

# **Arden Wood Homeowners' Association**

## **RULES & REGULATIONS**

of the

Single Family Lifestyle, Paired Villas, Simply Ryan and Common Areas  
of the Arden Wood Homeowners' Association  
as Adopted the 10th Day of December 2021  
Revision August 16, 2022

**I.....**  
**Function of Policy Resolution ..... 4**

**II.....**  
**Private Property Guidelines..... 4**  
    A.....  
        General requirements for all living units ..... 4  
    B.....  
        Specific requirements applicable to duplex units only ..... 8  
    C.....  
        Specific requirements applicable to single-family houses only..... 14  
**Common Area Guidelines ..... 16**  
    D.....  
        Storage of private property ..... 16  
    E.....  
        Vehicles & vehicular storage ..... 16  
    F.....  
        Alteration, removal or addition of plants, trees or shrubbery ..... 16

**III.....**  
**Administrative Procedures ..... 17**  
    A.....  
        Architectural, Operations & Maintenance Review ..... 17  
    B.....  
        “Alteration Request” guidelines ..... 17  
    C.....  
        Enforcement procedures for violations of Policy Resolution #2  
        and of the Declaration of Covenants, Conditions and Restrictions ..... 19

**IV.....**  
**Implementation ..... 20**

# **ARCHITECTURE, OPERATIONS AND MAINTENANCE**

## **POLICY RESOLUTION**

of Arden Wood Homeowners' Association, Inc. located  
in Harmony, Butler County, Pennsylvania

A resolution pertaining to the Operations and Maintenance (O&M) for Common Facilities, including stormwater facilities, street lighting, signs, mailboxes, parks, landscaping and open space.

WHEREAS, Article VI of the Arden Wood Homeowners Association, Inc. ("Arden Wood") Declaration of Covenants, Conditions and Restrictions establishes certain rules and regulations for protecting the aesthetic beauty and safety of the community; and

WHEREAS, Article VII of the Arden Wood Home Owners Association, Inc. ("Arden Wood") Declaration of Covenants, Conditions and Restrictions establishes certain rules and regulations for protecting the safety and environmental well-being of the community; and,

WHEREAS, there is a need for the Arden Wood Board of Directors to establish guidelines and procedures for Architecture, Operations & Maintenance in carrying out its responsibility with regard to the Common Area and the residential rules and regulations; and,

WHEREAS, there is a need for the Arden Wood Board of Directors to establish guidelines and procedures for homeowners to submit proposals for exterior additions, changes, alterations or improvements to their privately-owned properties; and,

WHEREAS, it is the intent of the Arden Wood Board of Directors to establish proper and equitable guidelines and procedures for the residents from this time forth;

NOW, THEREFORE, BE IT RESOLVED THAT guidelines and procedures pertaining to architectural, and operations and maintenance controls be and hereby are adopted as follows:

\*As adopted by the Arden Wood Board of Directors, December 10, 2021. Revision August 16, 2022

## I. Function of Policy

The function of Policy is to provide standards and guidelines for the residents and the Arden Wood Board to follow in,

- Protecting the architectural and aesthetic integrity of the community,
- Protecting the safety and well-being of the community, and
- Maintaining this integrity, safety and well being throughout the life of the community, thereby preserving home and properly values and the homeowners' investments.

The following sections explain the criteria used in determining architectural and operations violations and in considering "Alteration Request" proposals. Also included are the enforcement and appeals procedures. Failure to abide by any of the below sections may result in a violation of this policy resolution.

Residents should refer to the Declaration of Covenants, Conditions and Restrictions ("Declaration") for additional terms and guidelines binding on all parties having any right, title or interest in the planned residential development of Arden Wood, in the case of any conflict between the Declaration and this policy resolution, the Declaration controls.

## II. Property Guidelines for All Units (Villas & Single-Family Dwellings)

### A. General requirements for all living units

1. Overall appearance
  - a. The overall appearance of each residence must be kept in a neat and orderly manner. If the appearance of any residence becomes such that it is not in harmony with the rest of the community or does not meet the architectural integrity of the community and its residents, the Arden Wood Board may direct the owner to correct the condition, at the owner's expense, including all Legal fees, to the Arden Wood Board's satisfaction, in accordance with Section VII, Administrative Procedures, of this policy resolution.
  - b. The Declaration of Covenants, Conditions and Restrictions, which states no noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereof which may become a nuisance to the neighbors, is hereby incorporated as if written in full herein.
  - c. All alterations made and/or approved prior to the adoption of these rules and regulations will be considered an approved change.
2. Permanent additions, changes, alterations or improvements to private property
  - a. Materials and colors
    - i. Only exterior materials comparable to existing materials on the unit, or those compatible with the architectural design character of the community.
    - ii. Colors must be compatible with surrounding colors and generally compatible with the architectural design character of the community.
    - iii. Any changes in material or color on any residence must be submitted to the Arden Wood Board for its prior approval.

