

Blooms Crossing Owners Association

Design Guidelines & Rules and Regulations

September 2005

ARCHITECTURAL RULES AND REGULATIONS
FOR BLOOMS CROSSING

The Board of Directors, hereafter referred to as The Board, and the Architectural Review Board, hereafter referred to as The Committee, has prepared the following guidelines to supplement the Blooms Crossing Declaration of Covenants, Conditions and Restrictions and to assist property owners in planning numerous home improvement projects. The Committee reserves the right, from time to time, to make modifications, additions and deletions to these Architectural Guidelines.

It is important to remember that any exterior modification to properties within Blooms Crossing, especially those changes specifically described herein, **REQUIRE WRITTEN APPROVAL** from The Committee and that these guidelines do not eliminate the need for a formal approval from The Committee prior to beginning any project. When submitting a request to The Committee, please be as specific as possible with regard to the size, location, material, style and color of your particular project. Plans and/or plats should be submitted to the Committee with all applications.

PURPOSE OF THE GUIDELINES

The primary purpose of these Guidelines is to familiarize homeowners at Blooms Crossing with the objectives, scope and application of design standards and guidelines, which are intended and will be employed to maintain the aesthetic appearance and environmental quality of the Blooms Crossing community.

The Guidelines enumerate specific design standards and guidelines, which have been adopted by the Board of Directors of the Blooms Crossing Community Association. It also explains the application and review process, which **must** be adhered to by homeowners seeking approval for any exterior modifications or changes to their homes or lots, which are subject to approval by the Association.

These Guidelines will serve as a valuable reference source and will assist homeowners in preparing acceptable applications for review by The Committee. All homeowners are encouraged to familiarize themselves with its contents and to retain these Guidelines for future use.

BASIS FOR AND OBJECTIVES OF PROTECTIVE COVENANTS

The legal documents for the Blooms Crossing community contain covenants, including those pertaining to architectural controls. Legally, these covenants are a part of the deed for each home and are binding upon all initial homeowners and their successors in ownership, irrespective of whether or not these owners are familiar with such covenants.

The primary purpose of design covenants is to maintain environmental and architectural design standards for the entire community. The promulgation and enforcement of design standards is intended to achieve the following objectives:

- Maintain consistency with the overall design concept for the community;

- Promote harmonious architectural and environmental design qualities and features;
- Promote and enhance the visual and aesthetic appearance of the community.

The enforcement of design standards not only enhances the physical appearance of a community but also protects and preserves property values. Homeowners who reside in association communities, which enforce design covenants are protected from actions of neighbors, which can detract from the physical appearance of the community and, in some cases, diminish property values. In fact, surveys of homeowners living in association communities consistently reveal that this was an important consideration in their decision to purchase a home.

ROLE OF THE COMMITTEE

All homeowners at Blooms Crossing are automatically members of the Blooms Crossing Community Association. The Association is a non-profit, non-stock corporation, which owns, and is responsible for the upkeep and maintenance of all common properties within the community.

The Association is also responsible for the administration and enforcement of all covenants, which are applicable to property owners, including design covenants and restrictions. The Declaration for Blooms Crossing provides that responsibility for the enforcement of design standards shall be exercised through a Committee, the members of which shall be appointed by the Board of Directors of the Blooms Crossing Community Association.

The primary responsibility of The Committee is very broadly defined as follows (Article VII of the Declaration):

“...shall regulate the external design, appearance, and locations of the Properties and improvements thereon in such a manner so as to preserve and enhance values and to maintain a harmonious relationship among Structures, the natural vegetation, and topography.”

The Committee is to consist of three or more persons appointed by the Board of Directors. This Committee will be responsible for reviewing and approving (or disapproving) all applications for visible additions, alterations or modifications to buildings and/or lots. The Committee, in conjunction with the managing agent, will be responsible for participating and conducting periodic property inspections of the Community and identifying possible violations to The Board and managing agent.

The legal documents for the Blooms Crossing Community Association anticipate that one or more similar property owners associations may be created to govern and maintain a portion of the Blooms Crossing Community.

MODIFICATIONS REQUIRING REVIEW AND APPROVAL
BY THE COMMITTEE

The general conditions for the design review requirements are stated in Article 7, Section 7.5(a) of the Declaration for Blooms Crossing.

Unless specified herein, no person shall make any addition, alteration or improvement in or to any Lot (other than for normal upkeep or natural landscaping and not including areas within a building visible from the exterior only because of the transparency of glass doors, walls or windows) which is visible from the exterior of the Lot, without the prior written consent of The Committee. No person shall paint, affix a sign not permitted by the Rules and Regulations, or alter the exterior of any improvement located upon such Owner's Lot, including the doors and windows, if such exterior is visible from another Lot or the Common Area, without the prior written consent of The Committee.

Essentially, all changes, permanent or temporary, to the exterior appearance of a building or lot are subject to review and approval by The Committee. The review process is not limited to major additions or alterations, such as adding a room, deck, or patio. It includes such minor items as changes in color and materials. Approval is also required when an existing item is to be removed.

There are a number of exceptions to this otherwise inclusive review requirement.

1. Building exteriors may be repainted or restained provided that there is no color change from the original. Similarly, exterior-building components may be repaired or replaced so long as there is no change in the type of material and color.
2. Minor landscape improvements will not require an application. This includes foundation plantings, or single specimen plantings. In general, landscape improvements of a small scale which do not materially alter the appearance of the lot, involve a change in topography or grade and which are not of sufficient scale to constitute a natural structure will be exempt from the design review process.
3. Other improvements specifically identified in Section II of this document.

If there is any doubt as to whether or not a proposed exterior change is exempt from design review, and approval, homeowners should first seek clarification from The Committee before proceeding with the improvement.

**SECTION I
DESIGN REVIEW PROCEDURES AND GUIDELINES
RELATING TO CHANGES TO LOTS, LIVING UNITS, OR COMMON ELEMENTS**

1. GENERAL

A. Definitions

1. Single-Family Unit: As used in these Guidelines, the term "single-family unit" shall mean a detached, residential structure designed to house one family within its exterior walls.
2. Townhouse Unit: As used in these Guidelines, the term "townhouse unit" shall mean a residential structure designed to house three or more separate families within its exterior walls, each with its own separate living space but sharing one or more common party walls in a side-by-side configuration.

B. No exterior alteration, addition, or change may be made to Lots or Living Units or the Common Areas without prior application to and approval of The Committee, except as noted.

C. Certain changes and additions are prohibited.

D. All Owners are responsible for assuring that changes and additions are made only in accordance with the provision of these Guidelines.

2. APPLICATION, REVIEW, APPEAL, AND ENFORCEMENT PROCEDURES

A. Requirements for All Applications

1. Owners wishing to make any of the changes must submit the proper written application(s) to The Committee with all appropriate sections completed, including required submissions. A separate application shall be submitted for each improvement. A copy of the application is included as Exhibit A of these Guidelines. Application and review procedures, which will be used by The Committee, are detailed below.

- a. Applications. All applications for proposed improvements must be submitted in writing to the managing agent at least one week prior to the scheduled meeting dates.

Submissions must use the application, supplemental application and/or checklists authorized by The Committee. Supplemental applications are required for decks, fences, enclosed structures (such as sunrooms, screened decks, and additions), and storage sheds. A copy of the application, supplemental applications and checklists are included as Exhibit A. Applications must be complete in order to commence the review process. A separate application must be completed for each proposed improvement.

Incomplete or illegible applications will be returned to the applicant with a statement of deficiencies, which must be remedied in order to be considered for review.

Exhibit A
Blooms Crossing Homeowners Association
ARCHITECTURAL IMPROVEMENT REQUEST FORM

To: Architectural Review Committee
Blooms Crossing Owners Association
c/o Community Management Corporation (CMC)
12701 Fair Lakes Circle, Suite 400
P.O. Box 10821
Chantilly VA 20153-0821
(703) 631-7200

From: _____
Address: _____
Mailing Address: _____

Lot: _____ Section: _____
Home phone: _____
Work phone: _____

Directions:

The Declaration of Covenants requires that you submit to the Committee for approval of all proposed exterior additions, changes or alterations to your house or lot. In order to be considered by the Committee, your application must include the following:

- Detailed written description of improvement or supplemental application, if applicable.
- House Location Survey showing size, shape and location of improvement in relation to residence and to adjoining properties (including specific dimension of improvement and distances to adjoining properties).
- Manufacturer's brochure, if available.
- Color samples, if applicable. (Color must be noted)
- Architectural plans/drawings (for major additions/improvements).

Make sure your application is complete. An application submitted without all required submissions and illegible submissions will be considered incomplete. In such case, the Committee's review period will not commence until all required submissions have been provided. Other exhibits may be requested to permit adequate evaluation of the proposed change. If you have any questions regarding the required submissions or the application process, you are advised to seek guidance from CMC prior to submission of an application.

Type of Improvement (Select one)

- _____ Fence - Must include supplemental application
- _____ Deck - Must include supplemental application
- _____ Storage Shed - Must include supplemental application
- _____ Enclosed Structure - Must include supplemental application
- _____ Exterior Color Change
- _____ Playground/recreational Equipment
- _____ Other

Purpose of Improvement: _____

Description of Proposed Change: (Please print or type)

Describe the proposed improvement, alteration, or change to your lot or home. Please provide required details by attaching sketches, drawings, clippings, pictures, catalog illustrations, and a copy of your house location survey (recorded plat) with the

location of the modification marked, etc. to fully describe the proposed change. If required, also submit supplemental applications.

