

ARCHITECTURAL REVIEW COMMITTEE GUIDELINES
FOR TOWNE LAKE

August 19, 1991

- *Revised May 8, 1992
- *Revised October 14, 1992
- *Revised January 19, 1993
- *Revised November 11, 1993
- *Revised March 10, 1994
- *Revised October 1, 1995
- *Revised July 18, 2000
- *Revised August 8, 2000
- *Revised November 9, 2000
- *Revised September 11, 2003
- *Revised June 1, 2005
- *Revised January 05, 2006
- *Revised September 7, 2006
- *Revised November 26, 2007
- Revised December 4, 2007
- Revised January 14, 2008
- Revised March 6, 2008
- Revised October 2, 2008
- Revised August 6, 2009
- Revised October 8, 2009
- Revised September 2, 2010
- Revised March 2, 2011
- Revised June 6, 2013
- Revised July 18, 2013
- Revised May 31, 2014
- Revised February 22, 2016
- Revised April 5, 2018
- Revised September 6, 2018
- Revised September 5, 2019**

- A. It is the intention of Towne Lake, through this Review Committee, to provide homeowners with the most pleasant environment possible in which to live. Quality control, as well as high standards, is to be the trademark for achieving pleasant living. It is with this in mind and for these purposes that these guidelines have been set forth in an effort that the tasteful, timeless, and aesthetically pleasing Architectural and Landscaping designs be incorporated into our "Towne Lake". These guidelines are for use by the homeowners during all phases of their respective residence design. These guidelines may be changed; altered; and/or waived from time to time by the Committee.

NOTE: NO ARC APPROVALS WILL BE GRANTED FOR ANY LOT WHERE EXISTING UNCORRECTED ARC OR COVENANT VIOLATIONS EXIST. (8/8/00)

B. PROCEDURE FOR SUBMITTAL TO THE ARCHITECTURAL REVIEW COMMITTEE IS AS FOLLOWS:

1. It is recommended that a contractor or homeowner submit preliminary designs of the intended residence to the Review Committee as early as possible. This is not mandatory, but it is provided for the submitter's convenience that any reworking of plans and specification will be

kept to a minimum at the final approval stage. An approval at this stage does not constitute approval for construction, but of the information presented. The submittals should include:

- a. Basic site layout with dimensions and size of all buildings.
 - b. Conceptual floor plans and two (2) elevations.
 - c. General list of proposed materials on residence.
 - d. Copy of soil test.
2. The Review Committee will review all information submitted and indicate approval, disapproval, or recommend changes to incorporate.
 3. For final approval, the Review Committee must receive finished plans before building construction; structural improvement; landscaping or other site improvement is made. Two (2) sets of final plans and specifications showing the proposed design, size, color, and choice of materials and location on lot shall be submitted with a check for \$200.00 to the Towne Lake Homeowner's Association for new construction. Plans that need modifications will be returned and will need to be resubmitted before final approval is granted. The ARC prior to any changes being made or additions being under construction must approve any additions or changes to the exterior/ landscape, fences or walls, etc. A check for \$50.00 must be attached to the request with drawings and estimates for changes. Allow at least one week for Architectural Review Committee approval. Re-submitted does not constitute additional submittal fees. When the plans are approved, the Architectural Review Committee will furnish a written statement approving the plans.
 4. The following items should be included in the plans:
 - a. Site plan at 1" – 20' minimum showing grading of lot for drainage, location of landscaping and type, location of buildings, access drives, exterior lighting, fencing, proposed pools, etc.
 - b. Floor plans and front elevations at W = 1'0", other elevations at 1/8" showing types and colors of all exterior materials. All walls, fences, pools, decks, signage, and porches should also be shown in submittal. See ARC Guidelines regarding fences.
 - c. A schedule showing interior finishes and square footages.
 - d. Further improvements of the building site, including re-roofing, after initial construction shall also be submitted to the Review Committee. Such information could be as simple as a material sample or picture or as involved as the above requirements.
 5. ARC approval will be denied to any member not current in dues. Delinquent is determined to be any member who owes beyond current Six (6) month billing period. (9/9/96)

