

Westfield Park Design Standards

Building a Better Neighborhood

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INTRODUCTION

The purpose of these Design Standards is to clarify the intent of various Articles; as listed in the Declaration Of Covenants, Conditions, Restrictions And Reservation Of Easements For Westfield Park Subdivision, these Covenants are recorded at Cuyahoga County Recorders Office, Cleveland Ohio, on 09/22/02 record number 200209200053.

This provision applies to any exterior modification of homes and properties in Westfield Park. These *Design Standards* were created for the sole purpose of achieving harmony, balance and a high standard of quality within the Community. They are provided to amplify and supplement our Community's covenants. Homeowners are encouraged to study these guidelines as well as the covenants, code of Regulations and the Rules and Regulations for the Westfield Park Homeowners Associations. Note that in the event of a conflict, the Declaration will prevail.

As an administrative advisory arm of the Board of Trustees (Board), the role of the Architectural Design and Review Committee (ADR) is to preserve, protect and enhance the value of the properties in Westfield Park by enforcing the provisions set forth within the Declaration and the Design Standards presented herein. The ADR is chartered to ensure uniform and equitable compliance with these Standards.

The ADR will construe these standards reasonably, with the intent of honoring the wishes of homeowners where it is possible to do so without harming the neighborhood or the interests of other owners. In exceptional cases, the ADR may recommend variances to the Board from these standards where individual circumstances warrant. The justification for such variances shall be specifically enumerated in the approval documents prepared by the ADR. The approval of a variance in any particular case in no way obligates the Board to approve future variances, even in similar circumstances.

These Design Standards are not structured to cover all possible contingencies: it is not possible to anticipate every modification, which might be made to a house or lot. The fact that these Design Standards do not address a particular modification does not imply that such a modification is allowable. *All* changes to lots and house exteriors are subject to ADR review and Board approval, unless specifically exempted by the Covenants or these Design Standards.

Each request for project approval is unique to the property to which it pertains. Each request will be evaluated on the individual and unique elements of the project.

PLEASE NOTE...

Unauthorized actions by a homeowner and/or prior ADR action on requests of a similar nature will not serve as a precedent for any subsequent request for project approval. The contents of these standards, and any actions of the Board, the ADR or its agents, are not intended to be, and should not be construed to be an approval of the adequacy, reasonableness, safety, structural integrity, or fitness for intended use of submitted plans, materials, or construction, nor ensuring compliance with building codes, zoning regulations or other governmental requirements. Neither the Association, the Board, the ADR nor members thereof shall be held liable for injury, damages or loss arising out of any approval or disapproval, through construction or such modification to a lot.

As a final introductory comment, please remember -
**REQUEST APPROVAL BEFORE BEGINNING ANY
IMPROVEMENTS OR MODIFICATIONS!**

These *Design Standards* Supersede Any
Previous Design Standards and/or ADR Guidelines.

APPLICATION INFORMATION

An Application for Modification, hereinafter called "Form," is provided for use in requesting review/approval of an exterior modification. The Form should be submitted to the ADR at least fourteen (14) days prior to the planned start date for the work. Modification requests must be approved, in writing, before any work begins.

There are, however, modifications that may be completed without ADR approval. The following exterior modifications, and only these modifications, **do not** require a Form to be submitted as long as the following standards are met:

- 1) Exterior Lighting (reference Standard #10)
- 2) Flag Poles (reference Standard #10)
- 3) Garden Plots (reference Standard #2)
- 4) Ornamental Trees and Shrubbery (reference Standard #2)
- 5) Children's Wading Pools (reference Standard #12)

A completed Form must be submitted through the ADR for all other types of improvements or modifications. Any verbal approval is not sufficient. All modification approvals must be in writing.

ADR approvals are valid for a 90-day period only. If construction or work for an approved project does not begin within 90 days, a new Application for Modification request form must be resubmitted for approval.

STANDARD #1: Approval Prior to Current Design Standards

Changes to homes approved by the ADR and installed prior to the implementation of these Design Standards are deemed acceptable until replacement is needed. When replacement is needed, the new change must conform to current standards. Proof of approval will be required if requested by ADR.

STANDARD #2: Exterior Landscaping & Maintenance

A. Landscaping Projects

A Form **must be submitted** for all initial landscaping projects and when the activity will result in major changes to the existing landscaping or when grading or contour modifications are required. Landscaping should relate to the existing terrain and natural features of the lot. The homeowner must ensure that improvements/projects do not halt or materially impede the drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring lot.

Forms must include:

- 1) Drawing of the overall plan including proximity to property lines, streets, sidewalks and adjacent properties;
- 2) Detailed description of the sizes of trees and shrubs larger than 6 feet in height to be planted; and
- 3) Firm completion date.

B. Ongoing Maintenance

Each homeowner is responsible for the general upkeep of the property so that the yard presents a manicured appearance.