ESTIMATED STARTING DATE OF CONSTRUCTION: _____
(After approval by the Architectural Review Board)

ESTIMATED COMPLETION DATE: _____

Owner's Acknowledgements:

I/we understand and agree:

1. That approval by the Board shall in no way be construed as to pass judgment on the correctness of the location, structural design, suitability of water flow or drainage, location of utilities, or other qualities of the proposed change being reviewed.

2. That approval by the Board shall in no way be construed as to pass judgment on whether the proposed change being reviewed is in compliance with the applicable building and zoning codes of the City/County in which the property is located.

3. That approval of any particular plans and specifications or design shall not be construed as a waiver of the right of the Board to disapprove such plans and specifications, or any elements or features thereof, in the event such plans are subsequently submitted for use in any other instance.

4. That no work on the proposed change shall begin until written approval of the Board has been received by me; that, if work is begun prior to approval, I may be required to return the property to its former condition at my own expense if this application is disapproved wholly or in part; and I may be required to pay all legal expenses incurred.

5. That there shall be no deviations from the plans, specifications, and location approved by the Board without prior written consent of the Board; any variation from the original application must be resubmitted for approval.

6. That I authorize members of the Board or managing agent to enter upon my Property to make one or more routine inspection(s).

7. That construction or alterations in accordance with the approved plans and specifications must commence within 6 months of the approved date of this application and be completed within 12 months of the approved date, otherwise the approval by the Board shall be deemed conclusively to have lapsed and to have been withdrawn.

8. That it is my responsibility and obligation to obtain all required building permits, to contact *Miss Utility*, and to construct the improvements in a workmanlike manner in conformance with all applicable building and zoning codes.

9. That I am responsible for any damage and all cost to repair green space or community property that results from the proposed modification.

Owner/Applicant Signature _____ Date _____

Co-Owner/Applicant Signature _____ Date _____

Required Attachments: Descriptive information (typically plans and specifications, including sketches, photos, catalog illustrations, etc. showing the nature, kind, shape, color, dimensions, materials, and a copy of the survey with the location marked).

Signature of Adjoining Lot Owners (if required)

Printed Name and Signature	Address	Lot #	Phone Number

Fence Application Supplemental Checklist

Please read the entire application. Your application **MUST** contain the following information. Refer to the Handbook for additional details and fence standards.

INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED.

1. Please indicate the following on a copy of your legal site plat. The site plat should be located with your settlement documents.

- _____ Exact location of the fence
- _____ Exact placement of all gates
- _____ Style and location of fencing on adjacent lots

2. Attach a drawing of a segment of the proposed fence and gate(s) indicating the following:

- _____ Style of fence by name (privacy, board-on-board, picket, split rail, etc)
- _____ Specify other features such as dips, lattice, etc
- _____ Style and number of gates. Gate styles must match the fence style
- _____ Height of the fence (cannot exceed 6 feet)
- _____ Dimension of gates
- _____ Width of boards
- _____ Spacing between boards (if picket style)

3. Material to be used: _____

4. Will fence extend forward of the rear foundation? _____ Yes _____ No

If "yes", provide the following information:

Why? _____

_____ Depth of the foundation in feet and inches (i.e., dimension from the front of the foundation to the rear of the foundation.

_____ Number of feet (and inches) forward of the rear foundation being requested.
NOTE that the fence cannot be more than 50% of the depth of the foundation.

5. Fences shall not remain to weather naturally. Specify the stain that will be used to protect the fence if wood is being used. See the Handbook for allowable colors.

- _____ Manufacturer (Behr, Olympic, Benjamin Moore, etc)
- _____ Color Number and Name
- _____ Color Chip

Deck Application Supplemental Checklist

Please read the entire application. Your application **MUST** contain the following information. Refer to the Handbook for additional details and deck standards.

INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED.

1. Please indicate the following on a copy of your legal site plat. The site plat should be located with your settlement documents.

- _____ Exact location of the deck
- _____ Exact dimensions of the deck
- _____ Distances from deck to all property lines

2. Attach a drawing indicating the following:

- _____ Top view showing floorplan, stair locations and dimensions
- _____ Side view showing style and height of railings and any rail designs, gates, doors, etc.
- _____ Planters or plant hangers
- _____ Spacing between rail pickets

3. Please indicate:

Material to be used (wood or composite): _____
If using a composite material, list the brand and color above.

Other visible construction materials: _____

4. Decks shall not remain to weather naturally. Will the deck be:

- _____ Stained
- _____ Painted

Specify the stain or paint that will be used to protect the fence if wood is being used. See the Handbook for allowable stain colors. Paint color must match the existing siding color.

- _____ Manufacturer (Behr, Olympic, Benjamin Moore, etc)
- _____ Color Number and Name
- _____ Color Chip

Does the proposed paint color match the existing siding? _____ Yes _____ No _____ N/A
Color of house? _____

5. Will the deck incorporate a gazebo? _____ Yes _____ No
If "yes", please indicate the following on the deck drawings or separately.

- _____ Floorplan (show on deck floorplan)
- _____ Elevation (show with respect to the house)
- _____ Dimensions
- _____ Roof slope
- _____ Style or detail of door

Will the gazebo be screened? _____ Yes _____ No

If "yes", list specifications of the screen. _____

6. Will the deck incorporate a screened porch? _____ Yes _____ No

If "yes", please indicate the following on deck drawings or separately.

- _____ Floorplan (show on deck floorplan)
- _____ Roof slope (must be compatible with existing house roof)
- _____ Style or detail of door
- _____ Number of doors

7. If lattice will be used, specify where? _____

8. Will the deck incorporate an underdeck shed? _____ Yes _____ No

If "yes", please indicate the following on the deck drawings or separately.

- _____ Location
- _____ Dimensions
- _____ Elevation (show on deck elevation)

9. Will the deck incorporate an overhead trellis? _____ Yes _____ No

If "yes", please indicate the following on deck drawings or separately.

- _____ Location (show on deck floorplan)
- _____ Dimensions
- _____ Elevation (show on deck elevation)

10. Will the deck incorporate a hot tub? _____ Yes _____ No

If "yes", please provide a manufacturer's brochure and indicate the following on deck drawings or separately.

- _____ Location (show on deck floorplan)
- _____ Exterior finish

Storage Shed Application Supplemental Checklist

Please read the entire application. Your application **MUST** contain the following information. Refer to the Handbook for additional details and shed standards.

INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED.

1. Please indicate the following on a copy of your legal site plat. The site plat should be located with your settlement documents.

_____ Exact location of the shed

2. Attach a brochure or drawing of the proposed shed indicating the following:

- _____ Style of shed
- _____ Specify other features such as windows, planter boxes, etc
- _____ Size and quantity of doors
- _____ Dimensions of the shed (l x w x h)
- _____ Overall lot size (in sq. ft.)

3. Indicate what kind of construction materials (siding, shingles, trim, etc) will be used. (Note that the composition and color of all materials shall match those on the existing structure.)

Siding color _____

Shingle color _____

Type of Foundation _____

If shed will be painted, please provide the following information:

_____ Manufacturer (Behr, Olympic, Benjamin Moore, etc)

_____ Color Number and Name

_____ Color Chip

Does the proposed paint/siding color match the existing siding?

___ Yes

___ No

___ N/A

Color of house siding, trim and shingles? _____

Enclosed Structure Application Supplemental Checklist

Please read the entire application. An enclosed structure is a room addition, screened porch or deck, sunroom, etc. Your application **MUST** contain the following information. Refer to the Handbook for additional details.

INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL BE RETURNED.

1. Please indicate the following on a copy of your legal site plat. The site plat should be located with your settlement documents.

- _____ Exact location of the structure
- _____ Exact dimensions of the structure
- _____ Distances from closest points of structure to side and rear property lines

2. Please indicate the following on a separate drawing(s).

- _____ Floorplan of the structure (top view)
- _____ All dimensions of the structure
- _____ Front and side elevations of structure, showing it against a full view of the house
- _____ Height off ground
- _____ Roof pitch
- _____ Dimensions, placement and color of skylights and gutters
- _____ Dimensions and style of windows (Note that the style of new windows shall match the style of existing windows.)
- _____ Dimensions and style of doors (Note that the style of new windows shall match the style of existing doors.)
- _____ Dimensions of screens
- _____ Location of all stairs (show on elevations)
- _____ Indicate what kind of construction materials (siding, shingles, trim, etc) will be visible and where (Note that the composition and color of all materials shall match those on the existing structure.)

Unless notified to the contrary, homeowners should mail applications to the following address:

Architectural Review Board
Blooms Crossing Community Association
c/o Community Management Corporation
12701 Fair Lakes Circle, Suite 550
Fairfax, Virginia 22033

- b. Supporting Documentation. The application must include a complete and accurate description of the proposed improvement(s). In order to permit evaluation by The Committee, supporting exhibits will frequently be required. Examples include: a plat map showing the location and dimensions of the proposed improvement; architectural drawings or plans, as applicable; landscape plan; material and/or color samples, etc. The architectural guidelines and application form provide guidance with respect to the supporting documentation required for various types of improvements.
- c. Signatures. The applicant(s) must sign the completed application and supplemental applications for exterior architectural changes, requiring Committee approval. These cases are specifically noted throughout these Guidelines.

Owners of adjoining lots must sign all applications for fences, decks, storage sheds, swimming pools, and other major structural changes. These signatures ensure communication between lot owners and **do not** imply approval, consent or disapproval. Comments from adjoining lot owners may be solicited prior to The Committee's decision.

