

Kendal Forest Architectural Guidelines

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1. Rules and Regulations

The Board of Directors of the Association shall have the power to formulate, publish and enforce reasonable rules and regulations concerning the use and enjoyment of the Common Properties and its elements. Such rules and regulations may provide for imposition of fines or penalties for the violation thereof, or for the violation of any of the covenants and conditions contained in this Declaration.

2. Use of Property

The Property shall be used for single family residential purposes and for purposes incidental or accessory thereto (except for a temporary office or building model to be used by Declarant or its agents).

3. Quiet Enjoyment

No obnoxious or offensive activity shall be carried out upon the Property, nor shall anything be done which may be, or may become a nuisance or annoyance to the neighborhood.

4. Animals

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot. Dogs, cats and other household pets may be kept, provided they are not bred or maintained for any commercial purpose. There shall be a limit of no more than three (3) household pets per lot. The location of and the materials used in the construction of any dog houses, runs and fences are improvements and require the review and approval of the Architectural Review Committee.

5. Appearance

It shall be the responsibility of each Property Owner, tenant, contractor or subcontractor to prevent the development of any unclean, unsightly, unkempt, unhealthy, or unsafe conditions of buildings or grounds on any Property which will tend to substantially decrease the beauty of Kendal Forest Subdivision, the neighborhood as a whole or the specific area.

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6. Offensive Behavior

No immoral, improper, offensive, or unlawful use shall be made on or of the Property, or any part thereof including roads and right-of-ways. All laws, orders, rules, regulations, ordinances, or requirements of any governmental agency having jurisdiction thereof, relating to any Lot or any portion of the Property, shall be complied with, by and at the sole expense of the Owner or the Association, whichever shall have the obligation to maintain such portion of the Property.

7. Business

No industry, business, trade, occupation, or profession of any kind, whether commercial or otherwise, shall be conducted, maintained, or permitted on any Lot, except that the Declarant or its agents may use any unsold Lots for sales or display purposes. Declarant or its agents may maintain a sales or rental office on the Property. Nothing herein shall be interpreted or construed to prevent the use of a portion of any structure as a home office or to prevent the occupant of the house from working from home, provided goods or services are not offered to the general public on the premises. No trade materials, inventories or equipment (except during construction on the premises) shall be stored or allowed on the premises.

8. Signs and Flag Poles

No Lot Owner shall display, or cause or allow to be displayed, to public view any signage, signs, placard, poster, billboard, or identifying name or number upon any Lot, vehicle, or any portion of the Common Properties, except as allowed by the Association pursuant to its By-laws or regulations or as required by local governmental authority.

Flag poles require approval from the Architectural Review Committee and may not be taller than 20 feet tall.

9. Fences, Walls and Hedges

No fence, wall, hedge or other mass planting shall be erected or permitted on any Lot, except as approved by the Architectural Review Committee. All requests must include a drawing of the fence location on a survey drawing of property.

Fences may be constructed of Wood, Vinyl or Vinyl coated chain link and may not be taller than 6 feet tall.

All supports for wooden fences must be on the inside of the entire fence. Fences are allowed in back yards only and may be installed on the inside of the property line.

All fences must be maintained including cleaning, staining or painting.

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10. Driveways and Parking Pads

Each residential structure on a Lot shall have a paved driveway of concrete extending from the paved portion of the subdivision street it abuts to the dwelling. It shall be a minimum of 16 feet wide at the street and may narrow down to no less than 10 feet. Parking pads must be adjacent to and connected to the driveway and constructed of concrete. Any additional driveways off a subdivision street to a dwelling or accessory building or parking pad must be approved by the Architectural Review Committee and constructed as stated above. All requests must include a drawing of the driveway or parking pad location on a survey drawing of property.

Gravel or Stone driveways and parking pads are not permitted.

11. Alterations

No person shall undertake, cause, or allow any alteration or construction in or upon any portion of the Common Properties except as directed by or with the expressed written consent of the Association.

No dwelling, building or other structure shall be commenced, erected or maintained upon the properties, nor shall any exterior addition to (including decks) or change or alteration therein be made (including changes or alterations in the color of exterior paint, siding, masonry or shutters) until the plans and specifications showing the nature, kind, shape, height, materials and location of the same have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Architectural Review Committee.

Homeowners must comply with Franklin County zoning ordinances and obtain all required town or county permits.