- iv. Unpainted and unstained surfaces, such as brick, shall remain unpainted and unstained.
- b. Size and shape: Additions and alterations to units shall be of a size and shape consistent with their intended use (not oversized with relation to the unit with which they are associated), generally compatible in size and shape with similar items, and compatible with the architectural design character of the community.
- c. Location
  - i. The location of any proposed improvement shall be such that it shall be in harmonious architectural balance with the associated unit and the surrounding community.
  - ii. In no case shall any fence, screen, bright flood lighting or other object obstruct the sight lines of any vehicle driver.
  - iii. The location of any proposed improvement shall be limited to the property of the owner requesting approval, and shall not violate any easement restrictions, public or private. The Arden Wood Board may request copies of surveys to verify the proposed improvement meets this criterion.
- d. Safety
  - i. All requests for review shall be scrutinized for safety regarding intended use and location. Safety of construction materials and methods shall not be scrutinized since they are the responsibility of the resident and/or contractor(s).
  - ii. Requests that are otherwise suitable for installation, but which the Arden Board determines to be unsafe with respect to intended use and location would not be approved.
- e. Building and work permits
  - i. Approval of any project by the Arden Wood Board does not waive the necessity of obtaining the required township or county building, grading, occupancy or work permits.
  - ii. Obtaining the proper permits does not waive the need for Arden Wood Board approval.
  - iii. The Arden Wood Board will not knowingly approve a request that is in violation of applicable building codes, zoning ordinances or other regulations.
- f. Central air-conditioning, compressors, window air-conditioning units and utility meters
  - i. Compressors or utility meters may not be painted a color other than existing color associated with the unit without prior approval of the Arden Wood Board and/or the appropriate utility.
  - ii. Window air-conditioning units and window fans, whether such units are permanently installed or removable, are limited to the rear of the unit. All other types or locations of air-conditioning units require approval of the Arden Wood Board.
- g. Driveways
  - i. Driveway paving does not require approval of the Arden Wood Board provided that paving materials are of a natural color concrete or asphalt.
  - ii. The use of paving brick or cobblestone will not be permitted without prior approval of the Arden Wood Board.
  - iii. Artificially colored paving materials will not be permitted without prior approval of the Arden Wood Board.
  - iv. Changes in grade, location or size of the existing driveway must be submitted for prior approval of the Arden Wood Board.
- h. Landscaping
  - i. Additions or alterations
    - a.) Trees and shrubs on private property are the responsibility of the homeowner. No

live trees of a diameter of six (6) inches or more (measured from a point two feet above the ground level) shall be removed from any lot, except in an emergency, without the express written authorization of the Arden Wood Board, or unless properly authorized by an appropriate governmental authority. The Arden Wood Board, at its discretion, may adopt and promulgate rules and regulations regarding the preservation of trees and other natural resources and wildlife upon the properties. If it shall deem it appropriate, the Arden Wood Board may mark certain trees, regardless of size, as not removable without written authorization.

- b.) Alterations of grades on projects undertaken on private property require approval of the Arden Wood Board and shall be constructed such that drainage patterns on the Common Area and other homeowners' properties are not altered significantly. The Arden Wood Board shall have the right to require that the stamp of a registered engineer be affixed to the request and plans submitted by a resident for approval.
  - ii. Maintenance: All residents of single-family houses and duplexes are responsible for weeding and maintenance of shrubs and planted areas, including mulched or gravel beds, on their private property. The Arden Wood Board shall have the specific remedial measure available for this specific violation to enter upon land and have these areas maintained at the owner's expense; provided however, the resident is given one (1) week to cure the matter after a general notice has been issued. Consideration will be given to weather conditions.
  - iii. Dangerous or unattractive conditions: The Arden Wood Board shall have the specific remedial measure available for this specific violation to enter upon any lot and trim, prune or remove at the expense of the owner, any hedge or other planting which, in the opinion of the Arden Wood Board, by reason of its location upon the lot or the size to which it is permitted to grow, is unreasonably detrimental to the adjoining property, obscures the view of vehicular or pedestrian traffic, or is unattractive in appearance, provided, however, the owner is given fifteen (15) days prior written notice to cure the problem.
  - i. Exterior lighting: Exterior lighting must be harmonious with the community and shall not create a nuisance for other neighbors.
    - i. No exterior lighting shall be directed outside the boundaries of a lot.
    - ii. All changes to exterior lighting visible from the street must be approved by the Board.
  - j. Other additions, changes, improvements and alterations: All other additions, changes, improvements and alterations to the exterior of any unit or to any lot shall be submitted for prior approval of the Arden Wood Board which shall review them in accordance with criteria established in Section III Administrative Procedures herein.
  - k. Alteration Request: Failure to submit a "Alteration Request" form for any project requiring prior approval is a violation of Policy Resolution even if the intended improvement conforms to the Declaration of Covenants, Conditions, and Restrictions and Arden Wood Board Policy Resolution.
3. Lawn & garden furniture and outdoor equipment
- a. Lawn mowers, portable barbecue grills, lawn furniture and other similar items shall be stored inconspicuously when not in use.
  - b. Standard hose racks may be permanently attached to the unit inconspicuously. Hoses, however, are to be stored inside during the off season.
4. Storage of garbage, garbage pickup & garbage containers.

