

Olde Stone Way Resident Guidelines and Architectural Review Process and Application

July 2006

Olde Stone Way (OSW) is a planned community and law must give all home purchasers given a disclosure packet, which contains three key legal documents, along with other supplemental material, relating to the community. These documents are:

1. Public Offering Statement
2. Olde Stone Way Bylaws
3. Declaration for Olde Stone Way

The Public Offering Statement provides a description of the Planned Community. The “Bylaws” describe how OSW is governed. The Declaration describes how the real property (i.e. common land) shall be held, transferred, sold, conveyed, given, donated, occupied and used. The Declaration also describes restrictions, which apply to all homeowners. The deed to your property legally binds the owner to the Olde Stone Way Bylaws and the Declaration for Olde Stone Way.

All homeowners in Olde Stone Way are members of the Olde Stone Way Homeowners Association (OSWHA).

Per the authority given to it in the Declaration, the OSW Board of Directors has established these “guidelines” to:

1. Provide homeowners with a more clear and consistent explanation of the applicable community restrictions in the Declaration.
2. Provide homeowners with a brief outline of the Architecture Review Process together with a list of the most common matters that are subject to that process.

Although, we have tried to be as complete as possible in the preparation of these “guidelines”, the omission from this document of a particular type of property change does not mean that prior approval is not required or that the change will be approved. Per the Bylaws and Declaration, the Board has the right to amend these guidelines from time to time.

Homeowners and tenants are responsible for abiding by these guidelines, with the owners having ultimate responsibility.

SECTION 1. LIVING GUIDELINES

These guidelines help ensure that Olde Stone Way will continue to provide its residents with a pleasing living environment. Following these guidelines should not present a hardship to any considerate resident and they are essential to the preservation of the architectural and aesthetic beauty of Olde Stone Way and the quality of life for the residents that live here.

Section 1.01 OSW COMMON AREAS

There are 3 common areas (or open space areas) identified within the OSW development. Open Space Area 1 is located between lots 101, 94 and 102, 93 between Fairfax Lane and Early Lane. Open Space Area 2 is located between lots 120, 117 and 121, 116 between Saratoga Run and Fairfax Lane. Open Space Area 3 is the 3.9-acre plot of land located at the entrance to the development along Auburn Drive. This land belongs to all members of OSW. Structures of any kind, toys, sports equipment, vehicles, tools, garden equipment, etc. are not permitted to be located nor stored / parked there. Disposal of small tree branches, brush, grass clippings, etc. is not permitted. Disposal of non-vegetative items is strictly prohibited. It is not permitted to hunt or trap animals and birds in our common areas. Homeowners are responsible for cleaning up after their pets when walking through the common areas. Homeowners will be respectful of all property owners and property, which borders the Open Space Areas. Use of sports equipment that could damage property (i.e. golf balls, baseballs, softballs, etc) is not permitted. Cost of repairs for damaged property will be the responsibility of the individual.

Section 1.02 GARBAGE CONTAINERS (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 p)

No rubbish, trash or garbage or any other waste material shall be kept or permitted except in sanitary containers concealed from public view. Garbage containers may be placed on the street after dusk the day before the scheduled pick-up and should be removed within 24 hours after the scheduled pick-up. Neighbors can help if this “time window” cannot be followed due to trips, etc.

Section 1.03 LAUNDRY (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 u)

Laundry drying facilities including but not limited to posts and line and rotating type of equipment are prohibited unless such exterior laundry drying facilities can be completely screened from view of the adjacent/abutting lot or from any street upon installation.

Section 1.04 PETS (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 n)

Household pets shall at all times be kept on a leash or some other appropriate means of control (i.e. fence, electric fence). No pet shall be maintained outside the single-family residence. No doghouse or other constructed dwelling for a pet may be maintained outside the single-family residence. All deposits must be picked up. Barking dogs must be brought inside. Invisible fencing for dogs must be located a minimum of 2 feet from adjacent property lines.

Section 1.05 SIGNS (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 t)

Signs are not permitted anywhere except for temporary contractor signs at a residence which are permitted while work is being done. For Sale / For Rent signs are limited to one per residence. No signs are permitted at the entrances to OSW except for special OSW events or special real estate promotional events (E.G. open house) on the day of the event only. All signs must be removed immediately after the event.

Section 1.06 SWIMMING POOLS (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 hh)

No above ground pools are permitted. In ground pools are permitted and shall be constructed at the rear of the property of a single-family detached dwelling. At the rear will be defined as behind the rear building line of the dwelling as defined in paragraph (o) – a line extended from the rear exterior corners of the single family detached dwelling at a 90 degree angle to the side property lines of the Lot. Homeowners shall be required to work with Pool Contractor to meet all Township/County ordinances.