- 2. Verbal and walk-in requests **will not** be considered. Applications received directly by the Committee **will not** be considered.
- 3. Unless specified in this document, each alteration or addition must be specifically approved even though the intended alteration or improvement conforms to the Association's Founding Documents or these Guidelines, and even when a similar or substantially identical alteration or addition has been previously approved.
- 4. Approval for any project by the Association does not waive the necessity of obtaining the required City Government permits.
- 5. Obtaining a City Governmental permit does not waive the need for Association approval.
- 6. The Association will not knowingly approve a project, which is in violation of the local building or zoning codes.
- 7. Burden rests with applicant to demonstrate the acceptability of the proposal. Applicant must submit any submissions required by The Committee for an alteration or improvement of the type proposed. Applicant may submit with the application any additional material such as exhibits, petitions, photographs, experts' statements and the like that applicant

deems appropriate. Applicant may request an opportunity to appear before The Committee, along with any witnesses applicant desires to have testify.

B. Administrative Requirements

1. The Committee is required to provide notification to homeowners of the approval or disapproval of any proposed improvement within forty-five (45) days after the receipt of a properly completed application. Any application not so acted upon within the forty-five day period is automatically referred to the Board of Directors, which must act within fifteen (15) days after the first Board meeting following referral of the matter to the Board. However, the forty-five day review period will only commence upon the receipt of a complete application form, including any required exhibits. It is therefore advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application. The Committee shall notify an applicant, in writing, of any deficiencies in the application, which preclude consideration of the application and the commencement of the forty-five (45) day review period.
2. The Committee may delegate to a managing agent the responsibility for receiving applications and notifying applicants of the decision of the Committee. In such case, the review period shall commence upon the date of receipt of a complete application by the Managing Agent.
3. Applicant must inform The Committee in writing of the date on which construction starts.
4. If applicant desires to make changes during construction a review application must be submitted to The Committee, which shall promptly act upon the revised application.
5. Applicant must provide The Committee with notice of completion.
6. Upon completion, The Committee may, at the request of the owner, inspect the living unit, lot or Common Areas and, if satisfied that construction is in compliance with approved plans, will issue a Certificate of Compliance.

3. RESULTS OF REVIEW

- A. The applicant shall be informed in writing of the decision.
- B. If the applicant fails to receive a reply indicating a decision within forty-five (45) days from receipt of the application and submissions, the request shall be considered to have been approved.
- C. If a proposal is disapproved or approved with stipulations, the reason(s) for disapproval or stipulations shall be stated as part of the written decision. Notice of such decisions shall be sent to applicants by certified mail.

- D. Incomplete applications must be updated and resubmitted to The Committee. The Committee shall respond to a request for reconsideration of a decision within forty-five (45) days from the date of receipt of such request.
- E. If the application is disapproved by The Committee, the applicant may appeal the decision to the Board of Directors, pursuant to the procedures for appeal set forth in these Guidelines. Request for appeals must be received within 30 days.
- F. Copies of all Requests for Review will be filed according to unit number, along with the written decision and a statement of action taken, if any. There will be a cross-index, which categorizes cases into types, for future reference. This index shall be made available, upon request, to any Owner considering an alteration or improvement to his home or lot.
- G. All approvals shall expire six months after the date of approval if the item approved has not been started. If an approval expires, a new application must be submitted.
- H. The exterior of any new structure and the related grounds must be substantially completed in accordance with the plans and specifications approved by The Committee within twelve (12) months after construction has commenced, except that the Committee may grant extensions where completion is impossible or is the result of matters beyond the control of the owner or builder, such as strikes, casualty losses, national emergencies, or acts of God.

4. APPEAL OF THE COMMITTEE TO BOARD OF DIRECTORS

- A. Rights of Owners. Homeowners who have submitted design review applications may appeal final decisions of The Committee and, if necessary, may appeal to the Board of Directors in accordance with the procedures detailed in these Guidelines if such action is taken within thirty (30) days of the receipt of the decision of The Committee.

A homeowner who has not submitted a design review application, but who wishes to appeal a decision of The Committee, may do so by submitting an appeal in writing to the Board of Directors in accordance with the appeal procedure detailed in these Guidelines.

- B. Appeals Petition. Appeals petitions must be in writing using the Appeals Petition Form shown in Exhibit B.

Exhibit B

BLOOMS CROSSING HOMEOWNERS ASSOCIATION
APPEALS PETITION FORM

To: Architectural Review Committee
c/o CMC
P.O. Box 10821
Chantilly VA 20153
(703) 631-7200

Name of Applicant: _____

Address: _____

City: _____ State: _____ Zip: _____

Blooms Crossing - Lot: _____ Block: _____ Section: _____

Telephone (H): _____ (W) _____

(I)(We) hereby petition the Board of Directors to hear an appeal of the decision of The Committee:

Application/Case Number: _____

(I) (We) further understand that within the Association the decision of the Board of Directors on this issue is final.

Applicant Signature

Date

Co-Applicant Signature

Date

- C. Board Decision. The Board of Directors shall act within thirty (30) days following receipt of an appeals petition and notify the applicant in writing of the Board's decision. The Board may sustain or reverse a decision of The Committee. Two-thirds of the Board of Directors shall be required in order to reverse a decision of The Committee. All Board of Directors' decisions are final.
- D. Appeals Procedure. The Board of Directors must receive an appeal by a non-applicant homeowner within ten (10) days following the date of the decision of The Committee, which is the subject of the appeal. The appeal must detail the specific reasons why the decision of The Committee is being appealed.

Upon receipt of such an appeal, the Board shall notify the homeowner whose approved design review application is the subject of an appeal by certified mail, return receipt requested, within forty-eight (48) hours after the date of receipt of an appeal by the Board. This notice shall inform the homeowner that the Board of Directors pursuant to an appeal is reviewing the decision of The Committee and that the homeowner should not proceed with any improvements until notified by the Board that the decision of The Committee has been affirmed.

The Board must provide a written response to both homeowners within fifteen (15) days after the date of receipt of the appeal by the Board. This response shall be sent by certified mail, return receipt requested.

5. PROCEDURES FOR MONITORING AND ENFORCING COMPLIANCE

The Declaration empowers The Committee and the Board of Directors to enforce compliance with the Association's design standards. The following enforcement procedures will be used to ensure compliance.

- A. Inspection. The Committee and/or managing agent shall periodically survey the Community for compliance with design standards.
- B. Alleged Violations.
 - 1. A violation may be observed and reported to the managing agent by a member of the Board, Committee, managing agent, or a homeowner. In the case of homeowners wishing to report a potential violation, a written notification should be transmitted to The Board, The Committee or managing agent.
 - 2. The alleged violation will be confirmed by a site visit by a member of The Board or The Committee, responsible for monitoring covenants violations or the managing agent.
 - 3. The managing agent will contact the resident in violation by letter advising them of the violation and requesting appropriate action to remedy the violation. Notice will be sent by certified mail where the violation is deemed to involve an immediate emergency or where such violation, if not remedied, will increase or enhance with the passage of time.

4. If the violation continues for thirty (30) days after notification to the resident in violation (or if no substantial progress is made in curing the violation, where such remedy would require more than thirty (30) days), a letter will be sent by certified mail to the resident in violation. This letter will provide notice that the violation must be remedied within thirty (30) days from the date of mailing of the letter (or alternatively, that the resident in violation must submit to The Committee a written application, including timing, for the abatement of the violation within a reasonable period of time, where such violation cannot be cured within the thirty (30) day period).
5. If the violation is not abated within thirty (30) days from the date of mailing of the certified letter (or if progress is not being made to abate such violation in accordance with a plan agreed to by the resident in violation), the managing agent will send the resident in violation a certified mailing informing the resident of the time and place of a formal hearing by The Board, in accordance with the process and procedures set forth in these Guidelines.
6. As a result of this hearing, The Board may take appropriate actions, which include:
 - a. Referring the matter to legal counsel for appropriate action to secure compliance with the Association's Legal Instruments.
 - b. Assessing fines for each violation.
 - c. Requesting the Owner remove the unacceptable improvement or restore the affected area to its' condition before the change.
 - d. As applicable and in accordance with the Declaration, have the Association or an agent of the Association enter the property of the resident in violation, correct the condition(s), which constitute the violation, and impose a special assessment upon the lot for the full costs incurred by the Association in correcting the violation.
 - e. Imposing a charge in the form of an assessment upon the lot.
 - f. Notifying the Mortgage Company of the violation.
7. The above procedures do not preclude the Board of Directors from taking accelerated measures in the case of a violation which constitutes an emergency situation or for seasonal maintenance issues (e.g., lawn maintenance or painting), provided that the resident in violation has been properly notified by certified mailing and that the Board's actions are consistent with the provisions of the Association's legal documents. Likewise, the Board may establish shorter notification periods for the correction of violations of Rules and Regulations and Design Standards where the homeowner shall not be disadvantaged by a shorter notification period for compliance.
8. The above procedures do not apply to the failure of an owner to maintain a lot in good order and repair and free of debris. All owners must maintain their lots in accordance with the property maintenance standards detailed in Item 8 below. In the event of non-compliance

with maintenance standards, the Board may, after seven (7) days written notice to the owner (or such longer notice period as determined by the Board), authorize the Association, or agent of the Association, to enter upon the owner's lot and to perform any required maintenance at the expense of the owner.

6. RIGHTS OF DECLARANT

Nothing contained in these Guidelines shall be deemed to limit or otherwise affect the rights of the Developer as set forth in the Association Legal Instruments.

7. DESIGN GUIDELINES

A. General

1. Conditions for Architectural Control

No improvements, alterations, repairs, change of paint colors, excavations, changes in grade or other work which in any way alters the exterior of any Lot or Living Unit, shall be made or done without the prior approval of The Committee, unless specifically stated in this document. No structure (permanent or temporary), modification or fence shall be commenced, erected, maintained, improved, altered, made or done on such property without the prior written approval of The Committee.