- a. Garbage containers can be stored indoors, alongside the house or asphalt next to garage door.
- b. Garbage containers may be placed in front of the residence at dusk the day before collection and also on the day of collection, and must be removed from the front of the residence following collection by the end of the collection day.
- c. Trash, garbage, or other waste shall not be kept except in sanitary containers. All containers or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.
- d. Large items for trash pickup such as old appliances, carpeting, furniture, etc., shall be kept out of sight until the assigned trash collection day.
5. Outdoor storage or accumulation of items: No lumber, bulk materials, refuse, trash, appliances, machinery or other materials shall be kept, stored or allowed to accumulate on any lot, except building materials during the course of construction of any approved structure.
6. Firewood: Firewood and kindling shall be stored inconspicuously and must be kept neat and clean such that it does not attract pests such as insects or rodents. All wood is to be stored inconspicuously whereas not to be seen from the road.
7. Seasonal decorations: Seasonal decorations such as for Christmas, Easter and other generally recognized events or holidays shall be taken down within thirty (30) days after the event or holiday. Seasonal decorations are not to be stored outside in public view.
  - a. School and professional sports team decorations may only be displayed during the team season, i.e., football decorations during football season, soccer decorations during soccer season, etc.
  - b. Elections signs are allowed but must be removed 1 week after election, the placard is not to exceed 24" x 18"
8. Signs: All signs placed within the Arden Wood boundaries shall meet with the current Lancaster Township sign ordinance requirements as well as the following requirement:
  - a. No sign of any kind shall be displayed to the public view on any lot except one (1) sign of not more than six (6) square feet advertising that the lot or unit is for sale or rent and should be in good condition.
  - b. After a lot or unit has been sold or rented, signs advertising that the lot or unit has been sold or rented are to be removed within seven (7) business days.
9. Vehicles and vehicular storage
  - a. In general, all vehicles stored or parked in view from the road or a neighbor, whether on a lot or in a public parking area, shall be whole, in sound condition and fully operable, including a current inspection sticker.
    - i. Vehicles are to be parked in a driveway or garage whenever possible. Vehicles are not permitted to be parked on lawns or on or blocking sidewalks.
    - ii. No vehicle may be parked on the street for more that 3 days, (72 hours).
  - b. No motor home, travel trailer, boat, boat trailer, horse trailer, or any similar item shall be parked on any private lot if the item is in view from the road or in view from a neighbor.
10. Pets
  - a. Pets of any nature must be leashed properly *at all times* when outdoors. Leashes may not exceed more than six (6) feet in length. A pet need not be leashed if the pet remains on the pet owner's private property, or on other private property which the pet owner has permission to allow his or her pet to enter. The pet must be under control *at all times* and in accordance to Lancaster Township pet laws.

- b. Dog or other pet houses of any kind are prohibited outside.
  - c. Pets may not be tied on private property so that their chains or leashes allow them to enter the Common Area.
  - d. Pets may not be left unattended for an extended period of time, nor may they be permitted to create a nuisance or unreasonable disturbance of noise.
  - e. Pets must not be allowed to defecate or urinate in common park and playground areas.
  - f. Owners must clean up the excrement of their pet(s) and dispose of properly. Owners are to immediately remove the excrement from common or private property while walking their pet(s).
  - g. Pets are not permitted to enter the private lot of another resident without that resident's permission.
11. Antennae and satellite dishes
- a. Antennae and dishes shall not be greater than 24-inch diameter.
  - b. Antennae and dishes must be inconspicuous from the public eye.
    - i. Preferred placement is low on rear roof and the color must blend with roof.
    - ii. If rear roof is not a possibility, antennae and dishes should be located on the ground - front, back or side of building. They must be placed within a mulched bed area contiguous to the building and concealed with plant material or camouflaged rock.
  - c. All wiring must be done internally, or it must be concealed for both antennae and dishes.
12. Radon Mitigation Systems
- a. An Alteration Request form must be submitted prior to installation of a Radon Mitigation System.
  - b. The vent pipe extending towards the roof must be made of downspout material and of a color to match siding or downspouts.
  - c. The exterior fan is to be placed as close to the ground as possible and the fan shall be the same color as the vent pipe.
13. Rental Properties
- a. Any owner not living in the home/villa that is part of the Arden Wood Association must inform the management company of the person who occupies the unit within 10 days of said occupancy,
  - b. Property Rentals cannot exceed 5% of the total number of homes and villas. (24 homes and/or villas)
  - c. Any Leases must be a minimum period of twelve (12) months.

## **B. Specific Requirements Applicable Paired Villa Dwellings ONLY**

(These specifications are *not* applicable to single-family houses. They only apply to “duplex” homes as defined in Article I of the Declaration of Covenants, Conditions and Restrictions. See also Section II.A of Arden Wood Board Policy Resolution #1 for requirements applicable to all units.)

- 1. Services coordinated by Arden Wood
  - a. Unit siding, doors and front decks may not be painted or stained by the owner of a duplex without prior approval of the Arden Wood Board and Arden Wood. The frequency of such services shall be determined by the terms of the contract(s) signed by Arden Wood for such purposes and may change from time to time.