This standard includes, but is not limited to:

- 1) Over seeding and restoring lawn grasses;
- 2) Watering, fertilizing, mowing and edging lawn grasses;
- 3) Clearing of curbs, flowerbeds, driveways, sidewalks to be kept free from overgrowth;
- 4) Keeping the street in front of the property clean and free of debris (grass clippings, trash, yard waste, etc.);
- 5) Pruning and trimming trees and shrubbery, hedges and other vegetation so that the visibility of motorists and pedestrians is not obstructed and windows and porches are not obstructed from view;
- 6) Removal of all "volunteer" or "wild" growth of weeds or non-landscape quality vegetation from lawns and flowerbeds;
- 7) Repairing of any barren lawn areas to reduce erosion potential;
- 8) Renewing mulch used in flowerbeds or naturalized areas are required at least annually. All barren ground must be covered with mulch or grass;
- 9) Maintaining backyard maintenance consistent with the front and side yards; and
- 10) Maintaining shared landscape beds with the cooperation of the homeowners that share the property. There should only be one type of mulch and one form of edging around the entire bed.

C. Edging/Mulching Materials

Edging/Mulching materials for flowerbeds should be limited to natural materials, be natural or earth tone in color, and be consistent with the style of the neighborhood. Edging should not exceed 6" above the natural grade and should be even. Naturally colored rocks may be used as edging or ground cover. Consistent mulching material should be used for all beds in the front and side yards.

D. Irrigation Systems

A Form is **not** required for permanent underground irrigations systems, but it is the Homeowner's responsibility to make sure the system does not encroach upon any neighboring property.

Visible temporary sprinklers must not be left in the same position for more that 48 hours. Visible hoses for watering must not be unwound or laying on the property for more than 48 hours.

E. Trees and Shrubbery

A Form **is not** required for planting ornamental trees and shrubbery that do not otherwise conflict with other Design Standards. Ornamental means non-row/non-clustered plantings not intended or designed for screening purposes. Ornamental trees and shrubs are generally planted for shade and/or seasonal color.

A Form **must be submitted** for screen planting (row or cluster style) and properly line plantings. Screen plantings are shrubs or trees planted in a row(s) or cluster(s) designed to create a privacy screen between properties or from the street.

Forms must include:

- 1) A description of the sizes and types of trees or shrubs to be planted; and
- 2) A site plan showing the relationship of plantings to the house and adjacent dwellings. Tree's must not be planted closer than 17 feet from the street.

A Form **must be submitted** for tree removal for trees located within ten (10) feet of a drainage area, sidewalk, residence, or a driveway, any tree over 20 feet in height.

If trees are removed, visible stumps must be removed or mulched below ground level and the area must be mulched or landscaped. Homeowners must notify the ADR in the event that trees and/or shrubs were removed as a result of disease, danger or storm damage.

All shrubs in screen plantings in the front and side yards must be trimmed and maintained to a height of 6 feet or less, or maintained to an even, and consistent height with the natural or normal growth pattern of the shrub and should be considered uniform and appropriate for the property. No shrub is to encroach upon a neighbor's property or common areas.

No greenery or vines attached to the property will impede the frontal view of the property in such a way that it is covering the brick or vinyl. The greenery or vines must be maintained and not impede windows, gutters, or the roofline in anyway.

When removing trees in front, side or back yards, consideration should be given to the impact on adjacent properties (i.e., loss of shade or privacy).

F. Vegetable Garden Plots

No vegetable garden plots are permitted in the front of the house.

A Form **is not** required for garden plots if **all** the following guidelines are met:

- 1) The plot is located behind the rear line of the house so as to minimize the visual impact on adjacent properties or from the street;
- 2) Must be at least 2 feet away from any bordering property line.
- 3) The size of the plot is limited to 150 square feet;
- 4) All garden plots must be cleared at the completion of the growing season.

G. Firewood

The following guidelines apply to the storage of firewood:

- 1) Firewood piles are to be maintained in good order and must generally be located within the sidelines of the house or in the rear yard; and
- 2) Firewood pile coverings are allowed only if the cover is an earth tone color and the woodpile is screened from the view of the street or by neighboring residences. For example, a tarp-covered woodpile may be located under a deck with shrubs planted around the deck.

H. Tools, Debris, Miscellaneous

Outdoor storage of garden tools, hoses, etc. must be screened from view of adjacent properties and streets. They must be kept in the rear yard or screened so as to conceal view from the street or by neighboring residences. Any tools or items stored under a back deck or porch must also be screened from view.

Each homeowner is responsible to prevent the development of any unclean, unhealthy, unsightly conditions upon any portion of their property. Debris of any type shall be regularly removed and not allowed to accumulate, such as animal waste, scrap lumber or unused building materials.

STANDARD #3: Home Maintenance

Each homeowner is responsible for the general upkeep of the home so that the dwelling is well maintained and has a tidy appearance.

