

GUIDELINES
FOR
ARCHITECTURAL CONTROL
PROVIDENCE SUBDIVISION
SECTIONS I, II, III, AND IV

Revised on October 21, 1997 by the Board of Directors
of the Providence Community Association.

All changes/additions made to your property or to the outside of your house must be approved by the Architectural Control Committee BEFORE any changes/additions are made! Unapproved changes/additions may result in legal action.

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INTRODUCTION

As stated in Article II, Section 2 of the Covenants, Conditions, and Restrictions governing all four sections of the Providence subdivision:

"No buildings or improvements of any character shall be erected or placed or the erection thereof begun, or changes made in the design thereof after original construction, on any Lot until the construction plan specifications and a plan showing the location of the structure or improvements have been submitted to and approved in writing by the Architectural Control Committee, or its duly authorized representative, as to compliance with these restrictions, quality of material, harmony of external design with existing and proposed structures and as to location with respect to topography and finish grade elevation."

Originally, the functions of the Architectural Control Committee were conducted by the real estate developer responsible for managing subdivision development. Now, the responsibility for this Committee has been passed to the Board of Directors of the Providence Community Association. Therefore, the Providence Board of Directors has established a resident Architectural Control Committee (ACC) to act within the Covenants, Conditions, and Restrictions governing all four sections of the Providence subdivision. The following guidelines are established to insure that architectural control is conducted in a manner consistent with the policy and intent as set forth in those Covenants, Conditions, and Restrictions as interpreted by the Board of Directors.

I. ACC ORGANIZATION

1. The ACC shall be comprised of at least three (3) members.
2. Chairmanship of the ACC shall reside with the member of the Board of Directors in charge of Deed Restrictions.
3. The remaining members of the ACC shall be appointed by the Board of Directors from a field of volunteer Providence residents to serve a two (2) year term.
4. The volunteer members of the ACC serve at the discretion of the Board of Directors, and may be removed or re-appointed as the Board decides

II. APPLICATION PROCEDURE

1. Submission:

- a. All applications for approval of exterior changes or improvements must be submitted to the ACC in writing by completing the application form currently in use by the ACC. Plans and specifications for any exterior change, addition, or improvement should be attached to the application.
- b. The ACC reserves the right to request any additional information deemed by it as necessary to properly evaluate the application. In the event the ACC requests additional information, the application shall be considered not properly filed until such time as that additional information has been received.
- c. All applications shall be mailed or delivered to the office of the Managing Agent of the Providence Community Association at the mailing address listed on the application form.

2. Review:

- a. The ACC shall endeavor to review each application as soon as possible after the date of its receipt. In the event the ACC fails to indicate its approval or disapproval within thirty (30) days after the receipt of the required documents, approval will not be required and the related covenants shall be deemed to have been fully satisfied.
- b. Each decision of the ACC shall be in writing, and shall include a statement of the conditions under which the application is approved, if any, or the reason(s) for disapproval.
- c. Unless otherwise stated in the ACC written response, all approved exterior changes, additions or improvements shall be completed within forty-five (45) days from the date construction or installation is commenced.
- d. The ACC retains the right to inspect completed work to insure compliance with the submitted plans and approved materials. Any changes, additions, or improvements found not to be in compliance with approved plans and specifications will be subject to ACC review and possible retroactive denial.

3. Appeal:

- a. In the event that the ACC disapproves an application, the applicant may submit an amended application with additional information considered pertinent to the application.
- b. All decisions of the ACC shall be final.

III. GENERAL GUIDELINES

The ACC shall consider the following factors upon review of each application:

1. Color and harmony with existing structures.
2. Quality and suitability of materials and construction.
3. Elevation, dimensions and location with respect to easements and building setbacks.
4. Completeness of plans and specifications in application.
5. Provisions of applicable statutes, ordinances, building codes and covenants, conditions and restrictions.

The approval of an application shall not be construed as a warranty or representation by the ACC that the change, addition, or improvement, as proposed or built, complies with any or all applicable statutes, ordinances, or codes, or as warranty or representation by the ACC as to the fitness, design, or adequacy of the proposed construction.

IV. WALLS, FENCES, AND HEDGES

1. No wall, fence, or hedge shall be erected or maintained nearer to the front lot line than the front building line of such lot, nor on corner lots nearer to the side lot line than the building setback line parallel to the side street.
2. No side or rear fence shall be more than eight (8) feet in height.
3. No chain link type fence construction will be permitted.
4. Appropriate fence and wall materials commonly in use for such purposes shall be used.
5. ACC recommended fence materials for posts and rails are cedar, cypress, redwood, wrought iron, treated yellow pine or similar treated wood. Recommended materials for pickets are cedar, cypress, redwood or wrought iron.