Section 1.07 GROUNDS AND APPEARANCE (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 dd)

All Lots are to be maintained in clean and sanitary condition and all lawns, shrubs and other vegetation shall be groomed and maintained regularly as needed.

Section 1.08 VEHICLES (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 v,w & x)

No commercial or non-passenger vehicles of any type and no unlicensed or non-operable motor vehicles of any type shall be permitted to remain overnight upon a Lot or upon any street within the Planned Community unless garaged. No motor homes, trailers, campers, boats, or other recreational vehicles may be parked on your property (unless housed in a garage) for more than 7 calendar days during any calendar year. All motor vehicle repairs should be conducted within the garage.

Section 1.09 GENERAL (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 aa & bb)

No noxious, unsightly or offensive activity shall be conducted upon any Lot or any streets within the Planned Community nor shall anything be permitted to be done thereon which may be or may become an annoyance or nuisance to other Lot Owners. If a Lot Owner believes that a nuisance or offensive practice is being committed, the Lot Owner may present the facts of his/her complaint in writing to the Executive Board. The Executive Board will then investigate the complaint and make a decision, which shall be conclusive. A notice will be sent to the offending Lot Owner. If the offensive activity continues, the complaining Lot Owner has the right to seek relief through legal action.

SECTION 2. ARCHITECTURAL REVIEW PROCESS

Homeowners wishing to make changes to the exterior appearance of their property must fill out an application (see end of this document), and submit to the Architectural Review Board (ARB), along with the appropriate documents. No work can begin until the ARB has reviewed the application, which may or may not include a site visit, the Executive Board has approved the final plans and responded with a written letter of approval. In the case of a rental property, the homeowners, not the tenant, must submit applications to the ARB. The application form and instructions can be obtained from a Board member. The completed application form can be dropped in the **OSW Drop Box**, currently at **36 Hartford Drive**, or can be mailed to the OSWHA at PO Box 269, Annville, PA, 17003.

The categories below represent a sampling of the types of initiatives, which can be undertaken only after the Executive Board approval has been obtained. The guidelines and application requirements for each of these types of projects is provided in subsequent sections.

- Additions (Section 2.01)
- Awnings (Section 2.02)
- Basketball Backboards (fixed) (Section 2.03)
- Decks (Section 2.04)
- Fencing (Section 2.06)
- Freestanding Storage, Sheds, Gazebos, and Pergolas (Section 2.13)
- Landscape Projects (Section 2.07)
- Patios (Section 2.08)
- Pools (Section 2.05)
- Retaining Walls (Section 2.10)
- Spas/Hot tubs (Section 2.11)
- Miscellaneous (Section 2.12)

Important Note – the list shown above represents initiatives most commonly encountered, but does not represent all initiatives, which require Executive Board approval. It is the responsibility of the homeowner to check with the ARB to determine whether a planned initiative is subject to the review process.

Please allow up to 60 days for the review and approval process for any and all requests.

In addition to the items mentioned above, there are items that will not be approved until an amendment to the Declaration has been recorded. The Declaration may be amended based on the procedures documented in Article V (page 13) of the Declaration. Based on Article 7, Section 7.1, Paragraph (b) of the Use and Development Restrictions, no building or other structure shall be erected, altered, placed or permitted to remain on any Lot other than a single family detached dwelling and a swing set, playhouse or combination thereof without a formal amendment to the Declaration filed at the Office of the Recorder of Deeds of Lebanon County. A more detailed definition of a playhouse can be found in the subsequent paragraphs of this document. For the purposes of review, a structure will be defined as freestanding, and is constructed with a floor, roof, and enclosed or partially enclosed sides. Some examples of structures are sheds, pool houses, gazebos, pergolas, etc. As a note pool houses were removed as allowable structures through the First Amendment to the Declaration recorded at the Lebanon County Office of the Recorder of Deeds on August 7, 2000.

Section 2.01 ADDITIONS (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 f)

General Considerations: Major additions often have an impact on neighboring property. Plans must be well thought out to minimize any adverse impact. Applicants should consult with neighbors while making plans. Drawings or preliminary plans may be submitted for review and comment before detailed plans are made.

Specific Details:

- The design must be compatible in scale, massing, character, materials, and color with the original house.
- New windows and doors should match, and be located to relate well with existing windows.
- Changes in grade or drainage must not adversely affect adjacent property.
- If possible, roof pitch should match the original roof.
- Roofing shingles must match the existing roof of the dwelling.

Your application should include:

- A plot plan (plat, site plan, or reasonable facsimile) showing the location of the proposed alteration or addition, the existing building, and property lines.
- Detailed construction drawings to scale, including a full view of addition, with elevations, as it will look attached to the existing structure. A view of the entire structure is necessary to help determine balance.
- A landscape plan, if applicable is required.