This standard includes, but is not limited to:

- 1) Repainting as needed to stay well maintained. A Form is required for any proposed color changes;
- 2) Touchup painting where needed;
- 3) Repairing or replacing rotted siding boards, wood, fascia, soffits, doors or other home materials (brick, vinyl, etc.);
- 4) Pressure washing and/or cleaning all external structures including siding, fences, decks, sidewalks, gutters or driveways to remove mold and/or mildew or other stains; and
- 5) Repairing of any broken windows, gutters, lights or other attached objects.

These actions **do not** require a Form, unless otherwise specified, but are routinely required.

STANDARD #4: Exterior Building Alterations

A. General Guidelines

A Form **must be submitted** for all exterior building alterations. The following, without limitation, will be reviewed:

- 1) Location;
- 2) Size;
- 3) Conformity with design of the house;
- 4) Relationship to neighboring dwellings; and
- 5) Proposed use.

Building alterations include, but are not limited to windows, awnings, construction of driveways, garages, porches and room additions to the home. The original architectural character or theme of any home must be consistent for all exterior components of the home and neighborhood.

Homeowners are advised that a Township building permit will be required for certain exterior building alterations. However, a Township building permit does not constitute ADR approval of a proposed change.

B. Structural Modifications/Home Additions

A Form **must be submitted** for all structural modifications and home additions. Colors or finish must be compatible with the original builders home primary and trim color package. Materials used must be consistent with the other type homes and with the community.

Forms must include:

- 1) Picture or drawing of the modification including front and side views;
- 2) Color Samples; and
- 3) List of materials to be used.

Exposed elevations using siding materials will be required to be similar to the original structure. Exposed foundations may not be painted. Under certain conditions, oilier materials may be approved for foundation coverage.

C. Roof and Roofing Materials

Roof pitches for the main body of the roof shall not be altered from the original pitch. Roofing materials must be similar to the original roof for color, style and appearance.

D. Painting

A Form **must be submitted** for all painting which changes the original color scheme of the home. No assumption should be made that an existing paint color is approved by the ADR. All exterior (house and trim) paint colors must be consistence with the original builder's specifications

Color Schemes. The following guidelines shall be followed when determining color scheme:

- 1) In any group of five (5) consecutive dwellings on the same side of a street, at least three exterior siding colors must be used. No two (2) adjacent dwellings shall have the same exterior siding color.
- 2) On any cross-street intersection, at least two siding colors must be used.
- 3) Dwellings directly across the street from one another should have different exterior siding colors.
- 4) No blue, blue-gray or gray-blue exterior siding shall be permitted.

Paint color changes require the following information:

- 1) Paint samples for all colors (e.g., siding, trim, shutters, and doors). Siding color samples should be at least 12 inches in length. Approvals will not be granted from paint chips; and
- 2) A description of areas of the home to be repainted.

E. Siding

A Form **must be submitted** for all siding replacements. All siding must be well maintained and replaced as necessary. Replaced siding must be matched to the existing siding in size, shape and color scheme.

F. Roofs

A Form **must be submitted** for all roof replacements. Roofing materials must be similar to the original roof for color, style and appearance. Roofs must be kept in good repair.

G. Mailboxes

House numbers must be placed on all mailboxes. All mailboxes must be maintained as originally designed for the community. In the event that a mailbox must he replaced, the Homeowner must replace the mailbox with one that is the same model and style as the most current available Westfield Park mailbox. Mailboxes will only be changed when a neighborhood-wide change is required for the entire community.

H. Garage Doors

Garage doors must be consistent with other homes in Westfield Park. Doors can be steel or wood and must be painted the same color as the house trim. They may have windows or be solid. Hardware must blend with the overall look of the door (black and other colored hardware are not permitted). Garage doors must be well maintained and in good repair.

I. Gutters

A Form **must be submitted for** all gutter replacement. Gutters must be consistent with other homes in Westfield Park. Gutters must be steel or aluminum and painted the same color as the house trim; other materials can be submitted for approval.

J. Storm Windows and Doors

A Form **must be submitted** for all Storm window installation or replacement. Storm doors do not require a form, but will be full view doors which compliment the color scheme of the home. Bright finished or bright plated metal exterior doors, windows, screens, and louvers will not be permitted. The use of reflective tinting or mirror finishes on windows is prohibited. Wood doors are not permitted.

K. Awnings

A Form **must be submitted** for all awnings. No awnings may be erected or used for any window or door. Awnings or coverings may only be used in the rear of the house. No metal awnings or metal coverings may be used, although the framework may be metal. If the framework does not have the awning or covering installed, the framework must be dismantled. Awnings or coverings must be either canvas or a wooden structural extension of the home's existing rear roof. Colors or finish must be compatible with the home's primary and trim colors. Awnings must be kept in good repair.