C. SITE STANDARDS:

1. Maintenance:
 - a. All trees, shrubs, grass, and planting shall be maintained properly and free of trash and debris
 - b. All pools and the exterior of all houses shall be properly maintained and free of trash and debris (10/2/08)
 - c. The ARC is modifying the Covenant requirement of Paragraph 16h which states that trash can only be put out the day that a normal pickup is to be made to read "trash can only be put out after 4 P.M. on the afternoon prior to the day of a normal pick up for regular trash pickup **but can be put out any time the previous day for bulk pickup. (9/5/2019)**" **It is recommended that garbage cans be stored in as inconspicuous a location as possible. (9/5/2019)** These exceptions to the covenants are made pursuant

to Paragraph 16 (O) of the Covenants which authorizes the ARC to make exceptions as appropriate.

2. Landscaping:

- a. A landscape plan shall be required including appropriate trees, shrubs, and ground covers. This is acceptable in outline form depicting the planting concept.
- b. Only sodden yards will be allowed.
- c. Landscaping completed without ARC approval or inconsistent with landscaping shown on plan shall be subject to review and alterations by the ARC and it shall be the sole responsibility of the owner to comply with ARC recommendations.
- d. A minimum recommended by the ARC would include low shrubbery around the home and two (2) trees, exclusive of pine, for each yard area.
- e. Any trees to be removed from a lot must be approved by W. S. Newell or the ARC (Original trees on the lot prior to building.)

3. Lawn Furnishings and Play Structures:

- a. Flag poles, tree houses, rock gardens, bird baths, hanging plants, playground equipment, and similar structures are not permitted unless approved by the Architectural Review Committee, and in no case are acceptable in the front yard.
 - 1) Flag poles: Flag Poles - which are interpreted as a permanent structure, are prohibited. "Temporary" flag poles, that do not affect the neighbor's property and comply with the Flag Code of the American Flag, will not be challenged. Seasonal/holiday/decorative flags are permitted, as long as they are not considered offensive and kept in good repair. Temporary flag poles affixed on a house are acceptable; however, it is the responsibility of the homeowners to maintain the flag pole in good condition. (1/14/08)
 - 2) The final decision as to whether or not Flags are considered "offensive" will be made by the Architectural Review Committee/Board of Directors. (1/14/08)
- b. Any fixed sporting equipment, approved by the Architectural Review Committee, must be placed in back yard and shall not be visible from the golf course, lake or street unless approved by the ARC.
- c. No tennis courts shall be constructed on any lot.

4. Pools:

- a. The Architectural Review Committee must approve installation of Swimming pools, pool equipment, fences, and pool landscaping.
- b. Most 100-foot lots will accommodate a pool. However, there are lots in the Green Chase area that do not meet the ARC guideline requirements. There must be space for a 10-foot landscape area on each side of the pool (not including pool deck) and a 5-foot landscape area at the rear (not including a pool deck) before a pool proposal will be considered.
- c. Pool equipment such as pool pumps and filter systems must be located inside the fenced area. No sliding boards or other pool equipment exceeding the height of the fence will be permitted.
- d. Landscape requirements for ground cover shall be grass, pine straw, decorative stone, plant ground cover, or a combination of the above. Shrubby shall be the low growing type, not to exceed the height of the fence. Landscape plans must insure the view from behind the unit enhances the overall appearance of the neighborhood.
- e. Fence requirements for pools on the golf course and lake lots shall preferably be of architectural ironwork with masonry or stucco pilasters at all corners and gate openings (pilasters must match texture and color of house).

