

INTRODUCTION

The Amberlea Deed Restrictions grant specific authority and broad judgment to the Board of Directors in reviewing homeowner requests for property changes and improvements. The Board does not need to review work that is deemed maintenance, however, it is still necessary for the homeowner to submit an Architectural Review form. Maintenance is defined as work that does not cause any change whatsoever in the appearance of the property.

Examples of “maintenance” include:

- 1) Repainting the house with the same exact color
- 2) Replacing a fence with a new one of the same height, type, color and on the same footprint
- 3) Replacing a roof with a new one of the exact same type, style and color
- 4) Replacing bushes/landscaping that have died or are diseased
- 5) Replacing a driveway or sidewalk with a new one of the exact same material and color
- 6) Replacing windows or doors with new ones of the same color, style and quality
- 7) Replacing air-conditioning or pool equipment that is screened from view

If you have any question about whether a project you are considering qualifies as maintenance, contact our property manager or any member of the Amberlea Board.

The guidelines included herein are based on the Amberlea Deed Restrictions, the appearance of the property and community that the developer passed on to the members, the architectural decisions that the current and past Boards have made and the established “look” of the Amberlea community. These guidelines are published to give information to homeowners as they consider and plan alterations to their property and to provide guidance to current and future Board members as they evaluate and decide on architectural requests. However, when there is a conflict

between these guidelines and the Amberlea official documents, the official documents are the authority.

If you do not find the subject you are looking for in these guidelines, please call the property manager or one of the members of the Amberlea Board.

DOORS & WINDOWS

Changing doors, the color of doors and windows change the appearance of a house and are subject to a review by the Association. An Architectural Review Form must be completed and submitted to the property manager. New windows that make a physical change in the appearance of the home require Board review (and a County permit). Replacing a broken window is considered maintenance by the Association but may still require a County permit.

DRIVEWAYS

When Amberlea was built, all of the driveways were concrete, but over the years many residents needed to replace broken concrete. Many chose pavers and the Association approved those changes. The rule has been that as long as the pavers are traditional, (i.e., not an outrageous color or combination of colors) and that the “footprint” of the driveway and walkway to the house are unchanged. Any change in the footprint does require Board review and approval.

Circular driveways are permitted but the driveway material cannot be closer than five feet to the side line. A driveway footprint that is closer to the lot lines is a violation of the community and County setback restrictions.

Driveways must be a minimum of 16 feet in width at the entrance to the garage and no wider than the width of the garage door or doors (in the case of three-car garages).

FENCES

The Amberlea deed restrictions prohibit certain kinds of fences in the

community as well as the height and location of fences that are permitted. The deed restrictions also grant to the Board of Directors broad authority regarding style, location, appearance and architectural qualities of property alterations and improvements.

These are the guidelines that the Board follows in reviewing requests from homeowners for the installation of fences in Amberlea.

1) Amberlea is not a community that encourages fences. However, it is understood that there are cases where an owner may have a reasonable need for a fence. The Board needs to know the reason for any fence request.

2) Fencing is only allowed in the backyards of properties. Without special circumstances, fences may not be placed forward of the rear corners of the home. Fences will be permitted forward of those locations when required to screen pool or air-conditioning equipment and only as much fencing as is required to screen the view of the equipment.

3) Chainlink fences are prohibited. Artificial materials (plastic, etc.) may be used if the fence is used for small enclosures to screen pool or air-conditioning equipment.

4) Whenever possible, the color of the fence will be the same as one of the colors used on the house. The Board may consider other colors if they are tasteful and coordinate with the rest of the house and the community.

5) All fences must be located inside the parcel's property line.

6) Perimeter fencing may not exceed four feet in height. Privacy fencing (as defined in the deed restrictions) may be six feet in height when surrounding the immediate perimeter of a terrace or patio.

7) The Board expects the member requesting the fence to review fencing plans with all contiguous property owners.

8) The Board encourages owners who plan to install a fence to

have a property survey done so they are absolutely certain of their property lines. If a location error is made, it is the owner's responsibility to make the correction immediately.