The addition of awnings or coverings requires the following information:

- 1) A picture or drawing of the framework on which awnings or coverings will be installed and the location on the rear of the house.
- 2) A picture depicting style of awning or covering to be installed; and
- 3) Color samples and a materials list.

L. Front Walk Pole Light

A front walk pole light that automatically illuminates at darkness shall be installed in the front yard of each Lot at the time of construction. All pole lights must be of uniform design, style and color as determined by ADR. Such pole lights shall be maintained in operation by the homeowner.

M. Dog Houses/Runs

A Form **must be submitted** for all doghouses and runs visible from the street or by neighboring residences. All doghouses and runs must be located where they will have minimum visual impact on adjacent properties or from the street. Screening is required. Construction type, size, and exterior colors/materials will be specific criteria governing approval. Chain link dog-runs and wire pens are prohibited. "Tethered" line dog runs are permitted when not visible from the street or adjacent properties. Due to the public sidewalk and right of way of pedestrians, no pets shall be tethered in the front of a house unless accompanied by the homeowner. All tethers should be removed and stored out of sight when not in use.

STANDARD #5: Miscellaneous Exterior installations

A. Signs

An Owner or Occupant shall erect no sign of any kind within the community without prior written consent of the ADR except as follows:

- 1) "For Sale" or "For Rent" sign consistent with the community wide standard and having a maximum area of four square feet and a maximum height of four feet above ground level.
- 2) Security signs consistent with the Community-wide standard.
- 3) Any signs required by legal proceedings.
- 4) Temporary signs: birth announcements, political endorsements and contractor signs may be displayed for up to 60 days, and removed within 7 days of the event completion.
- 5) No signs are permitted for personal business.
- 6) Signs must be in good condition.
- 7) Signs must not be mounted on trees, traffic signs, or other existing structures.
- 8) Signs must be on private property with the owner's consent.
- 9) Real estate signs may be placed at the front of the subdivision, but must be outside a line drawn from the "Westfield Park" entrance sign directly to Shady Road.

B. Clotheslines

Clotheslines of any kind are not permitted.

C. Storage

All lawn and garden equipment, portable recreation equipment, canoes, garbage cans, and wood piles shall be kept in a garage or screened by adequate planting or approved fencing so as to be concealed from view by neighboring residences and from the street.

D. Trash Container

Trashcans, trash bags, rubbish and any landscape debris may be placed at the curb **no earlier than 4 PM** on the day prior to collection. Garbage cans are to be removed from the curb **no later than 9 PM** on collection day. All sidewalks must be kept passable on trash collection day. Trash must not be stored on the pedestrian right of way in such a manner that would force a pedestrian to detour onto the grass or street. BFI has specific guidelines for trash collections and may not pickup homeowners trash if not placed in adequate containers or broken down into bundles small enough to move from the curb to the truck. Homeowners are responsible for removing any uncollected trash not taken by the trash contractor.

E. Trash Container Storage

All garbage cans when not placed for pickup shall be covered and not located on the front area of the property. Depending on the contour of the property, trash containers shall be stored at the rear or side of the house so as not to be visible from the street or by neighboring residences.

F. Trash Burning

Trash, garbage, debris, or other waste matter of any kind may not be burned within the Community without a permit from the Township or County.

G. Window Air Conditioners and Fans

Window air conditioners and fans are prohibited.

H. Window Treatments

Window treatments visible from the street may not be non-standard, i.e., blankets, sheets.

I. Grills and Propane Tanks

Grills and propane tanks must be stored within the backyard but may be moved to the side yard or driveway for temporary use (i.e., for use with a party), but must be removed from the front of the house within twenty-four (24) hours.

J. Energy Conservation Equipment

No solar energy collector panels or attendant hardware or other energy conservation equipment may be constructed or installed unless they are an integral and harmonious part of the architectural design of a structure. The ADR must approve all installations of energy conservation equipment.

K. Rental Use

Any tenant shall abide by and be subject to all provisions of the Covenants, code of Regulations and Rules and Regulations, and Design Standards of the Westfield Park Homeowners Association, Inc. Occupancy in the rented house shall be limited to one family consisting of no more than two adults and four children or no more than two unrelated adults.

L. Front Storage

No front porch shall be used for the storage of any items except normal porch furniture. No front yard shall be used for storage of any kind of items

STANDARD #6: Fences

A. General Guidelines

A form **must be submitted** to the ADR for any fencing construction and erection. These fence guidelines are intended to establish a standard that is appropriate to the aesthetic and home values of the Community.

A request for fencing must include the following information:

- 1) Picture or drawing of the fence type listing all materials to be used;
- 2) Dimensions including height, span between posts, post size and crossbeam size;
- 3) A site plan denoting the location of the fence with information as to existing fences erected on adjacent properties (a copy of your plat is suggested);
- 4) Acknowledgment of adjacent property Owners approval or disapproval; and
- 5) The color of stain or seal that will be used, if any.