2. Aesthetic Conditions

Nothing shall be kept or stored on the exterior of the lots or common areas, which would create an unsightly condition. This includes, but is not limited to; refuse containers, trash or rubbish, machinery and equipment, lawn equipment (to include wheelbarrows), building materials, etc.

3. Architectural Guidelines

The Board of Directors may adopt architectural guidelines, which establish detailed guidelines, and approval procedures related to permitted and prohibited changes to the Lots or Living Units. These Guidelines may be periodically updated and modified by the Board of Directors.

4. Materials and Colors

- a. Only the exterior materials existing on the parent structure or compatible with the architectural design character of the community will be approved.
- b. All exterior color changes must be approved by The Committee. Exterior color changes will be approved only if the proposed color is in harmony with the existing homes in the community or if the color is similar to the colors originally employed in the community. Approval is not required to repaint or restain a home using the same color originally employed.

- c. In general, only those areas that are painted may be repainted; only those areas that are stained may be restained; unpainted surfaces and unstained areas, such as brick, shall remain unpainted and unstained.

B. Architectural Review Criteria

There is an advantage to architectural standards and guidelines, which provide definitive "do's" and "don'ts," with no resort to judgment or discretion. Such specificity provides clear guidance to homeowners as to whether or not contemplated improvements will be permitted.

To the extent possible, specificity has been incorporated in the design standards. However, total specificity is neither possible nor desirable. The appropriateness and acceptability of particular improvements, particularly those of a major nature, may depend on a number of circumstances and factors, which must be documented and evaluated on a case-by-case basis. An improvement, which is appropriate for one type of housing, lot size and location, may be inappropriate in another situation.

The criteria listed below provide the basis for both the development of architectural guidelines and the evaluation of individual architectural proposals by The Committee.

1. Architectural Compatibility. The proposed modification or improvement should be compatible with the architectural characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, and similar use of materials, color and construction details.

Any commercial properties developed at Blooms Crossing will also be subject to appropriate design standards and an approval process for modifications. These design standards will be developed by The Committee and adopted by the Board of Directors of the Blooms Crossing Community Association.

2. Scale. The scale of the proposed improvement should relate to the size of the applicant's home, the location and size of the lot, adjoining homes and surroundings. This criterion applies to both structural and landscape modifications.
3. Impact on Neighbors. The proposed improvement should relate favorably to the landscape, the applicant's home, adjacent homes and the neighborhood. Consideration will be given to both visual and functional impacts on neighbors. Visual impact refers to the aesthetic appearance of the proposed improvement, which includes consideration of design quality, scale, location and architectural compatibility. Functional impact refers to such concerns as view, sunlight, ventilation and drainage. Examples of adverse functional impacts include structural additions, which would cause a material loss of sunlight or ventilation to a neighboring dwelling, and an alteration in topography, which would change natural drainage patterns to the detriment of a neighboring property.

4. Color and Materials. Continuity or compatibility of color and finishing materials with the original construction and surrounding dwellings will be a specific consideration in evaluating the appropriateness of proposed improvements.
5. Relationship to Environment. Proposed improvements should not have a negative impact on the natural environment. The removal of trees or other vegetation, grading and other topographical alterations will be assessed for potential adverse impacts, such a material change in the rate and/or direction of storm water run-off and soil erosion.

SECTION II COMMUNITY RULES AND REGULATIONS

1. GENERAL

Blooms Crossing is a community with many residents. In such a community rules are needed. These rules and regulations are established in order to enhance everyone's enjoyment and use of their homes and common areas at Blooms Crossing.

The Bylaws empower the Board of Directors to establish reasonable rules and regulations for the use of the property. From time to time the Board will review any rules so established.

The remainder of this section provides a brief summary of the important rules and regulations of immediate concern to most homeowners. Greater detail is contained in these Guidelines and specific guidelines related to the parking and use of vehicles, pets, restrictions on the use of homes and lots and assessment collection procedures.

Nothing in these Guidelines shall be construed to hold the Association or the Board of Directors responsible for damage to vehicles or the loss of property from vehicles parked on the common areas.

A. Definitions

1. *Single-Family Unit: As used in these Guidelines, the term "single-family unit" shall mean a detached, residential structure designed to house one family within its exterior walls.*
2. *Townhouse Unit: As used in these Guidelines, the term "townhouse unit" shall mean a residential structure designed to house three or more separate families within its exterior walls, each with its own separate living space but sharing one or more common party walls in a side-by-side configuration.*

B. *No exterior alteration, addition, or change may be made to Lots or Living Units or the Common Areas without prior application to and approval of The Committee, except as noted in the Architectural Guidelines.*

C. *All Owners are responsible for assuring that changes and additions are made only in accordance with the provision of these Guidelines. Certain changes and additions are prohibited.*

HOMEOWNER ASSESSMENT OBLIGATION

All assessment payments are due on the first day of each monthly assessment period. Assessment payments not received within ten (10) days after the due date will be considered delinquent and a five dollar (\$5.00) late fee will be levied and added to the homeowner's account in the case of

Single-Family Residential Units and Townhouse Units (ten percent of the assessment in the case of non-residential lots).

In cases where an assessment payment is delinquent, the Board may, at its discretion, choose to accelerate the remaining installments of the annual assessment obligation (all remaining fees for the balance of the fiscal year would therefore be due and payable). Additionally, the Board may file a lien against the unit in the land records of the City of Manassas Park (or Prince William County or the State of Virginia, as applicable) and/or initiate a civil law suite against the owner. The cost of a lien filing and any legal costs incurred by the Association will be assessed against the delinquent unit owner. This includes all registered mail fees.

The consequences of extended delinquency can be costly to an owner. More important, however, is that any substantial failure to make assessment payments can have an adverse impact on the Association's cash flow and ability to pay for services in a timely manner. Typically, a Board of Directors attempts to establish the lowest possible assessment fee consistent with the Association's essential service requirements. This approach anticipates voluntary cooperation by all homeowners in meeting their assessment obligation.

USE OF LOTS AND LIVING UNITS

All living Units are to be used for residential purposes only. Home professional offices may be maintained only in accordance with the provisions of the Declaration, any requirements of applicable City of Manassas Park or Prince William County or State of Virginia law and any rules and regulations enacted by the Board of Directors with respect to the use of Lots for home professions.

No Lots or Living Units shall be further subdivided, conveyed, transferred, or separated into smaller lots by any owner.

Trash, leaves, and other articles may not be burned on the lots or common areas.

Accumulation or storage of building materials, litter, refuse, bulk materials, or trash of any kind may not be placed upon any lot. Owners that are doing alterations or work to their property as approved by The Committee, may store a limited amount of materials in the rear portion of their lot providing that these materials remain on the lot only for the duration of the approved construction period.

Leasing of Homes

Owners who want to lease their unit must comply with the following requirements:

1. The minimum lease term is six months.

2. The lease must contain a provision that the right of the lessee to use and occupy the home and lot are subject to compliance with the provisions of the legal documents and the rules and regulations of the Association.

Compliance with this provision is in the clear interest of the homeowner, since the owner may be liable for any costs incurred by the Association in addressing violations by the lessee. Owners are encouraged to see that renters are provided with a copy of the legal documents and all rules and regulations, so that they are familiar with their rights and obligations as residents of the community. Provisions for a copy of these Guidelines are suggested as a means of ensuring that tenants are adequately informed and can be requested from the Association's managing agent .

3. The owner or property manager should forward a copy of the executed lease to the Management Agent or Board of Directors within ten (10) days of occupancy. Owners are also required to provide advance notice of a lease continuation or renewal.
4. Any sale or lease of any lot and living unit must conform fully to applicable local laws and ordinances.

In addition to the above, it is important that owners provide prompt notification to the Managing Agent of an address change so that the Association can properly forward any assessment coupons and legal notices (i.e., Association meeting, etc.).

USE OF ASSOCIATION COMMON AREAS

The common areas of Blooms Crossing will not be used to erect personal playground equipment or store personal belongings of any kind or type. The common areas also will not be used for the discarding of any material including, but not limited to, grass clippings, sod, rocks, etc. It will be the responsibility of the pet owners to immediately remove the excrement of their pets.

- A. The Common Areas shall be used only for the purposes intended. Storage of anything is prohibited on the Common Areas. Pedestrian and vehicular ways shall not be obstructed.
- B. No motorized vehicles shall be operated on any of the Common Area open spaces, except for those vehicles used by the Association for maintenance purposes.
- C. Owners shall not place litter or debris on any Common Area.
- D. No litter, trash, refuse, building materials or bulk materials may be stored or accumulated upon any lot, except for construction materials required for the completion of alterations approved by The Committee.
- E. Leaves, trash and other articles may not be burned on the lots or common areas.

VEHICLE PARKING AND USE POLICIES

Owners and community residents should be particularly aware of the fact that certain types of vehicles, including boats, commercial vehicles, recreational vehicles, watercraft and buses, may not be parked in open view within the confines of the community other than on a temporary basis, except in areas, if any, designated for such use by the Board of Directors. A detailed listing of such vehicles is contained herein. Vehicles subject to the restriction may be maintained on private lots if parked in a garage.

Other important rules detailed herein include the following:

1. No major vehicle repairs or maintenance may be performed on the property, except in garages. This restriction extends to painting and the drainage of automotive fluids.
2. Junk or derelict vehicles may not be parked on the property and will be subject to removal at the owner's expense. A derelict vehicle is basically defined as one which is non-operative.

Vehicles Not Permitted: The following vehicles are not permitted to be parked on any property or street (public or private) within Blooms Crossing without the prior consent of the Board of Directors except for the purpose of pick-up, delivery or performing services. Where possible, these vehicles must be parked in garages. Such vehicles may be subject to towing at the owner's expense!