- i. Any change in building colors must be mutually agreed upon by all building unit owners and approved by the Arden Wood Board. An Alteration Request form must be submitted prior to the color change.
- b. Repairs or modifications to roofs, gutters & downspouts: Repairs to roofing materials, gutters & downspouts are the responsibility of the duplex owner. Roof shingles shall match existing roof single color and pattern. Gutters and downspouts shall match the existing ones on the unit in color and quality of workmanship. The "Request for Review" form shall indicate the point of discharge of the downspouts. Any change in the color of a roof must be mutually agreed upon by all unit owners and completed at one time. Arden Wood Board approval is required for change of color.
- c. Lawn care: The services for lawn and grounds maintenance on duplex private property will be coordinated and procured by Arden Wood. Homeowners are responsible, however, for the maintenance of planted areas on their private property (see Section II.A.2.h and General Requirements for All Units). The frequency of such services shall be determined by the terms of the contract(s) signed by Arden Wood for such purposes and may change from time to time. Property owners shall be informed of such terms with each new contract or contract extension.
  - i. Yards that have enclosed fences will only be mowed if there is an access point provided (gate must be 5’); if no access is provide mowing is the responsibility of the homeowner-
  - ii. Maintenance shall be the responsibility of duplex owners who have modified the originally installed landscaping, including mulch beds.
- d. Duplex budget & special assessments
  - i. At the annual meeting, it will be determined which services will be included, as part of the duplex budget for the following year, and the monthly duplex maintenance fees will be appropriately adjusted.
- 2. Screens and Storm Doors: Only full-view storm and screen doors are permitted on duplexes provided they match the original color of the crossbars on the windows installed by the builder or the original color of the trim by which these windows were bound by the window manufacturer. Storm door should coordinate with the color of the front door.
  - i. Retractable screens are permitted as long as they are part of a full-view door.
- 3. Patio and roof coverings
  - a. All patio and roof coverings require approval of the Arden Wood Board before installation.
- 4. House numbers: Numbers similar in style and color to those provided by the builder or those recommended or required by township ordinance are permitted. All units in a building should be uniform in size, style and placement of the numbers.
- 5. Permanent flower boxes and planters: Permanent flower boxes and planters require prior approval from the Arden Wood Board.
- 6. Landscaping – The HOA is responsible for landscaping as originally installed.
  - a. Additions or alterations
    - i. Landscaping work and planting, including vegetable gardens and flower gardens, do not require Arden Wood Board approval provided that:
      - a.) Planting materials are accepted types when in character with the community;
      - b.) They do not obstruct sight lines of vehicle drivers;
      - c.) Vegetable gardens are limited to the rear of the unit.
      - d.) Flower gardens, other than those originally provided by the builder, shall extend no more than four (4) feet from the front, back or side of a unit;

- e.) Edging — Arden Wood recommends natural plant edging by trench digging and then heavy mulching such as at our entrance. If a resident chooses to use other edging material, coordination with the rest of the building is encouraged. Plant bed edging does not require Arden Wood Board approval provided it is solid, four inches or less in height from the ground, of natural color and one of the following: 1.) Scalloped cement or stone; 2) wood - cedar or landscaping timbers; 3) subterranean black plastic with rolled edge. All others require Arden Wood Board Approval
  - f.) Mulch and flower beds may be placed around the tree in front of the duplex unit.
    - i. All other plantings or landscaping require Arden Wood Board approval.
  - b. Maintenance: Services for lawn maintenance on duplex private property will be coordinated and procured by Arden Wood. Homeowners are not permitted to cut their private property lawns or procure their own lawn care service in lieu of the association's lawn maintenance contract unless the yard is enclosed by a fence. (see Section II.B.1.c above). Homeowners are responsible, however, for the maintenance of planted areas on their private property. See General Requirements for All Units for further details.
8. Play Equipment
- a. Permanent play equipment is defined as any play equipment that customarily remains outdoors at all times, whether in use or not.
  - b. Non-permanent play equipment is all play equipment that is capable of being taken in and stored indoors when not in use.
  - c. Residents are not permitted to place permanent play equipment on Common Areas.
  - d. Non-permanent play equipment is permitted but must be taken in when not in use and when grass cutting is being done.
  - e. Wading pools for small children are permitted without Arden Wood Board approval provided they are no larger than one (1) foot in height and six (6) feet in diameter, they are placed at the rear of the unit, and they are taken indoors when not in use and when grass cutting is being done.
9. Outbuildings and storage sheds: Outbuildings and storage sheds may not be built on Villas Private property without HOA approval and must be constructed within the Lancaster Twp guidelines.
- a. The shed should be small in size up to 36 square feet.
  - b. Construction must be vinyl or resin.
  - c. Shed must be against the house and cannot be standing alone.
10. Patios
- a. A patio requires approval of the Board and:
    - i. Existing drainage patterns are not disturbed;
    - ii. Utility lines or pipes are not disturbed;
    - iii. Materials are in harmony with the design and color of the unit;
    - iv. They are constructed to the rear of the unit.
  - b. Patios requiring changes in existing grade, drainage patterns or retaining walls must be submitted for prior Arden Wood Board approval.
  - c. All roof coverings for patios require prior Arden Wood Board approval.
  - d. All other patios or changes to existing patios that are not addressed here require prior Arden Wood Board approval.
11. Decks and balconies