B. Minimum Standards

The following guidelines have been adopted for privacy fences in the Community:

- 1) Fences must be made of wood or approved composite material.
- 2) There are examples of post styles, picket styles and fence styles included in these guidelines - see Appendix A. Others styles can be submitted for approval.
- 3) Three basic styles for fence tops will be approved: saddle, straight and scalloped.
- 4) The height of the fence should be a maximum of 4 feet 6 inches at the posts.
- 5) Fences must be a minimum of 3 feet with a maximum height of 4 feet.
- 6) The recommended span between posts is 8 feet. The maximum is 10 feet.
- 7) Gaps between pickets are allowed, and must be no more than ½ the width of the picket face width, unless a shadow box style is used.
- 8) The finished side of the fences must be turned to the outside.
- 9) All fences must fit harmoniously with the current styles in the community.
- 10) Fences shall not be located closer to the street than the service door entrance.
- 11) On corner lots, fences will be evaluated on a case-by-case basis due to lot configuration/size, safety issues, and view from the street, window placement and house location.
- 12) Fence approval on corner lots will require more landscaping and set back distance of six feet or more from the adjacent sidewalk to avoid a "stockade" appearance.
- 13) All fences must be maintained.
- 14) No stone, brick, concrete, "plastic", chain link or barbed wire fencing is to be used for perimeter fencing.
- 15) No perimeter privacy fences are permitted.
- 16) A shadow box style privacy fence may be installed in an approved location immediately around a hot tub or spa.

Other items to be considered include:

- 1) Yard Terms: The "front yard" is from the front corners of each corner of the house extending toward the sidewalk. The "side yard" as being the front corners of the house on each side of the house extending to the rear corner on the each same side of the house, and the "rear yard" is from the rear corners of each corner of the house extending to the rear property line.
- 2) The ability of homeowners to maintain property between fences;
- 3) Landscaping required to soften the view from the street;
- 4) Drainage - adequate space between the fence and the ground is required for water to pass under;
- 5) Utilities - allow adequate access to electric and gas meters and utility easements,

A form **must be submitted** for all staining or sealing of fences when the stain changes the natural or existing color of the fence.

Fences installed prior to the date of these Design Standards are considered acceptable if they complying to the design standards originally stated in the Declarations or Code or Regulations or addendums made to the Declarations or Code of Regulations.

Any contradictions to the design standards in place prior to the date of these guidelines must be corrected using these guidelines.

When replacement is needed, all current guidelines must be followed.

STANDARD #7: Play Equipment

A. General Guidelines

A Form **must be submitted** for all play equipment. The following guidelines apply:

- 1) The play equipment shall be located in the rear yard and within the extended sidelines of the house (i.e. not visible from the street when possible);
- 2) The play equipment shall be located within the rear of the house;
- 3) The play equipment shall be sized, colored, designed, and located such that it will have minimal visual impact on adjacent properties or when possible from the street; and
- 4) Trampolines are not permitted.
- 5) Metal play sets are prohibited.

Play equipment (except basketball goals - see below) be of wood construction, or heavy gauge plastic (such as Rubbermaid and Step II) and be environmentally and aesthetically compatible.

Portable play equipment may be left in front or visible from the street for a period not to exceed 48 hours or not left visible on a regular basis.

Skateboard ramps, soccer goals, hockey goals, and other similar play equipment may not be permanently affixed to the ground and must be stored where not visible from the street or adjacent properties.

NOTE: A (permanent) baseball backstop or similar item is not play equipment and must comply with the fence guidelines.

B. Play Houses/Tree Houses

A Form **must be submitted** for all play/tree houses. The following guidelines apply:

- 1) Playhouses and tree houses must be located where they will have minimal visual impact on adjacent properties and when possible from the street; and
- 2) Materials must be wood and can match or coordinate with the existing materials of the home; and
- 3) Playhouses or tree houses may not be larger than 150 square feet or 20 feet in total height.
- 4) Common areas are not permitted to be used for any play equipment, play houses or tree houses.

Note: Playhouses and tree houses, once approved, must be maintained to preserve the approved decor.

C. Basketball Goals

No basketball hoop or goal may be placed on any Lot, regardless of location, until its specifications and location have been approved in accordance with these guidelines. No permanent basketball poles or goals shall be permitted, all will be portable.

- 1). Specifications. In general, any commercially available goal will be acceptable. Goals with home-made backboards or posts will not be acceptable. Backboards must be white, beige, clear or light gray. Other colors will be considered if muted. The post should be painted in subdued colors so as to blend in with the surroundings as much as possible. All goals must be maintained. Any backboard or goal that becomes broken or damaged, must be repaired, replaced or removed. Any lighting for the goal must be directed away from any neighboring dwelling or patio or deck areas.