PAINTING

Painting a home a different color requires Board review and approval. It is necessary to fill out and submit an Architectural Review Form together with sample of the proposed paint. In general the colors in Amberlea have always been earth tones.

POOL DECKS & CAGES

Pool decks and pool cages have always been viewed as an issue that the Association does not review. However, if a pool deck or cage project involves changing the footprint of the deck or the height and color of the cage, an Association review is necessary.

TREES

The community thinks that trees are important. As a result, any tree with a diameter greater than four inches measured at a point four feet from the ground level may not be removed without approval of the Association. If a tree is diseased, a diagnosis by a licensed arborist is required. When a resident requests the removal of a tree, he or she must agree to replace the tree with a new one. It does not need to be the same type or in the same spot. But it must be replaced.

LANDSCAPING

Like roofs and paint condition of a house, the landscape contributes to the appearance and desirability of the home and the community. Changing a shrub here and there is normal and not anything that requires Association review. However, major changes in the style, design and materials in the existing landscape do need review. Members are expected to maintain their landscaping and not let it fall into disrepair.

ROOFS

Few things can drag down the appearance and desirability of a community more than dirty roofs. Both tile and asphalt shingle roofs need periodic cleaning, and from time to time the Association may ask an owner to clean the roof of the home.

When replacing a roof the Association generally prefers tile, but asphalt shingles and a few other materials are permitted if they meet the requirements spelled out in the community documents. Roofing materials are defined in the official documents of the Association. The documents state:

“The composition of all pitched roofs shall be glazed tile, cement tile, slate, Bermuda style cement, 360 pound asphalt, multi-layer architectural composition, or other equal Class “A” fiberglass or wood shingle shall be used for all roofs, or such other material that is approved by the Association. No heat or plumbing vents shall penetrate the roof on the road side of the building without the approval of the Association. With the exception of chimneys, all such vents shall be painted the same color as the roof.”

For any homeowner consider a shingle roof, the following guidance is provided. When Amberlea’s documents were written 30 years ago, the minimum requirement for asphalt shingles was ***“360 pound asphalt multi-layer architectural composition”***. How does the Amberlea Board translate that specification into today’s roofing nomenclature?

Architectural shingles are a premium grade of asphalt shingle roofing. These shingles are thicker and have a distinctive, textured appearance. They are sometimes called dimensional or laminate shingles.

They also have a heavier mat base, typically fiberglass that has been coated with asphalt. Multiple layers are then overlapped and laminated together to create the texture. The finished product weighs about 100-lbs. more per “square” (a roofer’s term for 100 square feet of roof area) than regular shingles. (Lower-end regular roof shingles are called “3-tab” in the trade, for the 3 tab/flaps with quarter-inch grooves between them in each panel. They run in flat, even rows as opposed to the textured and layered look of architectural shingles.)

An architectural shingle roof has a 30-year life, with better grades rated for up to a 40-year or greater. Also architectural shingles have greater resistance to uplift in a windstorm and a heavier granule covering.

Based on this information, any shingle roof approved by the Board of Directors must have these minimum specifications:

- 1) It must be “architectural grade”
- 2) It must be able to withstand 130mph winds
- 3) It must have a minimum rated life of 40 years
- 4) The shingles must be rated as Class A (i.e. tested in accordance with ASTM E 108 or UL 790)

SERVICE EQUIPMENT

All service equipment such as air-conditioning units, water-purifying units and pool equipment must be totally screened from view by fencing or shrubbery. Any trash cans left outside the home must also be completely screened from view.

SIDEWALKS

Sidewalks are the property of and responsibility of the individual homeowner. Despite the fact that the sidewalks are owned by the homeowner, they may be used by any resident of the community.

In the past, the Association has paid to have the sidewalks cleaned, but this was done only to improve the appearance of the community. Homeowners are encouraged to have their sidewalks cleaned when necessary and to make repairs where safety issues are involved.