

Barberry Woods Design Guidelines

In order to protect the property values of all owners, now and in the future, the Barberry Woods Architectural Review Committee (ARC) has been formed to review all residential and landscape plans, and to provide guidance when necessary. Homeowners have freedom in planning and building improvements to their homes, so long as the designs tend to preserve the charm and unity of the neighborhood as a whole, conform to these Guidelines, and Requests for Approval, where necessary, are made and approved by the ARC. Completion of all improvements shall be done in an expedient, consistent, and professional manner. Projects should not be begun and then stopped for an extended period of time without substantial progress toward completion.

The following standards shall guide the design of landscaping and improvements to the lots.

Requests for Approval:

1. All building and landscape plans for (i) fences; (ii) garages; (iii) sheds; (iv) decks, porches, and patios; (v) pools, ponds and other water features; (vi) other permanent structures; (vii) driveway and walkway changes; (viii) outdoor lighting; (ix) major landscaping changes; and (x) any other change or improvement not conforming to these guidelines shall be submitted to the Barberry Woods Architectural Review Committee for review.
2. Variances from these Guidelines may be approved on the basis of architectural and/or aesthetic merit, but will be granted in the sole discretion of the ARC.
3. The ARC will promptly review Requests for Approval and either approve the Request; require changes to be made; or reject the Request.
4. Any improvement made without required prior written Approval of the ARC, any activity or thing which violates the covenants and restrictions, or anything which, in the sole discretion of the ARC, does not conform with these Guidelines, may be required to be removed by the homeowner at the homeowner's sole expense, without any liability whatsoever to the ARC. In addition, the ARC and POA Board may, in their sole discretion, levy fines for issues including, but not limited to continued noncompliance or egregious violations.

Fences:

1. **Approval.** All fences shall require approval as to design and location prior to construction. ARC will review submissions and give approval as to the design and placement of the fence. Once approved, the homeowner will have the period of time set forth within the Approval notice to complete construction of the fence.
2. **Fence Location.** Fences shall be located within the boundaries of the lot. It is the responsibility of the homeowner/contractor to verify all property corners and boundaries. All fence location measurements should be made using the lot's iron

corner pins as reference. Using the house as a reference may lead to an error in fence location.

3. **Pickets.** All fences shall be constructed out of wood, faux wood, or vinyl pickets. The pickets may be evenly spaced or set together to create a privacy fence.
4. **Height.** The maximum height of any fence shall be six (6') feet.
5. **Painted White.** All fence panels visible from any public space (including streets, sidewalks, and boardwalks) must be painted within three (3) months of construction.
6. **Appearance.** All fences must be plumb, and the "nice" side must face the outside of the lot, meaning posts and cross pieces must face the inside of the yard. All gates must latch securely.
7. **Easements.** If the proposed fence is to be located within an easement as shown on the subdivision plat or on any other plat or survey or evidenced by any grant of easement, recorded or unrecorded, the ARC's approval of the fence is subject to the easement rights of those entities. Therefore, although the ARC may approve a fence to be constructed within the easement area on the owner's lot, the entity holding the easement may have the right to remove the fence. Construction of the fence in the easement area is at the lot owner's sole risk.

Outbuildings:

1. **Approval.** All garages, sheds, and outbuildings must be approved by the ARC prior to construction as to design and location.
2. **Location.** No garages, sheds, or other outbuildings (altogether "Outbuildings") shall be located within 3 feet of the property line. They must be located inside the setbacks applicable to the lot, and not encroach on any easements or wetlands buffers on the lot. Garages must be a minimum of ten (10) feet from the home. All Outbuildings shall be toward the rear portion of the lot, and shall not extend beyond the rear corner of the home, if at all practicable, and in no event shall the front corner of the Outbuilding extend beyond one-third of the length of the home as measured from its rear corner. Notwithstanding the foregoing, the determination of whether a lot is wide enough or deep enough for the Outbuilding requested shall be within the sole discretion of the ARC. Note while the ARC would like for every homeowner who desires a garage to have one, that a very significant portion of the lots in Barberry Woods are simply not large enough to accommodate a garage of any size, and very few are large enough to accommodate a two-car garage. If the proposed garage simply does not fit on the lot given the criteria contained in these guidelines and in applicable government rules and regulations, the ARC will not approve its construction.
3. **Size.** Outbuildings shall have minimum and maximum footprints to be established by the ARC.
4. **Use.** An Outbuilding is not allowed to be a separate dwelling unit.