2). Location. No goal may be attached to any dwelling or garage. All goals must be located at least ten (5) feet back from any property line. A portable basketball goal may be located on a driveway for the period of its current use. No portable goal shall be located in, or within 15 feet of the street. Any portable goal must be put away after use. The equipment must be stored between November and April, or when not in use. 3). Use. Use shall be limited to reasonable play hours depending upon seasons. No use will be permitted after 10:00 p.m., nor earlier than 9:00 am.

Note: Negative impact related to time of use, lighting and noise on adjacent properties should be avoided. Basketball equipment must be maintained to the condition as originally installed.

STANDARD #8: Patios/Walkways/Driveways

A. Patios/Walkways

A Form **must be submitted** for all patios, walkways, patio covers, and trellises.

The following information will be required:

- 1) Site plan denoting location
- 2) Dimensions
- 3) Materials
- 4) Proposed use
- 5) Color

The following guidelines must apply:

- 1) Walkways can be surfaced with concrete, brick, or other permanent concrete/brick combinations.
- 2) Cracks with a gap greater than or equal to one-half inch in walkways, or driveways must be repaired and maintained without pitted or sunken areas, discolorations or large stains.

B. Driveways

A Form **must be submitted** for all changes to existing driveways. The following guidelines apply:

- 1) Driveways must be surfaced in concrete.
- 2) Asphalt driveways are not permitted.
- 3) Decorative resurfacing or coloring of driveway is prohibited.
- 4) Widening driveways requires the submission of a form. Acceptable materials include concrete (standard or stamped) and brick pavers.

STANDARD #9: Decks and Retaining Walls

A. Review and Approval

A Form **must be submitted** for all decks and retaining walls. All decks and retaining walls will be considered in a case-by-case basis. The following, without limitation, will be reviewed:

- 1) Site plan denoting location,
- 2) Dimensions
- 3) Materials
- 4) Color
- 5) Conformity with design of the house,
- 6) Relationship to neighboring dwellings, and
- 7) Proposed use.

B. Decks

The following guidelines have been adopted for deck, railing, screening, and skirting in the Community:

- 1) The deck, railing, screening, and skirting may not extend past the sides of the home;
- 2) Deck, railing, screening, and skirting materials must be cedar, cypress, or No. 2 grade or better pressure treated pine, or approved composite material;
- 3) Other materials will be considered with submitted samples;
- 4) The color must be white, natural or stained to coordinate with the exterior color of the home and
- 5) Vertical support for wood decks and railings must meet minimum Township building standards, for wood post or painted (black) metal poles must be boxed-in as to appear to be wood posts — brick columns matching the home are also acceptable.
- 6) Decks, railing, screening, and skirting must be properly maintained.

Homeowners are advised that a Township building permit is required for a deck.

C. Retaining Walls

The following guidelines have been adopted for retaining walls in the Community:

- 1) All exposed concrete block or poured concrete foundations and/or retaining walls must be veneered with natural stone, brick, stucco, landscape timbers or cross-ties (as permitted per section two below) to compliment the existing structure; and
- 2) Retaining walls constructed of landscape timbers or cross ties, if visible from the street, must be shielded or softened by an approved vegetative landscape method.
- 3) Retaining walls and timbers must be properly maintained.

STANDARD #10: Exterior Decorative Objects

A. General Guidelines

A Form **must be** submitted for all sculptures and statuary which exceed 3 feet, and for all free standing flag poles. The following objects are prohibited: bridges, wagon wheels, and pools.

Objects will be evaluated on criteria such as location, proportion, color and appropriateness to surrounding environment and will be approved on a case-by-case basis. The Form must include the placement, dimensions and materials utilized. Materials used must match or be harmonious with existing materials of the home and landscaping. Statuary or sculptures placed in the backyard should not be visible from the street.

Door wreaths less than 30 inches in diameter do not require ADR approval. All objects must be kept in good condition and well maintained.

B. Exterior Landscape & Security Lighting

Except as provided below, a Form **must be submitted** for all exterior lights or lighting fixtures not included as a part of the original structure.

A Form **is not** required if the lights meet the following criteria:

- 1) Individual lighting units do not exceed 12 inches in height:
- 2) Individual lights must not exceed 100 watts, are white or clear, non-glare type and located and aimed to cause minimal visual impact on adjacent properties and streets.
- 3) Seasonal lighting can be installed 30 days before the holiday and must be removed within 30 days of the said holiday.

C. Flag Poles

A Form **is not** required for installing a single flagpole attached to the front portion of the house. The size of any flag displayed may not be greater than 3x5 feet. Flags must be in good condition, free from rips, tears or significant fading. Freestanding poles are require a form and will be considered on a case by case basis.

D. Plants and Flower Pots

Front doors and entry area decorations must be tasteful and in keeping with the style and colors of the house and community. Plants and flowerpots must always be neat and healthy. Neatly maintained front porch flowerpots (maximum of four) that coordinate with exterior home colors and containing evergreens/flowers **do not** require submission of a Form.