1. Large and/or Overweight Vehicles. Vehicles, whether marked or unmarked, with a gross size in excess of 784 cubic feet (16' X 7' X 7') or with a gross vehicle weight in excess of 7,500 pounds. Vehicles longer than the standard parking space are not permitted.
2. Vehicles with Unsightly Body Damage. As used in these Guidelines, the term "unsightly body damage" means:
 - a. Damage where the body of the vehicle is broken, severely dented, crumpled, badly rusted, and is not repaired for a period of 14 days, or,
 - b. Where parts are missing, disassembled or hanging from the vehicle or,
 - c. Where one or more of the tires of the vehicle are flat or missing.
 - d. Junk or derelict vehicles may not be parked or stored in open view on residential lots, common area parking spaces, streets or on common area open space within the boundaries of the Blooms Crossing community.

A vehicle shall be deemed to be a derelict vehicle if it is missing any necessary parts, such as, but not limited to, tires, wheels, engine, etc., that are necessary for operation of the vehicle on public streets.

A vehicle shall also be deemed to be a derelict if it has expired registration tags or inspection stickers.

3. Trailer. As used in these Guidelines, the term "trailer" (i.e. a camper, mobile home, tent, boat, vehicle, motorcycle, utility trailer, personal watercraft trailer, bicycle or any other item which is not self-propelled) must be pulled or pushed by another vehicle.

4. Boats and Trailers: Boats and trailers will be permitted in single-family houses if covered in the rear yard behind a privacy fence or inside the garage. Committee approval is required. Boats and trailers are not to be parked on any street. Boats and trailers in violation of this restriction will be subject to towing at the owner's expense. Boats or trailers may be parked in front of the home or in the driveway for up to 24 hours for the purpose of preparing for travel or cleaning up after travel.

Parking. Any vehicle allowed to be visibly parked within Blooms Crossing by right or by approval of The Committee may only be parked on streets and designated parking lots, subject to published or posted parking regulations or in driveways or garages. Vehicles may not be parked between two spaces, nor parked diagonally across one or more spaces. No vehicle will be permitted to be parked on lawns or grassy areas. Violation of this Guideline may subject the vehicle to towing at the owner's expense. Townhouse residents will abide by the allocation standards for parking places per home within their development. All residents should follow their neighborhood parking plan if one exists. Non-resident owners may not use the parking lots for the storage of any vehicle.

1. Lot Owners and their guests are entitled to use common area parking spaces on a first-come, first-served basis.
2. Vehicles must be parked so as not to obstruct other parking spaces, sidewalks or ingress and egress areas.
3. No vehicles other than those clearly indicated as operated by or for a handicapped person shall be parked in spaces reserved for handicapped parking.
4. Vehicles may be parked only in designated parking spaces. All vehicles must comply with "No Parking" areas as posted or designated.
5. Vehicles may not be parked or stored unattended in a hazardous condition, including, but not limited to, vehicles on jacks or blocks.

Repairs. Vehicles are not to be constructed, reconstructed, repaired or kept on jacks, jack-stands or other forms of lifts on any property or street public or private within Blooms Crossing in such a manner as to be visible from neighboring property. Emergency repairs that can be completed within 24 hours shall be exempt from these requirements.

The performance of major repairs to vehicles, including painting and the drainage of automobile fluids, is not permitted anywhere in open view on residential lots or common areas within the boundary of the property.

Covers. A vehicle, which is permitted to be parked within Blooms Crossing, may be kept under a fitted cover of a neutral color, which is in good condition. Covers of a bright color or that are in a deteriorated condition are prohibited. Placing a cover over any vehicle identified as prohibited will not authorize them to be parked within Blooms Crossing.

Storage of Boats, Trailers, Campers, Mobile Homes, Watercraft, and Recreational Vehicles. The following types of vehicles may not be parked or stored in open view on residential lots, common parking areas, and private streets or on common open space.

1. Any boat, jet ski, personal watercraft or associated trailer.
2. Any motor home or self-contained camper.
3. Any camper slip-ons where the camper backs are higher than the roof line of the cab of the truck.
4. Any mobile home, trailer, or fifth wheel vehicle.
5. Any pop-up camp/tent trailer or other similar recreation oriented portable or transportable facility or conveyance.
6. Any other vehicle not defined above which is not normally or regularly used for daily transportation, including dune buggies, non-operational automobile collections or other automotive equipment not licensed for use on the highways of Virginia.
7. Any vehicle defined as a commercial vehicle by the code of Virginia.
8. Any vehicle with commercial signs, advertising or visible commercial equipment.
9. Any private or public school or church buses.
10. Tractors, backhoes, bulldozers, or construction and/or commercial landscaping equipment are prohibited.

Any vehicle falling in the above classifications may be stored in a garage out of open view. Such vehicles owned by a resident may be temporarily parked in a private driveway or townhouse parking area for a period not to exceed 48 hours. Prohibited vehicles owned by guests of residents may park such vehicles within the community for a period not to exceed five days, subject to any rules and regulations established by the Board of Directors.

Enforcement

1. The Managing Agent shall have the authority to issue a warning notice to vehicles, which are in violation of this parking policy.

2. Vehicles parked on common area parking spaces, including townhouse common areas, are subject to being towed at the owner's risk and expense, seventy-two (72) hours from the date of tagging, except that any vehicle previously posted for violation of any of these regulations shall be subject to towing without notice for a repetition of said violation.

PROPERTY MAINTENANCE STANDARDS

All portions of a lot, which are not improved by an impervious surface or a structure, must be maintained with grass (or other vegetation installed by a builder or approved by The Committee). No bare earth may be exposed on a lot (except for flower beds or vegetable gardens with appropriate approvals as required).

All turf areas on a lot (including the median between the sidewalk and the street) must be kept neatly mowed, trimmed, and edged during the growing season. Grass must not exceed four (4) inches in height. Grass clippings must be removed from sidewalks and driveways after mowing.

Turf areas and other vegetation should be watered during dry periods. Any dead plants, shrubs or trees should be immediately removed.

Turf areas must be kept as weed free as possible. At no time will weed cover exceed more than twenty-five percent (25%) of the total turfed area.

No trash or debris may accumulate or be stored in a visible location on a lot. Construction materials required for the improvement of a home or lot should be neatly stored in as unobtrusive a location on the lot as possible when not in use.

All hedges, trees and shrubs must be neatly trimmed and maintained and their size maintained in proportion to the lot and home through pruning.

The exterior of a home must be maintained in an attractive manner. No significant blistering or peeling of exterior painted surfaces is permitted.

Any exterior building components (i.e., siding, gutters and downspouts, roof shingles, windows and doors), which are missing, broken or otherwise in a state of disrepair, must be repaired as quickly as possible.

PET POLICIES.

1. General Pet Guidelines

Requirements and restrictions on the keeping of pets are set forth in these Guidelines. Subject to any restrictions set forth in these Guidelines, homeowners may keep generally recognized, domesticated house or yard pets, provided that there shall be no commercial breeding of animals on the property. Pet owners are advised to familiarize themselves with the requirements of these Guidelines, which includes the following provisions:

- a. Pets may not run free within Blooms Crossing common areas; they must be on a leash and controlled.
 - b. Pets may not run free within Blooms Crossing.
 - c. Pets should have all required licenses and annual inoculations.
 - d. Pet Owners are responsible for the immediate removal and proper disposal of animal waste on all portions of the Common Areas (including Tot Lots) and private properties.
2. Pet Categories. Pets shall be categorized as follows:
- a. Ordinary House Pets shall include dogs, cats, caged domesticated birds, hamsters, gerbils, and guinea pigs, aquarium fish, small snapping turtles and tortoises, domesticated rabbits, and creatures normally maintained in a terrarium or aquarium. All Ordinary House Pets are permitted, subject to these Guidelines.
 - b. Unusual House Pets shall include, but are not limited to, wild or exotic animals, and those animals not generally maintained as pets. This includes any reptiles, anthropoids, felines other than domesticated cats, canines other than domesticated dogs, rats, mice and rodents, mammals, birds, and other creatures other than those listed in Subsection 1 above, or not maintained in a terrarium or aquarium. Wild or exotic animals shall mean any live monkey (nonhuman primate), raccoon, skunk, wolf, wolf hybrid, squirrel, fox, leopard, panther, tiger, lion, lynx or any other warm-blooded animal, poisonous snake or tarantula which can normally be found in the wild state or any other member of crocodilian, including but not limited to alligators, crocodiles, caimans, and gavials. Ferrets, nonpoisonous snakes less than six (6) feet in length, rabbits, and laboratory rates which have been bred in captivity and which never have known the wild shall be excluded from this definition. Unusual House Pets are **prohibited**.
3. Requirements and Restrictions.
- a. Pet Owners are responsible for the immediate removal and proper disposal of animal waste on all portions of the Common Areas (including Tot Lots) and private properties.
 - b. Pets shall not be permitted upon the Common Areas unless they are leashed and controlled by the owner.
 - c. No pet may be leashed to any stationary object on the Common Areas and left unattended.
 - d. Pet Owners are responsible for any property damage, injury or disturbances their pet may cause or inflict.
 - e. Commercial breeding and commercial use of pets is prohibited.

- f. All pets must have and display, as appropriate, evidence of all required registrations and annual inoculations.
- g. Every female dog, while in heat, shall be kept confined in the Unit by its Owner in such a manner, that she will not be in contact with another dog nor create a nuisance by attracting other animals.
- h. Animal Housing: The Committee will consider requests for exterior structures for the care, housing or confinement of dogs, cats and rabbits under appropriate circumstances. Visual impact of such structures and the proximity to neighboring properties are of primary concern. Housing for pets shall be located in the rear yard and adjacent to the owner's dwelling. Approved structures shall be well maintained at all times and the surrounding area is to be kept neat, clean, attractive and unobtrusive.