Section 2.02 AWNINGS (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 f)

Specific Details:

- Awnings must be compatible with the existing house colors. Any exposed frames must be painted to match the trim or dominant color of the house.

Your application should include:

- A drawing to scale of the awning configuration and the existing element to which it will be attached.
- A sample of the material large enough to show the true color or a color catalog picture of the requested awning.
- A plan of the house showing the location of the awning.

Section 2.03 BASKETBALL BACKBOARDS (FIXED)

General Considerations: On residential property, basketball backboards should be located and treated in such a manner as to keep them visually unobtrusive. In selecting a location, the applicant must also consider the effect the basketball backboard and its normal use will have on the neighbors and their property.

Your application should include:

- A site plan showing the proposed location of the backboard.

Section 2.04 DECKS and PORCHES (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 f)

General Considerations: A deck has a significant impact on the appearance of a house. Decks may also affect the privacy and right of enjoyment of adjacent residents. These two factors are strongly considered in the review of request for decks.

Specific Details:

- Modifications to existing decks must provide continuity in detailing, such as material, color, location of posts, design of railing, and use of trim.
- The size of the deck should be consistent with the scale of the house and yard.
- Decks with sunrooms, screened porches, and other heavy superstructures must be visually tied to the ground and architecturally integrated with the house.
- Integration is a function of size, color, design detailing, height above ground and relationship to ground.

Your application should include:

- A plot plan showing the house, the location of the deck/porch on the house, and the property lines.
- Construction plans, including details of railings, benches, doors, roof, etc.
- A drawing to scale or picture of the house elevation showing the location of windows, doors, etc. and the deck/porch.
- Photographs of the existing house where the deck/porch will be constructed.

Section 2.05 POOLS (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 hh)

General Considerations: In ground swimming pools are permitted and shall be constructed at the rear of the property of a single-family detached dwelling. At the rear will be defined as behind the rear building line of the dwelling as defined in paragraph (o) – a line extended from the rear exterior corners of the single family detached dwelling at a 90 degree angle to the side property lines of the Lot. Homeowners shall be required to work with Pool Contractor to meet all Township/County ordinances.

Specific Details:

- The design must be compatible in scale, massing and character with the lot size.
- Changes in grade or drainage must not adversely affect adjacent property.
- Homeowner must work with pool contractor to meet all township requirements and is responsible for accurate determination of all property lines.

Your application should include:

- A plot plan (plat, site plan, or reasonable facsimile) showing the location of the proposed pool, the existing building, and property lines.
- Detailed construction drawings to scale of the proposed pool.
- A landscape plan, if applicable is required.
- A fencing application, if no fence exists, per Section 2.06 below.

Section 2.06 FENCING (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 o)

General Considerations: Fencing may have both a visual and a physical impact on the adjoining property. Consideration must be given to the fencing concept and installation. An “open” type fencing is required. If the desired result is privacy, this should be addressed with shrubbery and landscaping. No fence may be constructed without the Executive Board’s prior written consent.

Specific Details:

- Fencing shall be no more than 60 inches in height. The fence rails shall be no less than 1/2 inch apart.
- Fencing setbacks shall be 2 feet from adjacent property lines and common land. (Note: if an easement or right-of-way exists on the side or rear property line, the setback for the fence shall be within the setback restrictions.) Please note: It is the homeowners’ responsibility to follow these setback guidelines. It is not the Board’s intention to go from yard to yard measuring the placement of homeowner’s fence. The Executive Board will however investigate written complaints only from those lot owners whose property directly borders the potential violation.
- Fencing may be placed within the 2-foot setback only if a waiver has been approved and signed by all affected bordering property owners. The waiver will only be effective for up to 6 months. If the requested fence has not been constructed within that timeframe, the waiver becomes null and void and a new waiver must be submitted. At no time can a fence be constructed on the property line without a signed waiver.
- Fencing bordering roads must meet township restrictions.
- Fencing will be constructed behind the rear building line of the single family detached dwelling. The rear building line is defined as a line extended from the rear exterior corners of the single family detached dwelling at a 90-degree angle to the side property lines of the Lot.
- The Board reserves the right to approve fence applications where the placement of the fence as defined above does not have a pleasant appearance based on the size and shape of certain lots.

Your application should include:

- A description of the fence design including type and dimensions.
- A foundation survey or scaled diagram showing the location of the house, property lines, and the proposed location of the fence and any gates.
- The materials and colors to be used. A photo of an existing similar fence or catalog photo of the requested fence should be submitted.

Unacceptable: The following will not be approved:

- Wood, plastic, chain-link or wire “fencing”

Section 2.07 LANDSCAPING PROJECTS

General Considerations: Landscape plans must be submitted for approval in the following situations:

- When required by the Olde Stone Way ARB as part of a submission for structural additions and alterations.
- When structural or decorative elements are to be included, e.g. arbors, bird baths, patios, planters, retaining walls, sculptures, landscaping lights, and walkways.