E. Water Features

A form must be submitted for all water features. Water features are not allowed in the front yard. All water features in the backyard should be maintained in the condition as originally approved and installed.

F. Artificial Vegetation

No artificial vegetation shall be permitted on the exterior of any property except in use with door wreaths.

STANDARD #11: Pets

These guidelines apply to all types of animals or pets that a homeowner may consider bringing into the subdivision.

- 1.) No animals, livestock, or poultry of any kind may be raised, bred, kept or permitted on any lot, except cats, dogs, and other usual and common household pets.
- 2) No pet may be kept, bred, or maintained for any commercial purpose.
- 3) No pet shall be allowed to endanger the health of the Community, make objectionable noise, or constitute a nuisance or inconvenience to the Owners or Occupants of other Lots or the Owner of any property adjacent to the Community.
- 4) All dogs shall be kept on a leash while they are outside the Owner's property.
- 5) Dogs that are kept outside regularly, must be kept in a fenced yard (ADR approved).
- 6) Due to the public sidewalk and right of way of pedestrians, no pets shall be tethered in the front of a house unless accompanied by the homeowner. All tethers should be removed and stored out of sight when not in use.
- 7) Cats should be kept within the boundaries of the Owner's property.
- 8) Pet owners must clean up pet waste both on and outside their property.
- 9) Invisible pet fences shall be allowed.

STANDARD #12: Private Pools

A. In-Ground Pools

No in-ground pools are permitted on the property.

B. Hot Tubs

A Form **must be submitted** for exterior hot tubs. Hot tubs and all pump and filter equipment must be screened from adjacent properties and streets. Hot tubs and spas shall be permitted provided that hot tubs and spas is incorporated into a deck or on a patio. All hot tubs and spas must be screened with a privacy fence meeting the provisions of the Design Guidelines or other such adequate screening also approved by the ADR. A shadow box or similar style privacy fence may be installed in an approved location immediately around a hot tub or spa.

C. Children's Portable Wading Pools

A Form **is not** required for children's portable wading pools (those that can be emptied at night). Portable wading pools must be stored out of sight from the street when not in use and may not be kept in view from the street for more than 48 hours.

D. Aboveground Pools

Aboveground pools are prohibited.

STANDARD #13: Private Tennis Courts

Private tennis courts are not permitted.

STANDARD #14: Vehicles & Parking

For the safety and security of the community, the following guidelines apply:

- 1) No towed vehicle, boat, trailer, camper, recreational vehicle, motor home, mobile home, bus, truck with camper top, commercial vehicle, truck over one ton capacity, motorcycle, mini-bike, scooter, go-cart, or similar vehicle is permitted on any lot for more than 48 hours, except if kept in an enclosed garage.
- 2) No commercial vehicle or other vehicle displaying signage may be parked or stored in open view in the Community for longer than a 48-hour period.
- 3) All vehicles parked in open view and not in a garage must be currently licensed, operable, and may not be unsightly or will be towed at owner's expense..
- 4) No vehicle may be parked on any yard, sidewalk, or side yard or will be towed at owner's expense.
- 5) **Snow ban.** No vehicle shall be parked on the private streets when snow amounts exceed 2 inches. Vehicles shall be moved within 12 hours after accumulation reaches 2 inches. Vehicles not moved will be towed at the owner's expense.
- 6) Homeowners are responsible for guest parking and must ensure that guests park in a safe manner and do not impede access to other driveways, sidewalks or the flow of traffic.
- 7) No vehicle shall remain parked on the private streets for more than 48 hours. Vehicles not moved shall be considered abandoned and will be towed at the owner's expense.

Note: The temporary removal of vehicles noted in items one, two, or seven of this guideline is not sufficient to establish compliance with the 48-hour parking limitation.

STANDARD #15: Antennas, Satellite Dishes A.

General Guidelines

This guideline applies to installation, attachment and maintenance of direct broadcast satellite ("DBS") dishes or antennas and multi-channel multi-point distribution services ("MMDS") dishes or antennas (herein collectively called "Satellite Dishes", which this definition shall include the supporting mast, cabling and all other components or accessories thereof at the Westfield Park subdivision.

Satellite dishes may be installed for reception, but not transmission, in accordance with these guidelines. No other antennas or similar devices may be installed without approval of the ADR.

Before installation or attachment of any Satellite Dish is permitted, the Owner must notify the ADR in writing using the attached Satellite Dish Notification Form. If the Satellite Dish is installed in an approved location and in accordance with these guidelines, then no further action is required of the Owner other than providing the notification form to the ADR. Ground mounted satellite dishes require ADR application.

B. Other Considerations

1. Satellite Dish Size Limits

Satellite dishes shall be no larger than one meter in total size. Satellite Dishes or antennas mounted on masts are prohibited except where necessary for reception of an acceptable quality signal and within the total size limit provided. Concealed cabling shall not count toward this total size guideline.

