or denial to the HOA Board of Directors or seeks further information. The HOA Board of Directors may authorize the Chairman of ARC to

approve certain categories of requests complying with this policy. Denial of the request by the Board may be appealed.

**OUTSIDE WALLS OF THE UNIT:** No holes can be made into the stucco, stone, brick, or wood siding on the Unit. Therefore, no decorative or other (for example, hose holders, trellis) items may be attached to the outside walls of the Unit, which includes non enclosed patios. Decorative items may be attached to the trim on the non enclosed patio, porch, windows, or garage. The Unit Owner is responsible for the repair of any damage caused by installation or attempted installation of items to the Unit exterior.

**WINDOW TREATMENTS:** Window treatments, interior drapes, curtains or louvered blinds shall be neutral in color (white, beige, or gray) from exterior observation. Unit Owners may install approved window film on windows and doors to control heat and UV light. Samples of acceptable window film are available from the HOA or the ARC and are contained in a notebook available in the clubhouse. Blackout film is not permitted.

**FLAGS:** One flag pole attachment is allowed per Unit and the attachment shall be to the trim of the Unit. Flagpoles shall be no longer than six feet and no flag shall be larger than three feet by five feet. Only one flag may be displayed at any given time. Only U.S., state, holiday/seasonal or sports flags are allowed. Display of the U.S. or state flags shall comply with the laws and regulations for such display. Holiday/seasonal or sports flags shall not be displayed out of the season and shall be timely removed.

**SEASONAL DECORATIONS:** Holiday decorations (for example, Halloween, Thanksgiving, Christmas) not exceeding a width of 24 inches may be hung on the front door (including storm door) or a light fixture or attached to the trim. Holiday decorations also may be placed on the porch or patio. Seasonal decorations need to be removed within two weeks after the holiday. Exterior winter holiday lights are permitted only between November 15 and January 31 and shall be attached to the trim of the Unit with non damaging fasteners and/or displayed in the Unit Exterior mulched area . Seasonal artificial flowers or plantings may be used during season on the porch or patio of the Unit, but not in the landscaped or mulched areas.

**FENCING:** No fences (including invisible animal fences) shall be permitted in the Unit exterior. Fencing of a patio after initial construction shall be submitted and approved prior to installation through the ARC process. Attachments to the patio fence shall be on the patio side and not on the exterior side of the fence.

**WROUGHT IRON RAILINGS:** After initial construction, Unit owners may request permission through the ARC process to install wrought iron railings or a metal grab bar for safety reasons at the entrance(s) to the Unit. The wrought iron shall be black.

**DECORATIVE ITEMS:** Decorative items include sculptures, figurines, shepherd's hooks, gazing balls, trellis, stepping or name stones, yard art, benches, or other typical decorative yard items. Items may be displayed on the rock areas between Unit driveways; front porch; non enclosed patio; and the landscaped or mulched areas immediately adjacent to the outside walls of the Unit. Decorative items shall not be placed in the grass or common area adjacent to the Unit nor attached to the Unit (for example, trellis). A maximum of six (6) items are allowed. One grouping such as a mother duck and ducklings shall be counted as one item. With the exception of shepherd's hooks or trellis, any item over three (3) feet shall require approval through the ARC process and only one item over three (3) feet shall be allowed. As part of the six (6) allowable items, two shepherd's hooks not to exceed seven (7) feet are allowed. The Board of Directors reserves the right to request and enforce the removal of any discriminatory yard decorations. The HOA is not responsible for any damage to decorative items from snow removal, maintenance, or landscaping activities.

**BIRD BATH, BIRD FEEDERS, AND FOUNTAINS:** No bird baths are permitted. Fountains are permitted so long as they are operable and do not have standing water. Fountains and bird feeders are allowed only in the Unit exterior area and are not allowed in the common area.

**GRASSES, BUSHES, OR SHRUBS AND TREES:** Grasses, bushes or shrubs, flowers, and trees within the landscaped or mulched areas immediately adjacent to the outside walls of the Unit (foundation plantings) are the responsibility of the Unit Owner, to include any removal and/or replacement. The Unit Owner shall submit through the ARC process the plan for the replacement of any foundation plantings that are dead or need replaced. A list of approved and suggested plans and plantings are available on the website or from the ARC committee. Flowers may not be used to replace foundation plantings.