Dog houses will be approved if compatible with the applicant's house in terms of color and material. Dog houses may not exceed sixteen (16) square feet of floor space and may not exceed four (4) feet in height at the highest point. They should be located where visually unobtrusive to neighbors and the use of appropriate screening is encouraged, and may be required in some cases, in order to minimize any negative visual impacts. Dog runs are prohibited. Dog cages will be permitted subject to Committee approval. Chain link dog enclosures are not permitted.

4. Nuisances.

The following shall be grounds for complaint and finding of a community nuisance:

- a. Pets running at large.
- b. Pets damaging, soiling, defecating on or defiling any private property (other than that of such pet's owner) or the Common Areas (including Tot Lots).
- c. Pets causing unsanitary, dangerous, or offensive conditions.
- d. Pets making or causing noise of sufficient volume to interfere with other residents' rest or peaceful enjoyment of the Property between the hours of 9:00 P.M. and 7:00 A.M. seven (7) days a week.
- e. Causing or allowing any pet to molest, attack, or otherwise interfere with the freedom of movement of persons and/or their pets on the Common Areas (including Tot Lots) or private properties. Causing or allowing any pet to chase vehicles, to attack other pets, or to create a disturbance in any other way.
- f. Failing to confine any female animal in heat to prevent the attraction of other animals.
- g. Using a vehicle as a kennel or cage.

5. Procedures for Solving Pet Problems.

Any Owner concerned with a pet-related problem should do the following:

- a. Attempt to arrive at a solution to the problem with the pet owner in a courteous and helpful manner.
- b. If a personal attempt at a solution fails, then a written complaint **must** be filed with the Managing Agent and City Animal Control Officer. A Pet Complaint Form is included as Exhibit D of these Guidelines. The complaint **must** document the problem as thoroughly as possible. Documentation must include identification of pet(s) involved, a complete description of the problem or disturbance, and dates and times of disturbances (whenever possible), photos and/or video tapes of the incident, and witnesses as well as a brief description of informal attempts to solve the problem.
- c. The Managing Agent will first attempt to obtain an informal solution to the problem. If such a solution is not possible, the Managing Agent will refer the matter to the Board of Directors; the Association may have offending pets removed from the property upon twenty (20) days written notice from the Board of Directors.
- d. Suspected stray pets should be reported to the appropriate municipal officials (for possible identification) prior to contacting the Association.
- e. ALL bites, attacks by pets, or diseased animals **must** be reported to the appropriate municipal officials prior to notifying the Managing Agent.
- f. Penalties for violation of applicable local ordinances include monetary fines and misdemeanor charges. In addition, the Board of Directors may apply special assessments to any owner in violation of these Guidelines.
- g. In the event of emergency, the parties involved may take any actions deemed prudent to resolve the emergency without regard to the above procedures. A written report **must** be made to the Managing Agent.

SECTION III ARCHITECTURAL STANDARDS

The specific architectural standards and guidelines detailed below have been adopted by the Board of Directors and are incorporated in these Guidelines. The Committee recognizes that in some instances the property owners within a particular community are best able to access the impact of exterior modifications to neighboring properties. Improvements and alterations that require special consideration by The Committee, as defined in the following paragraphs, may require the input of the adjacent property owners before The Committee takes final action.

ANIMAL HOUSING. The Committee will consider requests for exterior structures for the care, housing or confinement of dogs, cats and rabbits under appropriate circumstances. Visual impact of such structures and the proximity to neighboring properties are of primary concern. Housing for pets shall be located in the rear yard and adjacent to the owner's dwelling. Approved structures shall be well maintained at all times and the surrounding area is to be kept neat, clean, attractive and unobtrusive.

Dog houses will be approved if compatible with the applicant's house in terms of color and material. Dog houses may not exceed thirty-six (36) square feet of floor space and may not exceed six (6) feet in height at the highest point. They should be located where visually unobtrusive to neighbors and the use of appropriate screening is encouraged, and may be required in some cases, in order to minimize any negative visual impacts. Dog runs are prohibited. Dog cages will be permitted subject to Committee approval. Chain link dog enclosures are not permitted.

ANTENNAS/SATELLITE DISHES. All requests for the location of exterior antennas and/or satellite dishes must conform to the City Ordinances and FCC regulations in effect at the time of installation. Committee approval is required for the location of the antenna and/or dish prior to installation.

ATTIC VENTILATORS. Attic ventilators and turbines are permitted if painted to match the color of the roof (if roof mounted) or the color of the house siding or trim (if mounted on a gable end). Ventilators and turbines should be mounted on the least visible side of the ridge pole so as to minimize their visibility.

AWNINGS. Exterior awnings will be permitted in the rear yard only. Awnings shall not extend beyond the side plane of the house, must match the existing siding and must be maintained in good working order.

CHIMNEYS AND METAL FLUES. Chimneys must either be masonry or enclosed in the same finish material as the exterior of the home to which attached. Metal flues and chimney caps must be painted and any vent protruding through the roof must be painted the same color as the roof. Committee approval is required prior to installation.

CLOTHES LINES. Clothes lines or similar apparatus for the exterior drying of clothes will not be permitted.

COMPOST BINS. Compost bins **will not** be permitted.

DECKS. **ALL** decks **must** be approved by The Committee prior to installation. A supplemental deck application must be completed. The Committee will consider requests for the construction of decks and porches on all private property within Blooms Crossing. Decks shall be of pressure treated lumber, treated with a clear or natural stain/sealant and architecturally consistent with similar structures within the surrounding neighborhood. Use of composite or alternative deck flooring or railing materials will be considered and approved on a case-by-case basis. White resin decking is only permitted in the Primrose section of Blooms Crossing. All deck railing in the Primrose section **must** be constructed of white resin material or pressure treated. Resin decking is prohibited in other sections of Blooms Crossing. Staining of decks may be permitted and painting of porches and decks will be considered if it matches the existing trim or siding color of the home. Deck railings shall not exceed 42" in height. Porches shall be constructed of materials so as to match the existing structure in color, style and roof. Enclosing the area under a deck or the addition of a trellis, Committeeor, screen or lattice is permitted and will be considered on a case-by-case basis.

Homeowners are advised to consider the following factors:

1. Location. Decks must be located in rear yards.
2. Scale and Style. Decks, particularly elevated decks, must be of a scale and style which are compatible with the home to which attached, adjacent homes and the environmental surroundings. Townhouse guidelines may, in some cases, place specific limits on the scale or style of decks, which will be approved, based on considerations of density, visibility and scale and size of decks provided as standard builder features or options.
3. Color. Decks made from wood should be treated with a clear or natural stain/sealant. Decks that are painted or stained should match the trim or siding color of the applicant's house. Shutters are not considered part of the trim. Only a single color is permitted.
4. Under Deck Storage. Elevated decks have an under deck area which can have a negative visual impact on adjoining neighbors, particularly when used as an informal storage space. The use of decorative screening or landscaping to minimize adverse visual impacts is encouraged and may be required by The Committee, particularly in the case of high decks.
5. Maintenance. All decks must be maintained in an attractive manner. No blistering or peeling of exterior stained surfaces is permitted.

DOORS AND WINDOWS.

1. New or replacement doors and windows should be similar to or compatible with the type used in the existing structure and throughout the Community. New or replacement doors and windows must be approved by The Committee prior to installation. Decorative front doors will be considered on a case-by-case basis. The front shall be painted the same color as the original door. Wood color doors are not permitted. Decorative front doors containing glass shall not be half-view. The glass can be 75% or oval and must be consistent with the storm door styles

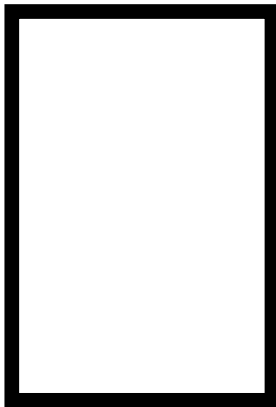
listed below. New windows and doors should be located in a manner that will relate to the location of other exterior openings in the existing structure.

2. Committee approval is NOT required as long as storm doors comply with one of the five door styles included in this document and conform to the color and other restrictions specified here in. The color of all storm doors should conform to the existing color of the door behind it or to the color of the exterior trim to which the storm door is affixed, or the siding. Full-view and mid-view (i.e., 3/4 view) will be the acceptable style for front door installation. Half-view and scroll doors will not be permitted on the front doors. Other styles will be considered for rear and side door installation on a case-by-case basis.

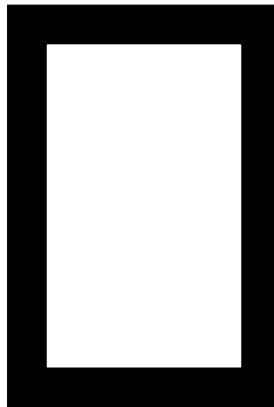
Storm door glass may beveled but shall not be decorative, frosted or contain bars.

STORM DOOR DETAIL

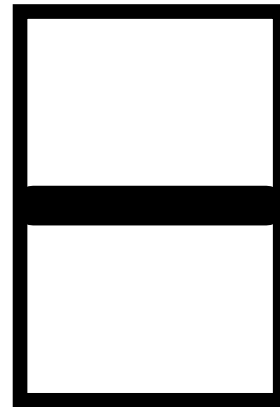
Five acceptable "full view" style storm doors are illustrated below. Door 1 is the preferred style. Door 2 has a wide border, Door 3 is a style which can either have removable glass and screen panels or which can have self-storage of glass or a screen in the lower panel, Door 4 has a kick plate and Door 5 has a wide border and a kick plate.