Landscaping plans need not be submitted if the plantings number less than (10) bushes/trees and are planted in a random pattern in the yard.

Specific Details:

- Structural elements introduced into open areas must not be intrusive and must be appropriate to their surroundings. Size, scale, color and material are important criteria for acceptability.

Your application should include:

- A plan showing the location of the plant material, existing buildings, and property lines.
- A schedule of plantings.
- A description and location of any structural elements.

Unacceptable: The following items will not be approved:

- Trees or plants of any kind that obstruct sightlines of vehicular traffic or that are detrimental to neighborhood property.

Section 2.08 PATIOS (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 f)

General Considerations: Patios should be located at the rear of the house.

Specific Details:

- Size of patio should be consistent with the size of the house and yard.
- Patios should be constructed with concrete, slate, flagstone, brick, wood or synthetic wood material.
- All patios will be reviewed with respect to their visual impact on adjacent property.

Your application should include:

- A foundation survey, or facsimile thereof, showing the location of the proposed patio, existing buildings, and property lines.
- The dimensions of the patio.
- A description of the materials to be used.

- If possible, a catalog picture of the materials used (stone, pavers, etc.)

Section 2.09 PLAY EQUIPMENT (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 kk)

General Considerations: Play equipment includes but is not limited to swingsets, trampolines, sandboxes and/or a small playhouse. Playhouse can be defined as a structure, which is constructed specifically for children to play and may only be used to store toys.

Specific Details:

- Play equipment must be placed to the rear of the dwelling 15 ft off the side property line and 25 ft off the rear property line. Please note: It is the homeowners' responsibility to follow these setback guidelines. Board approval is not required for the construction or placement of most play equipment, therefore it is not the Board's intention to go from yard to yard measuring the placement of homeowner's play equipment. The Executive Board will however investigate written complaints only from those lot owners whose property directly borders the potential violation.
- Fixed playhouses are **not** permitted (i.e. requires a cement foundation for construction and/or mechanical equipment to move once constructed)
- Doors should be no taller than 48 inches (i.e. constructed specifically for children) and 24" wide
- Playhouses shall be constructed with maintenance-free materials.

****** All types of swingsets and small movable playhouses made of durable, maintenance-free, plastic-like materials (i.e. Little Tikes construction material) do not require approval. Small non-fixed playhouses would be no taller than 5ft at the highest point nor greater than 4 ½ wide x 4 ½ ft long.**

Your application should include:

- A description of the materials to be used.
- A drawing to scale or picture of the playhouse, which will include dimensions, and the location of windows, doors, etc.
- A plan showing the location of the proposed playhouse on the lot. Plan should identify all property lines.

Section 2.10 RETAINING WALLS (ref. Declaration, Article VII, Use and Development Restrictions, Section 7.1 f)

General Considerations: Retaining walls should be as unobtrusive as possible and built to a minimum height needed to serve their function.

Specific Details:

- Materials may be brick, natural stone, square corner timbers, or concrete, depending on location and contextual relationship.

- Generally, rounded landscape timbers will not be approved due to their lack of stability when used to retain earth, the strong horizontal lines created by the juxtaposition of the timbers, and their “Lincoln log” appearance.
- The ends of the walls should be tapered into the ground rather than abruptly ending in space. If the height of the wall would require a railing to comply with county building codes, the applicant should consider stepping the wall in a terracing effect.

Your application should include:

- A plot plan showing the location of the retaining wall, any existing buildings, and the property lines.
- A section view showing the construction details including any change in property grade.
- A description of the materials.

Section 2.11 SPAS / HOT TUBS

General Considerations: Spas / Hot tubs should usually be located in the rear yard away from the adjacent property so that their use, presence, and noise of the mechanical equipment do not adversely affect the use of the adjacent property.

Specific Details:

- Spas / Hot tubs should be an integral part of a deck, patio or landscaping.
- Mechanical equipment, pipes and wiring should be concealed.
- Spas / Hot tubs should be screened from adjacent property.

Your application should include:

- A catalogue clipping, description, color, material and dimensions of the equipment.
- A plot showing the location of the equipment, existing structures and property lines.
- A description and / or photo or drawing of the type screening to be used.

Section 2.12 MISCELLANEOUS

General Considerations: There are many changes and additions that property owners can make to their property. The ones described on the previous pages are the most common. If your project is not included on the previous pages, refer to the one that is closest in concept to your project and use it as a guide for preparing an application to Olde Stone Way ARB. Leave your name and number on the application - for additional information contact any Board number.

Specific Details:

Consider your neighbors

Your application should include:

- A description of your project to include dimensions, color, materials, etc.
- A plan or diagram showing the location of the project, existing buildings, existing related architectural details, property lines, etc.