5. Fences, Rails, Walls:

- a. The Architectural Review Committee must approve all fences and walls. Quality, wood-grained composite privacy fences may be approved by the ARC on a case-by-case basis. (4/5/2018)
 - b. Chain link or wire fencing will not be permitted on any lot. Only metal fences will be allowed on golf course and lake lots. (8/8/00) any new construction or replacement of fences on golf course lots or water lots must be constructed or replaced with metal. (9/11/03)
 - c. Fence height for type "A" (golf course and lake lots) shall be a maximum of 48 inches above grade. Fence height for type "B" privacy fence shall be a maximum of 6 feet above grade. All six (6) foot privacy fences shall have masonry or stucco pilasters at front corners facing the street. (11/26/07)
 - d. One each (minimum) gate shall be required per stretch of back lot line fencing on lake or golf course lots.
 - e. All metal fencing shall be painted as called for by type "A" or "B" fence. (4/5/2018)
All Fences, whether wood or metal, shall have the face-side (finished-side) facing the outside of the homeowner's property; to include, the street side or neighbors property. Specifically, the runners and post shall face the inside of the homeowner's property. Should two homeowner's decide to share the fence (straddles both property lines) it will be left to the discretion of the homeowners as to which receives the finished-side facing the inside of the property. (1/6/06)
 - f. A 6' high wall or brick stucco or same texture and color as the main body of the house shall extend to the furthest edge of all rear patios located at the zero lot line side (at Green Chase patio home lots). Maximum linear length is 15 feet. A pilaster shall terminate this wall.
 - g. Lots 1A and 1B, Block A and Lot 10 through Lot 19, Block B, Towne Lake Plat #6 shall have a brick wall constructed within the beautification easement at the rear of each lot. Any fence or wall constructed along the side property line of these lots must taper to the height of the rear brick wall and must not exceed the height of said brick wall. Said tapering must begin fifty (50) feet from the back of said brick wall.
 - h. All fences must have brick or dryvit columns on the front corners; and if the fence backs up to the golf course or the lakes; the rear corners should also have columns. (9/8/99)
6. Antennas:
- a. All satellite dish installations must be done with ARC approval, and will only be allowed on the rear of the home and hidden from the view from the front of the homeowner's properties. Satellite dish must be round or oval shaped, small and unobtrusive, with dimensions not exceeding 24" wide. (3/6/08) (5/31/14)
 - b. T.V., radio, C.B. or other similar antennas will not be permitted.
7. Mailboxes:
- a. Towne Lake will have a commonly designed mailbox; which received approved by the Review Committee.
 - b. The developer shall install a mailbox at the completion of landscaping. Homeowner shall pay for, maintain, and replace the mailbox as required.
8. Concrete Driveways:
- a. All driveways, at the point where they join the street curb, shall conform to the standard approved by the City of Montgomery.

D. BUILDING STANDARD: DESIGN THEME:

- 1. Houses:
 - a. Buildings shall be traditional in nature.

- b. These building types shall exclude a southern charm and elegance and shall have veneer construction of brick, wood, stucco and/or dryvit.
 - c. Brick, which shall be selected from a list provided by the Architectural Review Committee, is preferred to be the dominant finish material for all residences. However, stucco and dryvit or EIFS systems will be acceptable as dominate finish materials.
 - d. Dryvit, or EIFS, and stucco colors shall be earth tone and approved by the ARC. (4/5/2018)
 - e. Paint colors are not provided but are subject to review and should be consistent and harmoniously repeated throughout all sides. The homeowner should request an approval to paint and state the color to be used prior to the actual work being done. No charge for this letter.
 - f. No artificial or simulated materials are acceptable; i.e. vinyl siding, etc. Metal covering will be allowed on windows and on soffit and fascia areas. (9/11/03). Limited use of hardy board or a similar material may be approved by the Architectural Review Committee on a case by case basis. (9/6/2018)
2. Roof:
- a. No light color roof will be acceptable and only a minimum slope of eight (8) to twelve (12) or greater will be allowed.
 - b. Openings in the roof should be kept to a minimum and should open to the rear of the house and be painted in same range of roof shingle.
 - c. All shingles shall be fiberglass shingles and colors shall be selected from a list provided by the Architectural Review Committee. Overhang on roof eaves shall be a minimum of twelve (12) inches and a maximum of sixteen (16) inches.
 - d. ARC requires that the shingles be Architectural Grade Shingles for all Towne Lake developments. No charge for this letter to re-roof the house.
3. Chimneys:
- a. All exposed chimneys must be constructed of brick, stucco, dryvit, or hardy board (4/5/2018) in a manner suitable to the proposed building style.
 - b. A material approved in advance by the Architectural Review Committee must enclose Spark arrestors.
4. Garages:
- a. Garages must open to the side unless otherwise approved. Garages are required in the Green Chase and Castle Pines area. In the Green Chase area on lots less than 50 feet at the street, the ARC may approve garage entrances facing the street. If the lot width at the street is between 50' and 55', the ARC will review the site floor plans and, at its own discretion, may approve garages opening to the street.
 - b. **Garage doors must be kept operable and shall be of the paneled type. It is recommended that doors remain closed when the garage is not actively being used or partially open for ventilation (9/5/2019).**
 - c. Ample parking shall be provided for vehicles.
 - d. VEHICLE PARKING: Vehicle parking on the street in front of houses shall be limited to temporary parking (limited time) of guests (guests are not someone residing with you for an extended period of time i.e., more than 24 hours) or resident vehicles in current use and currently licensed. Storing of automobiles, trucks, campers, boats, snowmobiles, motorcycles, motorbikes or any other vehicle of any other description in the street, driveway, yards of residences, in front of the principle building setback lines, is specifically prohibited. Such vehicles must be stored in garages. Vehicle parking in the yard shall not be permitted. Overnight parking on the streets is prohibited (12/04/07) (June 6, 2013)