- a. For buildings that backup to the open space areas, new decks cannot block the other units' views.
- b. Decks can extend the length of a unit, leaving 12 inches at each end to allow for construction of adjacent decks, and not blocking clearance from the firewall on each end of the unit.
- c. A deck cannot extend more than 16' out from the house and stairs to the ground must be within setbacks.
- d. All decks constructed with a finished floor elevation more than eighteen (18) inches above finished grade will be required to have a handrail around the entire structure and on both sides of any stairway leading to grade.
- e. Materials can be Trex, or similar material, wolmanized wood, cedar, or redwood and must be approved by the Board. Paint and stain colors must also fit with the neighborhood and be approved by the Board.
- f. The Board shall have the right to require that the stamp of a registered architect or engineer be affixed to the request and plans submitted by a resident for the construction of a deck. Approval by the Board constitutes only an approval of the general arrangement, size, shape and aesthetic qualities of the improvement, and does not constitute approval of construction methods, materials or details.
- g. Under no circumstances shall the Board or Arden Wood be responsible for any construction failure, such as collapsing due to the design or the workmanship of the project.
- h. A deck will not be permitted to infringe upon or restrict adjacent unit's access to and from their property.
- i. All decks require prior approval from the Board. The Board will require approval by adjacent property owners and the submission of a building plan.
- j. Awning specifications for Balconies, Decks, and Patios:
  - a) The unit owner is responsible for all costs and labor related to the purchase, installation, maintenance and replacement of the awning. Maintenance and upkeep must be consistent with the general prevailing standard of the Arden Wood
  - b) Awnings shall be installed no earlier than March 1<sup>st</sup> and removed for storage no later than October 31 of each year. The unit owner is responsible for all removal, cleaning, storage and reinstallation cost.
  - c) The unit owner shall make application for approval of the awning in writing. The unit owner 's request shall demonstrate that the proposed alteration conforms to the regulations. In a duplex building, the Association will request advisory opinion of each unit owner in the building.
  - d) If the alteration infringes upon the right of free enjoyment of the common elements, the Association will have the right to deny alteration. If it is determined the alteration has become an eyesore, hazard or nuisance, the Association shall have the right to cause the alteration to be removed. Removal shall be within 15 days of notice at the unit owner 's expense. Arden Wood Board fine rules will be imposed for non-compliance.
  - e) Awnings installed on patios, decks or over balconies are to be retractable or stationary.
  - f) The front bar of the awning shall be a minimum of six (6) feet, eight (8) inches from the patio, deck or balcony surface.
  - g) Side drops of a maximum six feet down and six feet out from the unit are optional and permitted.

- h) The awning color shall coordinate with the siding color or trim of the building. plain, or striped colors are acceptable
  - i) Braiding shall be "Natural". No decorative additions (including, without limitation, fringe or monograms) are permitted.
  - j) All fittings shall be constructed of galvanized steel or aluminum. Frames shall be constructed of one-inch galvanized steel piping and must be attached to the balcony, deck or patio flooring. They may not be attached to any railing.
  - k) Installation of awnings shall be accomplished by laborers who are skilled in the installation of awnings.
  - l) The awning may not block the neighbors' sight line view.
12. Central air-conditioning compressors shall not be installed in front of the home.
13. Pools: Pools are strictly prohibited on duplex private property. (See 9.e above with regard to wading pools for small children.)
14. Clotheslines: Clotheslines of any kind are strictly prohibited.
15. Window awnings are not permitted.
16. Lawn furniture used in the front of the unit should be stored indoors or in the back when not in use.
17. Garage Door Replacement Specifications
- a. The unit owner is responsible for all costs and labor related to the purchase, installation, maintenance and replacement of the garage door/s. Maintenance and upkeep must be consistent with the general prevailing standard of the Arden Wood as set forth by the Homeowners Association.
  - b. The unit owner shall make application for approval of the garage door in writing. The unit owner's request shall demonstrate that the proposed alteration conforms to the regulations. In a duplex building, the Association will request advisory opinions of each unit owner in the building. All of the joint unit owners must agree upon the door selection.
  - c. The garage door specifications are as follows:
    - i. The door can be with or without glass as mutually determined by the joint unit owners.
    - ii. Installation of the alteration shall be done in a workmanlike manner and shall be accomplished by laborers who are skilled in the installation of garage doors.
    - iii. All units in a building shall be uniform as to garage doors: color, windows and materials in keeping with the original design.
18. Fencing: Fencing standards are in effect as of November 1, 2021.
- a. Fencing must be consistent; white or black aluminum, wrought iron, vinyl, and wood picket style are permitted. No fences on any Lot may extend beyond the back plane of any dwelling, flush with the house and no fence shall be higher than 6'. No chain link fence may be installed on any Lot.
  - b. Fenced yards will be mowed by the Associations (if adequate access is provided)
  - c. Fencing and screening must be finished materials on both sides when both sides are within public view.
  - d. Fencing will be limited to 6" in height.
  - e. All materials require Board approval. A manufacturer's cut sheet must be submitted along with an image of the proposed fencing.
  - f. Vermin fencing around vegetable and flower gardens is permitted during the growing season only.