**FLOWERS:** Unit owners may plant perennial and/or annual flowers, in ground or in containers, in the Unit exterior area. These plantings do not require approval under the ARC process. Unit Owners are responsible for the care of any flowers, to include removal of any annuals after the first frost or removal of dead perennials. Artificial flowers are limited to the rules of seasonal decorations.

**LANDSCAPE LIGHTING:** Unit owners may request permission through the ARC process to install up to six (6) low voltage landscape lights meeting the following criteria in the landscaped or mulched area immediately adjacent to the Unit: (1) white lights only; (2) no flashing, glaring, or revolving lights; (3) fixtures must be black, dark

green, bronze or silver in color; (4) upright. Unit owners are responsible for the appearance and maintenance of the lights and lights are not allowed in the common area adjacent to the Unit. The HOA reserves the right to require reconfiguration or removal if neighbors object that the lights cause interference with enjoyment of their Unit and the matter cannot be resolved. Requests for sensor lights shall be submitted for approval through the ARC process.

**LANDSCAPE PAVERS:** Unit Owners may request permission through the ARC process to install tan or red (consistent with the exterior color of the Unit) interconnected pavers, 2 3/8" x 4 3/8" x 5 3/4", laid flat, as a border within the mulched areas of the Unit. Maintenance of the mulch border pavers, including removal or replacement of damaged pavers, is the responsibility of the Unit Owner.

**PATIO CEILING FAN POLICY:** Unit owners may request permission through the ARC process to install an exterior patio ceiling light/fan in non enclosed patios meeting the following criteria: (1) fixtures must be white, beige, black or brushed silver and mounted flush with the patio ceiling; (2) low wattage white bulbs; (3) a single light attachment may be added to an existing or new patio fan with no extensions.

**PATIO FLOORING :** Unit Owners may request permission through the ARC process to install patio flooring. The flooring shall be suitable for outdoor installation and usage and compatible with the finish of the Unit exterior. If the patio is not distinctively divided by a fence or totally divided by a common wall, the ARC form shall include an agreement by the adjacent Unit Owner to have his/her patio flooring in the same color/style and installed at the same time. Approval is conditioned upon that additional agreement. Using the ARC process, patio wooden steps may be painted so long as the paint, exterior stain, or tinted sealer used in the painting is compatible in color with the trim color of the Unit.

**OUTSIDE DOORS/STORM DOORS:** Outside doors shall be almond, beige, white or otherwise compatible with the Unit exterior trim finish. Unit Owners may request permission through the ARC process to add a storm door, which shall be almond, beige, white or brown to match the Unit outside door and door frame; aluminum, 100% full view or self storing; with hardware silver, chrome, pewter, gold or brass in color.

**SATELLITE DISHES:** Unit Owners shall request permission through the ARC process to install a satellite dish. A Satellite Request form (available on the website) must be completed and approved. In the event the satellite dish is mounted on the Unit, the information on the Satellite Request form shall be completed by the installer confirming that location is the only location for reception. The Unit Owner is responsible to maintain, replace, and repair any damage caused by the installation or

removal of the satellite dish. Upon sale of the Unit, any satellite dish mounted on the Unit shall be removed for proper disposal.

**RADON MITIGATION.** Equipment for Radon Mitigation shall be installed on the outside walls of the Unit and not on the roof.

**QUESTIONS:** If you have questions as to whether you need to file an ARC Request, interpretation of applicability of this Unit Exterior Policy, contact the HOA Board, the Chairman of the ARC committee, or the Management Company.

**GENERAL:** Any item that is worn, faded, disintegrating, or broken in the Unit exterior area shall be repaired or removed by the Unit owner. The above policy is subject to the HOA enforcement policy. Inspections of compliance with this policy are performed periodically and violation notices sent to Unit Owners. No items in the Unit exterior area shall cause harm or impede the work of the landscape or maintenance provided by the HOA. Neither the landscape or maintenance companies nor the HOA will be responsible for damage to any object placed in the Unit exterior area.

Replaces Prior Policies:   Unit Exterior Policy (11/19/2015)  
  Architecture Review Guidelines (11/19/2015)

Approved by the Board:   March 21, 2019

Effective Date:             May 1, 2019