- e. All yard/garage/estate sales shall be contained within the roofline of the house (nothing in the yard or driveway). Signs will be allowed within Towne Lake only on the day of the sale. (10/8/09) (5/31/14)
5. Windows:
- a. All windows shall be quality wood, wood clad, vinyl or composite material approved by the ARC (4/5/2018)
 - b. All operable windows shall be either double hung casement or awning type.
6. Building Height:
- a. Buildings shall not exceed two- (2) story construction.
7. Other:
- a. Window air conditioning units are not allowed unless approved by the ARC.
 - b. Condensing units should be located in the least conspicuous location as approved by the Review Committee.
 - c. Interior drapes, shutters, etc. should be compatible in style and color to the exterior of the building.
 - d. Solar collectors, if installed, should be located where installation is not visible from the street.
 - e. Paragraph 12 of the covenants states "No sign of any kind shall be displayed visible to the public view on any lot except one professional sign advertising the property for sale or rent, which shall be the approved Towne Lake sign purchased through representatives of the developers or the Association. In the case of signs used by a builder to advertise the property during the construction and sales period, only the Towne Lake approved sign shall be used." This requirement is modified to allow security company provided security signs in the landscape beds. This exception to the covenants is made pursuant to Paragraph 16 (O) of the Covenants which authorizes the ARC to make exceptions as appropriate. (July 18, 2013)
8. Storm & Screen Doors:
- a. Storm and Screen doors are not allowed to the exterior of the house unless approved by the ARC.
 - b. Storm & Screen doors approved by the ARC must be of aluminum or vinyl over solid wood core, and in a color that matches itself to the exterior door- frame of the house. Additionally, the door glass may be simple to ornate; however, it must be full view, and may be self-storing model that has a retractable insect screen. The exterior hardware e.g. door handles and kick plate must be of solid brass. (1/5/06)

E. VIOLATIONS AND REMEDY:

On the first violation of the covenants or ARC guidelines, a letter will be sent via the US Postal service to the property address with a notification as to what that violation is and if appropriate when that violation occurred and the time during which the violation must be corrected. If the violation is not corrected as indicated in the first letter, a second letter will be sent that indicates that the failure to correct the violation continues or has reoccurred and if the violation is not corrected by the date specified in the second letter, this will result in a \$100 fine. If the violation reoccurs or continues then a third letter will be sent by certified or registered mail indicating the \$100 fine and specifying the time frame to correct the problem before additional fines will be assessed periodically (weekly or monthly) until such violation is corrected. The board is under no obligation to notify the violator by telephone or personal visit. Any resident has the right of appeal to the board and may do so by notification to the President or Secretary 5 days prior to the regular board meeting to be held on the first Thursday of each month. (2/22/2016)

F. NOTE:

There is no longer a \$50.00 fee to obtain an ARC letter of approval for home improvements, replacements, additions and deletions from the present exterior of the house. You must however submit your request in writing along with copy of estimates or designs to the ARC before starting work. Mail request to P.O. Box 241234 or email to arc@townelakemontgomery.com and allow at least one week for the ARC to complete the review. If a homeowner decides to start the work prior to receiving the ARC approval, a \$50.00 charge may be added to their annual statement for this violation.

(Modified 9/2/2010)