- g. Vinyl privacy fencing on decks is acceptable as long as it meets the materials, color and height requirements.

### **C. Specific Requirements Applicable to Single Family Dwellings ONLY**

1. Homeowners are responsible for all replacements and repairs on their homes. For any changes in color or style they must submit a Alteration Request form.
2. Patios & patio coverings
  - a. A patio requires approval of the Board and:
    - i. Existing drainage patterns are not disturbed;
    - ii. Utility lines or pipes are not disturbed;
    - iii. Materials are in harmony with the design and color of the unit;
    - iv. They are constructed to the rear of the unit and rear back sides
  - b. Patios requiring changes in existing grade, drainage patterns or retaining walls must be submitted for prior Arden Wood Board approval.
  - c. All roof coverings for patios require prior Arden Wood Board approval.
  - d. All other patios or changes to existing patios that are not addressed in (a) through (c) require prior Arden Wood Board approval.
3. Fencing and privacy or decorative screens: Fencing standards in effect as of November 1, 2021.
  - a. If the fencing has only one finished side, that side must be placed on the "outside" facing neighboring residences.
  - b. Fencing and screening must be finished materials on both sides when both sides are within public view.
  - c. Fencing will be limited to black or white aluminum, vinyl, wood picket style and wrought iron
  - d. A five (5) ft gate is required to any area the owner wants the association to maintain landscape maintenance in accordance with the Association's current maintenance plan
  - e. All materials require Arden Wood Board approval. A manufacturer's cut sheet must be submitted along with an image of the proposed fencing.
  - f. Vermin fencing around vegetable and flower gardens is permitted during the growing season only.
  - g. Fencing will be limited to 6' in height.
  - h. Privacy or solid panel fencing on decks is acceptable as long as it meets the materials, color and height requirements.
4. Decks and balconies
  - a. All decks constructed with a finished floor elevation more than eighteen (18) inches above finished grade will be required to have a handrail around the entire structure and on both sides of any stairway leading to grade.
  - b. Materials can be Trex or similar product, wolmanized wood, cedar, or redwood and must be approved by the Arden Wood Board. Paint and stain colors must also fit with the neighborhood and be approved by the Board.
  - c. All decks must be constructed to the rear or side of the unit and not in the front.
  - d. The Arden Wood Board shall have the right to require that the stamp of a registered architect or engineer be affixed to the request and plans submitted by a resident for the

construction of a deck. Approval by the Arden Wood Board constitutes only an approval of the general arrangement, size, shape and aesthetic qualities of the improvement, and does not constitute approval of construction methods, materials or details.

- e. Under no circumstances shall the Arden Wood Board or Arden Wood be responsible for any construction failure, such as collapsing due to the design or the workmanship of the project.
  - f. A deck will not be permitted to infringe upon or restrict adjacent unit's access to and from their property.
  - g. All decks require prior approval from the Arden Wood Board. The Arden Wood Board will require the submission of a building plan.
5. Landscaping
- a. Additions or alterations
    - i. Minor landscaping work and planting, including vegetable gardens and flower gardens, do not require Arden Wood Board approval provided that:
      - a.) Planting materials are accepted types and in character with the community;
      - b.) They do not obstruct sight lines of vehicle drivers;
      - c.) Vegetable gardens should be limited to the rear or side rear of the units and not visible from the street.
      - d.) The removal of any live tree more than 6 inches in diameter at a point two (2) feet above ground level requires Arden Wood Board approval.
    - b. Maintenance: The Arden Wood Board shall have the right to enter upon any lot to cut, at the expense of the owner, grass which has been left unattended and allowed to gain a height of six (6) inches or more, provided however, the owner has been given five (5) days prior written notice to correct the problem. Consideration will be made for weather conditions.
    - c. Cleanup: The owner is responsible for the cleanup of any waste as a result of landscaping maintenance, and no landscaping materials are to be blown into the street or left on the street.
6. Play equipment
- a. All permanent play equipment must be maintained and is subject to inspection by the Arden Wood Board. This includes basketball standards (poles), backboards and hoops that can be viewed from the street. (e.g., Poles must be free from rust and chipped paint, backboards must be whole and in sound condition.)
    - i. All poles must be at least five (5) ft from the property line.
  - b. Wading pools for small children and sandboxes are permitted without Arden Wood Board approval provided they are not larger than six (6) feet square, and one (1) foot in height and are in the rear of the unit.
7. Outbuildings and storage sheds
- a. Storage sheds, maintenance, and other outbuildings may not be erected without approval of the Arden Wood Board.
    - i. Ranch Homes
      - o The shed should be medium in size 37-100 square feet.
      - o Construction must be in harmony with the exterior of home
      - o Must be constructed within the Lancaster Twp guidelines.
      - o The shed cannot be placed on a drainage easement

- ii. Two Story – Simply Ryan Homes
  - o The shed can be 100 but no more than 575 square feet
  - o Construction must be in harmony with the exterior of home
  - o Must be constructed within the Lancaster Twp guidelines.
  - o The shed cannot be placed on a drainage easement
- b. Approval of any outbuildings and storage sheds by the Arden Wood Board does not waive the necessity of obtaining the required township or county permits, which is the responsibility of the homeowner.
- 8. Mailboxes, newspaper boxes are not permitted.
- 9. All lamp posts must be properly maintained in an upright position.
- 10. Pools: All pools, except for wading pools, require approval of the Arden Wood Board. Only in-ground pools are allowed – no above-ground.