2. Location

With submission of a Notification Form as provided above, and without further approval of the Board or ADR, **Satellite Dishes may be installed in the following locations:**

- a) In or on the rear of the home within the sidelines of the home so as not to be visible from the street.
- b) Rooftop mounting only on the rear of the home.
- c) An alternate location that is least visible to public view.

If it is determined that the Satellite Dish cannot receive an acceptable quality DBS or MMDS signal in any of the pre-approved locations designated above, the following procedure should be used. Prior to installing the Satellite Dish in an alternate location, the Owner **must submit to the ADR a written request to install the Satellite Dish** in an alternate location. This request must include specific, written documentation describing why the pre-approved locations are not acceptable.

3. Installation

Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which it is attached. No cabling shall be allowed on the roof surface, or on the surface of the exterior siding or brick of any home.

The Owner or Occupant shall be responsible for the maintenance and repair of the Satellite Dish including, but not limited to, (i) reattachment of Satellite Dish, and any components thereof, within forty-eight (48) hours of dislodging, for any reason, from its original point of installation: (ii) repainting or replacement, if for any reason the exterior surface of the Satellite Dish becomes worn, disfigured or deteriorated.

STANDARD #16: Business Use

Each house shall be used for residential purposes exclusively. No business or business activity may be conducted in or from any Lot or any part of the Property at any time except with the written approval of the Board. This includes business uses ancillary to primary residential use, except that the Owner or Occupant residing in a dwelling on a Lot may conduct such ancillary business activities within the dwelling so long as the following conditions apply:

- 1) The existence or operation of the business activity is not apparent or detectable by sight, sound or smell from the exterior of the dwelling;
 - 2) The business activity does not involve visitation of the Lot by employees, clients, customers, suppliers or other business invitees; provided, however, this provision shall not preclude delivery of materials or items by United States Postal delivery or by other customary parcel delivery services (U.P.S., Federal Express, etc.);
 - 3) The business activity conforms to all zoning requirements for the Property;
 - 4) The business activity does not increase traffic flow or parking congestion on the Property;
 - 5) The business activity does not increase the insurance premium paid by the Association or otherwise negatively affect the ability of the Association to obtain insurance coverage;
- and
- 6) The business activity is consistent with the residential character of the Property and does not constitute a nuisance or a hazardous or offensive use, or threaten the security or safety of other residents of the Property or adjacent properties, as may be determined in the Board's sole discretion. The terms "business" and "trade", as used in this provision, shall be construed to have their ordinary, generally accepted meanings, and shall include, without limitation, any occupation, work, or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether:
 - a) such activity is engaged in full or part-time;
 - b) such activity is intended to or does generate a profit; or
 - c) a license is required thereof.

DESIGN STANDARD ENFORCEMENT PROCEDURES

A. General Guidelines

Design Standard violations - as reported by any source - may be submitted to the Board Of Trustees for appropriate action. The following process may ensue:

- 1) **Confirmation** that a violation exists by site visit.
- 2) If substantiated, the homeowner will be mailed a **violation** letter and provided the following information:
 - a) Description of the violation;
 - b) Steps necessary to remedy the violation; and
 - c) A time period to either respond in writing and/or remedy the violation.
- 3) If the matter is not resolved, a **second violation letter** will be sent advising the new time frame for correction.
- 4) Failure to comply could result in any or all of the following **sanctions**:
 - a) Imposition of a fine on a per violation and/or per day basis from the original date of the violation;
 - b) Correction of the violation by the association with all costs charged to the homeowner, including towing and impounding vehicles;
 - c) Filing of a lien for all fines and costs, including but not limited to legal fees, to correct the violation; and/or,
 - d) The filing of a lawsuit.

These actions may be taken in any order and do not represent in any way a limitations to the actions available under the Declarations, Code of Regulations or the Rules and Regulations of the Westfield Park Homeowners Associations Inc. or of the laws of the state of Ohio.

Note: When a determination has been established that a property is in violation of the Guidelines, and the property Owner has been properly advised, that violation will remain active until it is resolved. Transfer of ownership of a property WILL NOT erase an outstanding violation since a violation follows the property, not the property Owner.

IMPORTANT CONSIDERATION: If a violation exists where there is danger to neighbors or other homes, then immediate action will be taken by the Board of Trustees to correct the dangerous violation or situation and the notification process above will not be taken. Any and all other actions necessary to safeguard the homeowners of the community will be first priority.

B. Penalties

Penalties for non-compliance may include fines and other legal remedies prescribed in the *Declarations, Code of Regulations or the Rules and Regulations* as deemed necessary by the ADR. Non-compliance includes but is not limited to the following:

- 1) Failure to apply for ADR approval of a project;
- 2) Second notice of the same violation;
- 3) Third notice of the same violation;
- 4) Failure to pay assessed penalty and/or costs attributed to Right of Abatement.

**These Design Standards Supersede Any Previous
Design Standards and/or ADR Guidelines.**