12. Common Properties Use

The Common Properties shall be used only for the purposes for which they are intended and reasonably suited and which are incident to the use and occupancy of the Property. All uses are subject to rules and regulations that may be adopted by the Association pursuant to its By-laws.

13. Vehicles and Parking

Adequate off-street parking space shall be provided by the Owner of each Lot for the parking of his automobiles and those of his family, guests and other invitees. Parking of motor vehicles on the lawn (grass) area of any Lot is prohibited. No motor vehicles or equipment of any kind may be parked on any subdivision street right-of-way, except as may be temporarily necessary to make deliveries of goods or services. No motor vehicles having more than two (2) axles or a load capacity of more than one (1) ton may be kept on any Lot. No unlicensed or inoperable vehicles, vehicles on jacks or under repair, campers, boats, trailers, motor homes, tractors or equipment shall be kept on any Lot, except inside an enclosed garage or accessory building or as otherwise permitted by the rules and regulations of the Association. No "four wheelers", "dirt bikes" or other recreational vehicles shall be operated on any portion of the subdivision streets.

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14. Minimum Housing Requirements

No structure of a temporary character, trailer, camper, tent, shack, barn or other out buildings may be used on any lot at any time as a dwelling. No mobile or modular homes are permitted on the property. All dwellings shall be built "on site" with conventional building materials.

15. Fuel Tanks

No fuel tanks of similar storage receptacles may be exposed to view. Any such receptacles may be installed only within an accessory building, within a screened area, or buried underground; provided, however, that nothing contained herein shall prevent the Declarant or the Association from erecting buildings and placing tanks or other apparatus on the Property for uses related to the provision of utility or other services to the Property.

16. Accessory Buildings

Without prior written approval of the Architectural Review Committee, no detached accessory building or detached garage for more than three (3) cars may be constructed on any Lot subject to these covenants. Only one detached structure subject to building restrictions in Article VIII, Section 3 shall be permitted and shall not be used for human habitation temporarily or permanently. Such accessory building may not be constructed prior to the construction of the primary dwelling. All garages must be attached to the main dwelling, unless the Declarant or the Architectural Review Committee approves in writing a permitted detached garage. All buildings shall maintain the same architectural continuity as main dwelling, specifically relating to exterior style, and materials used. All buildings must match the main dwellings siding and single color.

Any approved accessory building must comply with these covenants and Franklin County zoning ordinances. Accessory buildings must be 10 feet from property line and 30 feet from any road. All accessory buildings must be in the back of the property.

All requests must include a drawing of the building location on a survey drawing of property.

17. Subdividing

No Lot shall be subdivided or its boundary lines changed except with the prior written consent of the Declarant during the period of Declarant's control of the Association and thereafter by the Board. Declarant expressly reserves the right to re-subdivide, recombine or rearrange Lots within the subdivision even if such action results in an increase of the number of lots in the Properties.

18. Delivery Receptacles

No mail box or other receptacle of any kind for use in the delivery of mail, newspapers, magazine or similar materials shall be erected or located on any Lot or street right-of-way unless and until the size, location, design and type of material for the receptacle shall have been approved by the Architectural Review Committee.

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19. Antennas and Satellite Receiving Devices

All exterior antennas, towers, discs or dishes to be erected, including those used by Dish Network and DirecTV, must be approved by the Architectural Review Committee.

Antennas and dishes must be located to minimize their negative impact on the aesthetics of the neighborhood. All antennas and satellite dishes must be installed on the rear of any residential structure and all installation wiring must be concealed.

20. Firearms and Hunting

There shall be no discharging of firearms, guns, or pistols of any kind, caliber, type, or method of propulsion; and no hunting of any type shall be carried on or conducted on the Property.

21. Drying Areas

Clotheslines or drying yards shall not be located upon any Lot without the prior written consent of the Board.

22. Unsightly Growth or Objects

No weeds, underbrush or other unsightly growth shall be permitted to grow or remain on any Lot that has a dwelling constructed thereon and no refuse pile or unsightly objects shall be allowed to be placed or allowed to remain thereon. No disposal or burning of debris or organic matter shall be permitted within any drainage way ditches on any Property or along any road right-of-way within me Subdivision.

23. Trash Receptacles

Each Lot Owner shall provide receptacles for garbage in a screened area not generally visible from the road.

24. Pools

No above ground pools are allowed. All pools must be approved in advance of construction by the Architectural Review Committee.