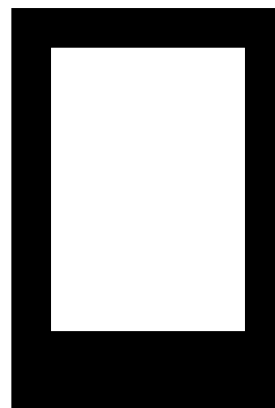
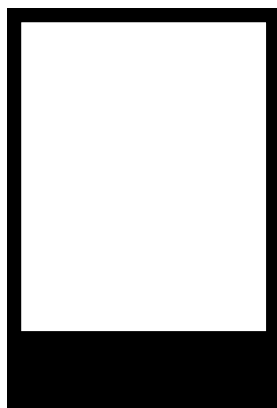
Door 1



Door 2



Door 3



Door 4

Door 5

3. ALL storm windows **must be** approved by The Committee prior to installation. The color of all storm windows must be white or conform to the existing color of the window frame. Exterior plastic "weather-proofing" **will not** be permitted.
4. Security doors and windows **will not** be permitted.

DRIVEWAYS. Driveways must be constructed of either asphalt or concrete. Only one material is permitted. Extensions and additions must be of the same material as the original driveway.

EXTERIOR AIR CONDITIONERS AND HEAT PUMPS. Exterior ground heating, ventilation, and air conditioning units may be added to or relocated only when they do not interfere visually with neighboring properties or discharge hot air onto a neighboring property. Individual air conditioning units and heat pumps extending from windows are prohibited (i.e., window units). However, window air conditioners may be considered on a temporary basis, and only if proper medical certification is presented.

EXTERIOR DECORATIVE OBJECTS/LAWN ORNAMENTS. ALL exterior decorative objects to be located in the front and/or side yard, whether natural or man-made, which were not part of the original construction design, either as a standard or optional feature must be approved by The Committee prior to installation. Examples include; bird houses, driftwood, weather vanes, sculptures, fountains, free standing poles of all types, house address numerals, and any items attached to approved structures. These will be evaluated in terms of their general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on neighborhoods and the surrounding area. Bird feeding stations and birdbaths **must be** in the rear of the property.

EXTERIOR LIGHTING. Lighting which is part of the original structure **may not** be altered without prior approval of The Committee. Proposed replacement or additional fixtures must be compatible in style and scale with the applicant's house. Changes in exterior lighting must be submitted to The Committee for approval. Flood lights are **not** permitted on the front of the house or property. No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting shall not be approved if it will result in an adverse visual impact to adjoining neighbors due to location, wattage or other features.

EXTERIOR COLOR CHANGES. An application is not required to repaint or restain an object to match the original color. However, all exterior color changes must be approved by The Committee before the change is made. This requirement applies to siding, doors, shutters, trim, roofing and other appurtenant structures. Specific limitations and requirements for color changes may be addressed in design guidelines for individual townhouses. If a color change is being requested, a sample of the existing color and the proposed color are required. The proposed color shall be similar and compatible with existing colors originally used throughout the Community.

FENCES. ALL fences **must** be approved by The Committee prior to installation. A supplemental fence application must be submitted. Normally, fencing will not be forward of the rear foundation wall of any structure within Blooms Crossing. However, fencing forward of the rear foundation wall will be considered on a case-by-case basis for specific reasons (e.g., enclose a walk-up basement door, enclose an air conditioner unit, shape of the yard, to match an existing fence.) as long as the aesthetics of the area and adjacent properties are maintained. Fences will not be permitted to extend more than one half (1/2) the depth of the foundation forward of the of the rear foundation for any reason. Applicant must address the need for deviation from the general guidelines. Deviations will **not** be permitted for reasons of symmetry or to enclose a side garage door. Only one fence style is permitted per lot. In an effort to maintain the aesthetic continuity of the natural setting of Blooms Crossing, all approved fencing must be constructed of wood or composite materials (such as Trex) with all fence posts located to the interior of the fence (style permitting) with the finished side facing out. White resin fencing is only permitted in the Primrose section of Blooms Crossing. All fences in the Primrose section **must** be constructed of white resin material. Resin fencing is **prohibited** in other sections of Blooms Crossing. In the Primrose section of Blooms Crossing, fences will be permitted to extend forward of the rear foundation to be consistent with other fences in Primrose. Sections of the fencing forward of the rear foundation shall not exceed 36 inches in height and must match the front yard fence installed by the Builder. Where deemed appropriate, The Committee may impose as a condition for approval that the homeowner install and maintain appropriate shrubbery of sufficient height and density to minimize visibility of the fencing from surrounding areas. For the specific purpose of enclosing a rear yard, The Committee has found the following styles of fences acceptable under appropriate circumstances. Other styles may be considered by The Committee.

<u>STYLE</u>	<u>SINGLE-FAMILY HEIGHT</u>	<u>TOWNHOUSE HEIGHT</u>
Split Rail	48" maximum	No
Picket	72" maximum	No
Board on Board*	72" maximum	72" maximum *
Privacy Fence	72" maximum	No

* Board on board fence styles are the only type considered for townhouse units.

1. Perimeter Fencing. The Committee emphasizes that utmost care must be exercised in selecting and approving a fence along any property line, since this decision may strongly impact neighboring properties. The style, design and material of all such fencing must be approved by The Committee. With the exception of some corner lots, some pipestem lots, some irregularly shaped lots, and where necessary to avoid natural obstacles, such fencing will be installed on the property line, unless an exception is granted by The Board.
2. Privacy Fencing. Privacy fences may be constructed as lot-line fences (i.e., on the property line) to enclose the rear yards. No lot-line fences may be erected for the front and side yards of towhouse units. Only board-on-board fencing may be used in townhouse units. Fencing may not exceed six feet in height. The use of fencing for both a privacy screen and property-line boundary must not be combined except for the rear yards of attached homes.

3. Fence Color. Fencing will be treated with a clear or natural stain/sealant. No paint or color stain is permitted. Acceptable stains and/or sealants are listed below. Substitutions in brand may be made as long as the overall appearance is maintained.

Behr Natural Clear No. 500 or equivalent
Behr Natural Cedar No. 501 or equivalent
Behr Antique Oak WP-547
Olympic Naturaltone Fir/Pine 718 or equivalent
Olympic Cedar Naturaltone 716 or equivalent
Benjamin Moore Natural 14 or equipment
Benjamin Moore Cedar 16 or equipment

4. Prohibited Fencing.
 - a. Double fencing **will not** be permitted. Double fencing refers to two separate but parallel fences of the same or different design or style within 20 feet of each other or any fence sharing the same property line.
 - b. Metal fencing, chain link, chicken wire or vinyl coated wire **will not** be permitted.
5. Fence Applications. All applications for fencing must completely describe the structure, location, material, height, finish, style, gates, etc. The supplemental fence application must be completed. A plot plan of the property must be submitted showing the proposed fencing, **and** all adjoining or existing fencing and must describe the style of each fence.

FIREWOOD. Any and all firewood located on property within Blooms Crossing shall be neatly stacked as inconspicuously as possible, with individual stacks elevated from the ground and not exceeding 6 feet in height. Firewood will be located inside property boundaries and inside exterior fencing where it exists. In townhouse units, firewood will be stacked inside the property line against the fence or builder supplied privacy panel. Covers will be permitted over stacks of firewood. Exceptions to the above guidelines will be considered on a case-by-case basis as long as the aesthetics of the area is maintained. Firewood stored on a lot shall be kept neatly stacked and shall be located to the rear of the residence and in such a manner as to avoid adverse visual impacts for adjoining properties. Screening may be required in certain cases. Other than a limited quantity of firewood intended for immediate use, firewood shall not be stacked on patios or decks.

FLAGPOLES. Permanent, free standing, residential-size flagpoles will be approved only for single family detached homes and must be installed and maintained in a vertical position. The height, color and location of the flagpole must be consistent with the size of the property and scale and design qualities of the home. Temporary flagpole staffs, which do not exceed six (6) feet in length and are attached at an incline to the wall or pillar of the dwelling unit do not require approval by The Committee.

HOT TUBS/SPAS. Exterior hot tubs or spas must be located in the rear yard adjacent to the dwelling unit. The incorporation of hot tubs as an architectural feature of decks and/or patios is encouraged. The exterior finish of an elevated hot tub should blend with the exterior finish of the

home, deck or patio to which attached or most closely related. Committee approval is required prior to the installation of any hot tub or spa.

GARAGES: Garage conversions will not be permitted in townhouse or single family units. Garages shall not be converted into living space.

GREENHOUSES. An attached greenhouse will be treated as a major alteration to a dwelling unit and subject to the same level of review. Committee approval is required prior to installation of any greenhouse, whether attached or unattached. All greenhouses must meet the following criteria to be approved.

1. Greenhouses may be attached to the rear of the dwelling unit or free-standing in the rear of the lot. Greenhouses may not be installed forward of the rear foundation. One greenhouse or storage shed is permitted per lot.
2. The size and design must be architecturally compatible with the home topography of the lot, and surrounding homes.
3. The greenhouse shall not create an adverse visual impacts for adjoining properties.
4. Greenhouse, attached or unattached, may not exceed 120 square feet in size and may not exceed eight (8) feet in height.
5. Greenhouses, attached or unattached, must be constructed of clear glass and must be maintained to the same standards of all other structures.

GRILLS. Permanent grills must be placed in the rear yard of the house and as far as practicable from the adjacent property lines. Committee approval is required prior to installation of any permanent grill. All grills, permanent or movable, must be located in the rear yard of the house.