V. SWIMMING POOLS, SPAS, AND HOT TUBS

1. An application for a swimming pool, spa, or hot tub must include a plot plan showing the proposed location of the swimming pool, spa, or hot tub in relation to the property lines, building lines, existing structures, and existing or proposed fences.
2. No swimming pool, spa, or hot tub shall be approved unless the area in which the swimming pool, spa, or hot tub is to be located is enclosed by a fence of at least six (6) feet in height. Such a fence must already exist or be included as part of the proposed construction. During construction, the pool area must be enclosed with a temporary fence or barrier, unless a fence already exists.
3. All gates allowing access to the swimming pool, spa, or hot tub must be equipped with an automatic closing and locking device to provide for safety of children.

VI. OUTBUILDINGS

1. Any type of building which exists on a lot, other than the dwelling itself and a detached garage, shall be considered to be an outbuilding. This includes, but is not limited to gazebos, tool and/or storage sheds, and playhouses.
2. Multiple outbuildings used for the same purpose shall not be allowed.
3. Outbuildings used for storage purposes shall not exceed eight (8) feet in height and one hundred twenty (120) square feet of floor space.
4. The design and materials of any outbuildings must be harmonious with the main residence. No metal buildings, like materials, or construction.
5. All outbuildings must be located in the back yard, but must not be placed on or across any easement, rear setback line, or side setback line.

VII. PATIO COVERS AND DECKS

1. The design and materials of any patio covers and decks must be harmonious with the main residence and of like construction (no aluminum).

VIII. LIGHTING

1. Existing outside lighting may be replaced with new fixtures provided that the wattage of the new fixture does not exceed the wattage of the existing fixture or three hundred (300) watts, whichever is larger.
2. Existing gas lighting may be converted to an electric incandescent fixture provided that:
 - a. The incandescent bulb is a clear glass type.
 - b. The wattage of the bulb does not exceed one hundred (100) watts.
 - c. The lighting color is white.
3. New exterior wall, soffit, or pole mounted security lighting shall be permitted provided each lighting fixture does not exceed one hundred fifty (150) watts and the pole height does not exceed ten (10) feet.
4. New flood and spot lights shall be permissible provided the wattage in each lamp does not exceed one hundred fifty (150) watts and the wattage in each fixture does not exceed three hundred (300) watts. All fixtures should be mounted under an eave or attached to a soffit.
5. New gas lights shall be permitted subject to the annoyance clause below.

All new lighting which is approved by the ACC shall be subject to a sixty (60) day trial period to assure that the lighting is not objectionable to surrounding residents. If complaints are received within the sixty (60) day trial period, the lighting may be subject to review by the ACC which may result in a request to modify the installation to alleviate the complaint.

IX. PAINTING

1. Homes repainted with original colors do not require ACC approval, however, any change to the exterior paint scheme of an existing home, outbuilding, patio cover, or fence or the paint scheme of a proposed change, addition, or improvement, requires the approval of the ACC.
2. Exterior paint schemes which are not harmonious and detract from the overall appearance of the subdivision will not be allowed.
3. A color sample or "paint chip" of the proposed exterior color change or color scheme of any proposed change, addition, or improvement must be included with the application.

X. ROOFING MATERIALS AND ADDITIONS

1. The roof of any building (including main dwelling, garage, and outbuildings) shall be constructed or covered with (1) wood shingles or (2) asphalt or composition type shingles comparable in color, quality and appearance to wood shingles. The ACC requires at least 225 Lb./square shingles be used. "3TAB" shingles will not be approved.
2. The use of untreated wood shingles is not recommended by the ACC for fire safety reasons.
3. Additions to the roof, including but not limited to skylights and solar panels, require the prior approval of the ACC.

XI. MISCELLANEOUS

1. Awnings which are visible from the street in front of the lot shall not be permitted.
2. No satellite dishes 36" or larger will be allowed.
3. Circular driveways on the front portion of a lot shall require approval of a submitted plan showing remaining landscaped area and indicating percentage of area to be concreted.
4. Each garage, whether used for the storage of vehicles or not, must maintain the outward appearance of a garage.
5. No concrete which is visible from the street in front of a lot, whether a driveway, sidewalk, patio, or other improvement, shall be painted or stained any color.

XII. ENFORCEMENT

The Providence Community Association will take all steps necessary to assure compliance with the Declaration of Covenants, Conditions, and Restrictions. Any resident making exterior changes, additions, or improvements without the prior written approval of the ACC is in violation of these Covenants, Conditions, and Restrictions and is at risk of legal proceedings which will impose legal fees and possibly the modification or removal of the unauthorized exterior change, addition, or improvement.

Residents who make exterior changes, additions or improvements without prior ACC approval will be requested to submit an ACC form with plans, specifications and/or photographs for approval. If, upon sufficient notice, no response is received or the ACC form is disapproved and the violations are not corrected, the Providence Community Association will take the necessary legal steps to insure compliance with the applicable resolutions.