5. **Garages.** Garages must be constructed of the same materials as the home. They shall therefore be constructed of hardiplank siding in the same dimensions as used on the home and shall have dimensioned "Architectural grade" shingles that match those on the home. The garage and its trim must match that of the home. Garages shall otherwise conform to the garages built by the builder. Garage doors shall conform with the height and width of the garage doors installed by the builder.
6. **Sheds.** Sheds must be constructed of wood or hardiplank and have shingled roofs. The shed and its trim must be painted to match that of the home.

Miscellaneous Improvements:

1. **Approval Required.** All driveway and walkway modifications, porches, decks, patios, privacy screens, arbors, pools, ponds, water features, and other permanent structures shall require prior written Approval from the ARC. Requests for Approval must be consistent with the recorded covenants and restrictions and these Guidelines. Approval is at the sole discretion of the ARC.
2. **Location of Improvements.** Improvements shall be located within the boundaries of the lot. No porches, decks, patios, ponds, or pools shall be located within 3 feet of the property line, or within any applicable setbacks or within any easements or wetlands buffers on the lot.
3. **Porch Size.** Screened porches and decks will be subject to minimum and maximum size limitations.
4. **Porch Construction.** Covered porches must be constructed of wood or hardiplank, have dimensioned "Architectural grade" shingles, and be painted to match the home. Screened porches consistent in design with those provided by the builder are preferred. However, those varying from that design will be considered on an individual basis.
5. **Gutters.** Gutters shall be unobtrusive and properly installed with a view toward proper drainage of the lot.
6. **Stone-Filled Driveways.** White or light colored crushed stone or pebbles may be used to fill the area between the two driveway strips. The material shall be of a fine grade and shall be kept in a neat and dirt and weed free condition at all times. The material shall not be permitted outside the driveway strips.
7. **Pavers in Driveways.** Natural-color or earth-tone bricks or pavers may be used between the driveway strips and on the outside of the driveway strips and along established walkways, provided the maximum width of bricks or pavers outside the driveway strips shall not exceed 12" at any point. Bricks or pavers must appear to be professionally installed and shall be at all times level and neat. The use of mortar is **strongly** encouraged, and may be required in the future if non-mortared pavers currently in existence begin to appear uneven over time. Grass shall not be allowed to grow up between the bricks or pavers. If driveway improvements at any time give an unfinished, irregular, or unprofessionally-

Miscellaneous ARC Issues:

All homeowners in Barberry Woods agreed to be bound by the covenants and restrictions when you closed on your house. They are in place to enhance the overall appeal of the neighborhood, ensure continuity throughout, and retain and increase property value. If everyone will do their part and respect these guidelines, Barberry Woods will be a much sought after place to live. We would like to clarify the following issues concerning elements of the covenants and restrictions:

1. **Boats and Trailers.** Boats and trailers shall be parked in garages only. Boats and trailers cannot be parked on the street at any time. Please seek alternate storage if you do not have a garage or your boat or trailer will not fit in your garage.
2. **Trash Cans/ Recycling Bins.** Trash cans and recycling bins shall not be visible from the street. Please place them in your garage, shed, or behind your home and out of view except on pick-up day.
3. **Satellite Dishes.** Satellite dishes should not be visible from the street. Homeowners are encouraged to place satellite dishes on the rear portions of their roofs or behind their homes. If this is not possible, homeowners shall use diligent efforts to ensure satellite dishes are not visible from the street through the appropriate use of landscaping.
4. **Floodlights.** Floodlights attached to building walls or roof eaves are permitted in rear yards only and should be placed with a view towards courtesy to your neighbors.
5. **Parking.** There shall be no parking in the street unless (i) you are caring for your lawn temporarily; (ii) You have guests whose cars will not fit in the driveway. Guest parking may last no longer than 2 or 3 days. After that other arrangements need to be made. If it is necessary because of the above reasons to park cars on the street, be aware and courteous of your neighbors' ability to get out of their driveways. Do not park directly across the street from another vehicle because it makes it difficult for other cars and emergency vehicles to get by. Do not park at any time on the grass, including on the grass between the curb and the sidewalk or any common area next to your home. Parking on CPW's lift station road is not allowed. We all understand how much of an inconvenience it is to play the "driveway dance", but that is something we are all going to have to get used to.
6. **Porch Furniture.** All furniture on front porches should be made of wood, wrought iron, or wicker. No plastic furniture or camping chairs please. Porch furniture should be a wood stain, white, black, or dark green. No patterns please. We encourage you follow the same furniture style throughout and to avoid mixing and matching.
7. **Yard Ornaments.** Yards ornaments of any kind (i.e., figurines, flagpoles, different mailboxes, birdbaths, sundials, etc.) are not allowed in the front yard.
8. **Outdoor Lighting.** Outdoor lighting in the front yard is subject to prior approval by the ARC. Please submit a request for this. Seasonal outdoor lighting during the Christmas season is permitted without prior Approval.