### III. Common Area Guidelines

Common areas, defined in the Declarations as "Common Facilities", means all real estate and improvements within the Planned Community which benefit all of the Houses and/or Duplexes in the Planned Community.

1. Storage of private property
  - a) Private property installed or stored on the Common Area by any individual without express written consent of the Arden Wood Board of Directors is strictly prohibited.
2. Vehicles
  - a) No motor driven vehicle, except maintenance equipment, is permitted to be operated on Arden Wood property, without prior written consent and, only then if the driver is properly licensed and the vehicle is operated in compliance with the Pennsylvania State Motor Vehicle Codes.
3. Alteration, removal or addition of plants, trees or shrubbery, and use
  - a) Alteration, removal or additions of plants trees or shrubbery by any individual without express written consent of the Arden Wood Board is strictly prohibited.
  - b) Residential units adjacent to or bordering common areas are not permitted to expand their yard by removing or planting trees, bushes, etc. on common ground. Homeowner can maintain areas that are not maintained by the HOA.
  - c) No resident shall dispose of any yard material or other waste on common ground. This includes but is not limited to grass clippings, tree limbs, discarded building materials, etc.
  - d) Alteration of the Common Area by any individual without express written consent of the Arden Wood Board is strictly prohibited.
  - e) Camping: Camping on the Common Area is prohibited without prior consent of the Arden Wood Board.
  - f) Damage to the Common Area
    - i Residents are responsible for repairing any damage to the Common Area caused by their use, the use of their guests, the use of their pet(s), or caused by movement of materials and equipment through the Common Area by residents or resident's guests.
    - ii Residents or residents who have guests that destroy or alter the Common Area as defined above in Section II are responsible to Arden Wood for the costs of restoring that Common Area to its original condition.

iii Parties on common grounds after dark are not permitted without Arden Wood Board approval.

## IV. Administrative Procedures

### A. ARDEN WOOD REVIEW BOARD - Architecture, Operations & Maintenance

1. Meetings: All "Alteration Request" forms will be reviewed *on a monthly basis* by the Arden Wood Board of Directors at their next scheduled meeting. Meeting dates and times can be obtained by calling the management company. Residents are encouraged to submit any Alteration Request forms at least *one week* prior to the next committee or Board meeting to ensure your request is reviewed. Failure to adhere to this advanced notification procedure could result in your request being held over for review until the next scheduled meeting.

**UNLESS IT IS CONSIDERED TO BE AN EMERGENCY SITUATION, ARDEN WOOD BOARD ALTERATION REQUEST FORMS WILL ONLY BE REVIEWED AT REGULARLY SCHEDULED MEETINGS.**

### B. "Alteration Request" Guidelines

1. Application procedures
  - a. Each homeowner will submit to the Arden Wood Board a written proposal for exterior additions, changes, alterations, or improvements to the property using the "Alteration Request" form. This form can be obtained from the RJCMTG.com web site or any member of the Arden Wood Board. The proposal will contain a description of the project, including the height, width, length, size, shape, color and location of the proposed improvements. Photographs or sketches of similar completed projects will aid in the Arden Wood Board's consideration process. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included.
  - b. Oral requests or approvals will not be considered or given. Each request must be specifically approved in writing by the Arden Wood Board, even though the intended improvement conforms to the Declaration of Covenants, Conditions, and Restrictions and Policy Resolution #1.
  - c. **No work shall be started on any project until the resident has received approval for the Alteration Request Form by the ARDEN WOOD BOARD.**
  - d. Processing the "Alteration Request" form
    - i. Alteration requests will be considered only for residents in good standing with the HOA. If there are any outstanding dues, fines or violations, an alteration request will not be considered.
    - ii. "Alteration Request" forms shall be mailed, e-mailed or delivered to the Management Company business address.
    - iii. The Management Company will stamp the date of receipt on the "Alteration Request" form. This date shall be deemed the date received by the Arden Wood Board and shall constitute the beginning of the sixty (30) day review period. If an Alteration Request is not approved within sixty (30) days of the Board Meeting the request is submitted for approval, the request will be considered approved.