LANDSCAPE IMPROVEMENTS. In general, an architectural review application is not required for minor landscape improvements with the following exceptions:

- a. Approval is required for plantings intended to form a hedge or natural screen and which will attain more than two feet in height. Hedges located forward of the rear foundation are prohibited and will not be approved.
- b. An application is required for the installation of railroad ties, garden timbers, stones, retaining walls or similar structures or landscaping features, which will form or have the effect of forming a wall over 12 inches high or 8 feet long.
- c. A proposed improvement which is of such a scale or type as to be inconsistent with the existing design features of the home, adjacent units and the surrounding area will require approval. Examples include the substantial or total removal of turf and replacement with another material, such as mulch or gravel.

- d. The location and establishment of new vegetable garden areas must be approved by The Committee prior to installation. Vegetable gardens are permitted in the rear of the property.
- e. Fruit trees will be permitted in the side and rear yards only. The location should be in the rear yard and should minimize the visual impact on neighboring properties. Trellis or Committeeor structures will be considered on a case-by-case basis. All lawns, yards, gardens and landscaping will be well maintained by the homeowner or occupant at all times. This will include weeding and mulching flowerbeds and tree bases. Grass will be mowed and neatly trimmed on a regular basis. Grass will not exceed four (4) inches in height. Landscaping must not obstruct sight lines for vehicular traffic. Changes in grade or other conditions, which affect drainage, require Committee approval and may require approval from the appropriate City agencies. Any applications for changes in grade must be accompanied by an engineering drawing and must show the maintenance of positive drainage once the improvements are complete. Changes resulting in adverse drainage conditions on either adjacent property or the requesting Applicant's lot will be rejected. Rock gardens in excess of four (4) square feet require Committee approval. Rocks must be left their natural color. A rock garden is a garden constructed with sundry large stones, rocks or boulders. Plants are grown in between the rocks. Lawn ornaments (i.e. plastic/wooden animals, windmills, wishing wells, figurines, sculptures, etc.) in the front of the house require prior approval. Seasonal ornaments are permitted if removed in a timely manner. Bird feeding stations and birdbaths must be in the rear of the property.

MAILBOXES. All mailboxes must be approved by the United States Postal Service to be eligible for installation in Blooms Crossing. Mailboxes are to be unobtrusive and shall blend with all other mailboxes so as not to be visually distracting.

PATIOS. ALL patios **must** be approved by The Committee prior to installation. Patios must be located in rear yards. Any adverse drainage requirements, which might result from the construction of a patio should be considered and remedied. The use of a partially porous patio surface or the installation of mulch beds adjacent to the patio are ways to eliminate drainage concerns.

PRIVACY SCREENS. For the purpose of providing limited privacy on decks or in the rear yards of homes, privacy screens will be considered by The Committee under appropriate circumstances. However, privacy screens will not be permitted as part of an addition to an existing fence and generally will not be permitted for the purpose of enclosing most or all of the length of a property line. The maximum height for any privacy screen shall be 72".

RECREATION AND PLAYGROUND EQUIPMENT.

Use of recreation and playground equipment is **prohibited** between the hours of 9:00 P.M. and 7:00 A.M. seven (7) days a week to not interfere with other residents' rest or peaceful enjoyment of the Property.

1. **Basketball Backboards.** If community basketball facilities are located on common ground within Blooms Crossing, members are encouraged to use them. Basketball backboards attached to houses/garages **will not** be permitted. A free standing backboard and its supporting structure

must be painted a neutral color and must be compatible with the surroundings. Prior approval is not required for free standing backboards so long as they meet the guidelines specified herein.

When in use or stored, freestanding/portable backboards must be in good repair and **may not** obstruct public sidewalks, streets or traffic. A color outline may be painted on the backboard behind the goal. Any homeowner in violation will be subject to City ordinances.

2. Skateboard Ramps. Skateboard ramps are prohibited.
3. Playground Equipment. All playground equipment must be located in the rear yard within the owner's property lines. All playground equipment must be well-maintained and kept in good repair. The equipment must be compatible with the lot size. Equipment constructed of wood and left in a natural condition to weather is encouraged. Metal play equipment is prohibited.
4. Swimming Pools. All swimming pools, spas and hot tubs (excluding inflatable or children's wading pools) require Committee approval prior to installation. All such structures must be located so as to minimize sight and noise impact on neighboring properties. Applicants are required to ensure positive drainage after construction of the pool. Any proposed landscaping and fencing plans should also be included with the application. A minimum of 6 feet from the property lines should be reserved for landscaping. Pools must be located in the rear of the property. Pool filtration equipment must be shielded from adjacent properties by the use of mature shrubbery.

SECURITY BARS. Security bars are **prohibited**.

SIDEWALKS AND PATHWAYS. Sidewalks and pathways must be installed flush to the ground. Only stone, brick, concrete or similar durable construction material should be used. The scale, location and design should be compatible with the lot, home and surroundings.

SIGNS.

1. No sign of any nature shall be permanently placed on any property within Blooms Crossing without the prior approval of The Committee. Temporary signs may be placed in common areas on weekends or holidays to advertise yard or garage sales; however, these signs must be removed by 6:00 P.M. at the end of the weekend or holiday. Temporary signs may be placed on private property to advertise yard or garage sales, to support political candidates and **must** be removed once the event is complete.
2. All signs for sale or rent placed on any property within Blooms Crossing must not exceed 3 x 4 feet in size and will be of temporary design. Redundant signage will not be permitted. Only signs advertising a property for sale may be displayed. Such signs must meet applicable County regulations with respect to size, content and removal. Signs may only be placed in the front yard of available properties.
3. Security/alarm company signs, no trespassing signs, and/or warning signs (e.g., beware of dog) are permitted and must not exceed 1 x 1 feet in size.

SOLAR PANELS/EXTERIOR ENERGY DEVICES.

1. Solar Heating Devices. **ALL** roof mounted solar devices are **prohibited**. Other solar devices will be considered on a case-by-case basis.
2. Emergency/Medical. On a case-by-case basis requests for the installation of exterior energy saving devices (e.g., generators) will be considered by The Committee.

STORAGE SHEDS. The Committee recognizes the needs of individual homeowners to provide additional storage space for garden tools, equipment or workspace. Under appropriate circumstances, The Committee will consider requests for the installation of storage sheds on private property within Blooms Crossing. ***There is a limit of one storage shed or greenhouse per lot.*** The locations, size, materials, architectural style and color of the proposed storage shed will be key factors in the decision of The Committee. An inappropriately located or poorly designed storage shed can visually detract from an otherwise pleasing and architecturally harmonious residential environment. The use of pre-fabricated metal sheds is prohibited. Homeowners are encouraged to design and construct sheds which are integrated with the dwelling or a fence and which are compatible with the design qualities of the house and adjacent houses. Committee approval is required prior to the installation of all storage sheds.

In general, a shed must be of a size which is appropriate for the size of the home and lot, as well as surrounding dwellings, and should be compatible with the architectural qualities of the house and adjacent houses.

The following criteria will be used by The Committee when considering proposed storage sheds:

1. Location. All approved structures must be located in the rear yard of any property in a location selected to minimize impact on neighboring property. Storage sheds should be located in the rear corner of the property but other locations will be considered on a case-by-case basis depending on the lot size, shape, and/or topography. Storage sheds for townhouse units must be located against the fence, privacy panel or house. Storage sheds are not permitted forward of the rear foundation.
2. Size. Storage sheds should not exceed 120 square feet in floor space for lots less than 15,000 square feet in size. Storage sheds shall not exceed 240 square feet (12' w x 20' l) in floor space for lots greater than or equal to 15,000 square feet in size. Sheds for single-family units shall not exceed ten (10) feet in height. Sheds for townhouse units shall not exceed the height of the fencing or privacy panel.
3. Material. The structure shall be constructed of material that will maintain the aesthetic continuity of the community. Sheds for single-family units and townhouse units shall be constructed of wood or resin (such as Rubbermaid storage sheds). Other non-metal materials such as vinyl will be considered on a case-by-case basis. Metal or aluminum is prohibited.

4. Foundation. All approved sheds must be placed upon a solid foundation (concrete, pressure-treated timber, brick, gravel, etc.)
5. Architectural Style. The structure's style shall be in keeping with the unit's fence, privacy panel, siding or foundation.
6. Color. Sheds shall be painted a color that matches the unit's existing siding and trim. It is the intent of The Committee to require sheds to be constructed of the same siding color and shingle color as the units. Alternative color schemes will be considered on a case-by-case basis.
7. Visual Impact. The Committee may impose as a condition for approval of a storage shed that the homeowner install and maintain appropriate shrubbery or fencing of sufficient height to minimize its visibility from surrounding property.

TRASH CONTAINERS. Trash containers must be stored as follows:

1. In Trash containers shall not be viewable from the street.
2. In the garages of those townhouse units with garages or the rear of the unit, not in view from the street.
34. In the rear of townhouse units without garages, not in view from the street.

Trash containers shall not be left in your driveway, on your front porch/stoop, in front of your garage or in the front yard. Trash and trash containers for pick up should be placed in front of your property no earlier than the evening before the day of the scheduled removal. All trash and trash containers shall be removed from the streets, walkways, or exterior portions of the property following pickup on the day of the schedule trash removal.

TREE REMOVAL. No live trees with a diameter in excess of four (4) inches, measured 12 inches above ground, nor flowering trees in excess of two (2) inches similarly measured, no live vegetation on slopes of more than 20 percent gradient or marked "no cut" areas on approved plans, may be cut without the prior approval of The Committee.