9. Use of Porches. Children's toys, bicycles, coolers, beach towels, beach chairs, beer kegs, etc. should never be left on the front porch or be visible from the street after use. Beach towels should be dried in the back yard.
10. Miscellaneous. Anything that changes the look of your home including but not limited to screen/storm doors, landscape lighting, and stepping stones needs prior approval from the ARC. If you choose to install unapproved items you may be required to remove them.

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installed appearance, the homeowner will be advised of such and will be required to correct the issue.

8. New Walkways. The addition of any new walkways or paths that are visible from any public space shall require prior Approval.
9. Miscellaneous. Changes to shutters and doors, to trim color or design, or any other improvements or modifications are subject to these Guidelines and the recorded Covenants and Restrictions and will be considered on an individual basis based upon harmony with existing structures and the community as a whole.

Barberry Woods

LANDSCAPE GUIDELINES

Appropriate landscaping is a critical component of the overall look and feel of Barberry Woods. All yard areas in Barberry Woods that are visible to passerby shall be landscaped.

1. **Lawns.** Lawns shall be properly seeded or sodded and subject to weed control and are kept in a neat and mowed / edged condition. All front lawns shall be sodded. Lawns shall cover at least 1/3 of front yards. We ask that anyone who owns property adjacent to a common area along the street care for the grass on that property when you care for your own.
2. **Grass Adjacent to Street.** The strip of grass between sidewalks and the street shall be properly maintained by the adjacent homeowner. Changes to it are limited to driveway improvements, which require pre-Approval, and the addition of beds and plants around mailboxes will also require pre-Approval.
3. **Mulch.** Shrubs or ground cover shall have mulch beds. All planting beds shall be raised slightly and contain undyed organic materials such as pine straw, shredded pine bark, and pine bark chips as mulch. These are the only acceptable bedding materials.
4. **Structures.** No structures (i.e. bird baths, figurines, flag poles, different mail receptacles) should be placed in the front yard.
5. **Edging.** Vinyl bed edging is permitted but it should be unobtrusive and its maximum height out of the ground should be 2 inches. The purpose of such edging is to keep mulch in the bed and grass out of the bed and should be installed as unobtrusively as possible to accomplish this purpose. Decorative edging such should at all times be plumb (never lean) and should at all times be neat and professional-looking. Avoid excessive gaps between edging pieces.
6. **Plant Choice.** We encourage you to go along with the existing landscaping when you add new plants. Design and variety of plants should blend from house to house. Too many plants or too many varieties are not desirable. Vegetable plants (tomatoes, corn, etc.) are not allowed in the front yard or where they are visible from the street. Every home is different and should have its own unique look, but please enhance what is already there by going along with the existing foliage. There are landscaping professionals in the neighborhood that can assist you with changes you want to make, and again, all material changes are subject to ARC approval. Please contact an ARC member with any questions.
7. **Maintenance.** Landscape materials should present an attractive presence and all landscape areas shall be properly maintained. Proper maintenance includes watering, mowing, weeding, edging, fertilizing, pruning, insect control, removal and/or replacement of dead or diseased plant materials and maintenance of drainage patterns and facilities. Please be courteous and control weeds on your lot - realize that seeds from weeds growing in your yard will blow into your neighbor's yard. All lots must provide for adequate erosion control whether that be through a seeded, sodded or mulched yard. Bare ground is not allowed on any lot.
8. **Miscellaneous.** Major additions or changes should be submitted to the ARC in writing, including a drawing preferably from a landscape company.