- iv. After reviewing the applications, the Arden Wood Board will recommend one of the following:
    - a.) Approval.
    - b.) Disapproval based on:
      - i.) Insufficient information, or
      - ii.) Merit(Note: The Arden Wood Board must provide the applicant with specific reasons for disapproval. A written report on any such disapproval shall be provided by the Arden Wood Board of Directors within thirty (30) days of the determination.)
  - v. Arden Wood Board Approval
    - a.) Approval letter sent: The Arden Wood Board will either approve or disapprove the application and will send an appropriate letter to the applicant by way of the Management Company.
    - b.) Co-signatures are required: The Arden Wood Board requires the signatures of the adjoining property owners on Alteration Request forms.
    - c.) Approvals are valid for one (1) year: All approved requests are valid for one (1) calendar year from the date of the authorized Arden Wood Board approval.
  - vi. If a proposal is rejected, the applicant may request reconsideration and is encouraged to present new or additional information which might clarify the request or demonstrate its acceptability. Final appeal may be made to the Arden Wood Board. (See 2.b below)
  - vii. The Arden Wood Board will answer a request as promptly as possible. If the Arden Wood Board fails to reply to the applicant within gghg(30) days of the date received by the Management Company, then the request is considered to have been approved.
  - viii. The management company shall keep records of all Requests for Review noting the time of receipt, the unit number, the nature of the request, the date and action of the Arden Wood Board, and the date the answer was communicated to the party making the request.
2. Appeals procedure for disapproved "Alteration Request" proposals34433
- a. Appeals must be mailed, e-mailed or delivered to the Management Company business address at least two (2) weeks before the next Arden Wood Board meeting at which time a hearing on the matter will be held. The Arden Wood Board may choose to hold the hearing at a special meeting to be held within seven (7) business days of the regularly scheduled Arden Wood Board meeting.
  - b. The Arden Wood Board Chairperson and the applicant should be present at the appeal hearing. If any of these people cannot attend the hearing, the Arden Wood Board may elect to continue the hearing at its next regularly scheduled Board of Directors meeting or at a duly called special meeting.
  - c. Within thirty-one (31) days of the conclusion of said hearing, the Executive Secretary shall notify, in writing, the applicant and the Chairperson of the Arden Wood Board as to the Board's decision.

**C. Enforcement procedures for violations of Policy Resolution and of the Declaration of Covenants. Conditions and Restrictions**

1. Inspection: The Arden Wood Board shall be responsible for seeing that the management company inspects the individual units for possible violations of the Arden Wood Board standards and for failure of residents to submit a "Alteration Request" form.
  - a. Inspections may be made from the private property of a resident filing a complaint for violations in the rear of the units. Common ground may be used to view the rear of units as well.
  - b. The Arden Wood Board Chairperson shall be responsible for seeing that committee members investigate written complaints received from residents regarding violations.
  - c. The management company shall be responsible for conducting inspections of previously cited violations for compliance.
2. Corresponding fines and remedial measures for violations
  - a. Fine: If not corrected or responded to within fourteen (14) days, the first violation carries a fine of twenty-five dollars (\$25).
  - b. Fine: If not corrected or responded to within ten (10) days after the first notice, the citation for a second notice of the same violation is an additional fifty dollars (\$50).
  - c. Fine: If not corrected or responded to within ten (10) days after the second notice, the citation for a third notice of the same violation is an additional seventy-five dollars (\$75).
  - d. Fine: If not corrected or responded to after the third notice the fine shall accumulate at a rate of \$5.00 per day until corrected.
  - e. When the fines reach or exceed one hundred dollars (\$100), the Arden Wood Board has the authority to use the collection process prescribed in the Covenants and By-Laws.
  - f. If the Arden Wood Board determines that the owner will not correct a violation, the Board shall undertake to correct such violation, and the cost incurred by the Board in correcting the violation shall be added to the fine for the violation. The Arden Wood Board intends that any violator shall be solely responsible for all costs incurred to correct such a violation.
3. First notice upon violation
  - a. Letter sent by the management company to the resident and the owner (if not the resident) and a copy of the letter to the Arden Wood Board.
  - b. Extensions: An extension for the time to cure may be granted if a resident is unable to cure the violation in the time given. If the resident is unable or if it would be a hardship to correct the violation in the time given for cure, the resident shall, in writing, request an extension of the time to cure. The letter should be sent to the management company.
4. Appeals procedure for Notice of Violation and Fines
  - a. Appeals to Arden Wood Board decisions must be made in writing and sent to the Management Company. If the owner is not satisfied with the Arden Wood Board response to the appeal, they may appeal in writing to the Arden Wood Board of Directors.

**AT THE DISCRETION OF THE ARDEN WOOD BOARD, A LIEN MAY BE PLACED ON A RESIDENTIAL UNIT FOR FAILURE TO PAY A FINE AND FOR THE COST INCURRED BY THE BOARD TO CORRECT A VIOLATION THE UNIT OWNER REFUSED TO CORRECT.**

**A CERTIFICATE OF RESALE WILL NOT BE ISSUED IF THERE ARE ANY OUTSTANDING FINES, VIOLATIONS OR DUES.**

**IV. Implementation**

This policy resolution becomes effective as of the date written below. The Arden Wood Board of Directors may from time to time amend this policy resolution, as deemed appropriate, and including the amount of fines for specific violations. Any such amendment(s) will be appropriately communicated to all Arden Wood residents.

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date