

STATE OF ALABAMA            )  
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MADISON COUNTY            )

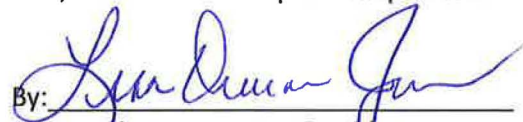
**RESOLUTION**

BE IT RESOLVED: That the Board of Directors of HAMPTON COVE OWNERS ASSOCIATION, INC., an Alabama non-profit corporation, has approved and adopted those certain modified Standards and Restrictions attached hereto as Exhibit "A" and incorporated herein by reference. Such modified Standards and Restrictions shall apply to all Residences in the Community and shall be in addition to the covenants set-out in the Declaration of Protective Covenants for Hampton Cove and By-Laws of Hampton Cove Owners Association, Inc.

**CERTIFICATE**

The undersigned, Lisa Jensen, the President of HAMPTON COVE OWNERS ASSOCIATION, INC., an Alabama non-profit corporation, hereby certifies that the foregoing Resolution was duly adopted by a majority of the Directors of said corporation on the 23<sup>rd</sup> day of October 2023.

HAMPTON COVE OWNERS ASSOCIATION,  
INC., an Alabama non-profit corporation

By:   
\_\_\_\_\_  
Lisa Jensen, Its: President

[NOTARY ON FOLLOWING PAGE]

STATE OF ALABAMA            )  
  :  
MADISON COUNTY            )

Before me, a Notary Public in and for said county and state, did personally appear **Lisa Jensen**, whose name is signed to the above instrument as President of **Hampton Cove Owners Association, Inc., an Alabama non-profit corporation**, and who is known to me, acknowledged before me on this date that, being informed of the contents of said instrument, she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in her capacity as aforesaid.

Given under my hand and seal on this the 25<sup>th</sup> day of October, 2023.

Sheena Wertz  
Notary Public  
My Commission Expires: 3/14/26

THIS INSTRUMENT PREPARED BY  
Marla Wood  
HUNTSVILLE, ALABAMA



## ***Hampton Cove Owners Association Standards & Restrictions***

### ***1.0 Purpose and Background***

The Standards and Restrictions document describes the architectural standards and use restrictions that have been established for Hampton Cove. They have been enacted to provide a safe and pleasant atmosphere throughout our community, and to protect the property value of the homeowners. This document is the current set of Standards and Restrictions, either specifically set forth in the Governing Documents or implemented by the Board of Directors. As the community develops, the details of the Standards and Restrictions may be amended as necessary to meet the needs of the association members and intentions of the board.

*The Declaration of Protective Covenants of Hampton Cove (DOC) established the Hampton Cove Owners Association (HCOA) to provide a well-planned development for Hampton Cove and a board of directors to manage association operations. The DOC provides architectural standards and use restrictions for the entire Hampton Cove community.*

The governing documents grant the board power to provide for the administration, maintenance, preservation, use, and enjoyment of the common grounds and facilities. The board also has the responsibility for maintaining and enforcing architectural standards and use restrictions. The DOC broadly defines homeowners' responsibilities in Sections 1-10 of article IV, and Section 2 of Article V by establishing a basic set of standards and restrictions. It also gives the Board of Directors the authority to interpret the standards and restrictions as the community grows and matures. Article 13, sections 1 and 2 provides for enforcement, while Article 13, Section 4 provides for amendments. The board is authorized to make exceptions and define details. Article 13, Section 18, allows the board or its designees to "exercise ... reasonable discretion, permit deviations...."

### ***2.0 Architectural and Design Standards***

Architectural and Design standards for Hampton Cove preserve the beauty of the neighborhood and homeowners' property values. The review procedure ensures compliance with the specific standards codified below. To maintain these standards and ensure uniform enforcement, all new construction and major modifications must be approved. Depending on the level of review, staff for the HCOA, the Architectural Review Committee (ARC), or the full Board of Directors may review the project.

*No exterior construction, addition, erection, or alteration to a property may begin without the prior written permission of the HCOA.*

## **2.1 Houses: New Construction**

### **Permitting approval**

Each owner and/or builder must submit detailed site, house, and landscaping plans, along with exterior color chips, to Hampton Cove Owners Association, as part of the approval process. The application also needs to include a payment of \$150 and a builder deposit of \$250, made payable to the HCOA. Application forms are available at the HCOA office and online.

Plan approval or disapproval will be granted within 45 days of submission. Approved plans may proceed. Some plans may be approved subject to specific conditions that must be met. Rejected plans will be given reasons for rejection with possible alternatives to bring the plans into compliance with neighborhood standards.

Failure to obtain approval for plans prior to digging footings will result in a fine of \$150. An additional penalty of \$250 per a month will be assessed until compliance is achieved. The \$250 builder deposit will be refunded upon completion of construction, provided the lot was properly cleaned and maintained during construction. Please make refund requests in writing at the end of construction to Hampton Cove Owners Association.

### **Site management**

The prime contractor is responsible for maintaining the job site during the preparation and construction period, and up until the time of closing a sale or owner/renter occupation. This includes the safety and cleanliness of the job site and minimization of disturbances and distractions to nearby residents. The prime contractor is also responsible for the actions of his subcontractors. Construction workers need to park vehicles appropriately – no double parking or blocking driveways. Loud voices and radios, etc., are prohibited. No trespassing, including using driveways or yards of neighbors as convenient pathways without permission given by adjacent property owners. Construction vehicles and other equipment are not allowed to remain at the job site or vacant lots for more than five days prior to or after use.

## **2.2 Design Review Standards**

Design review standards reflect specific items initially addressed by the Declaration of Covenants. These standards affect the size and type of house, garage placement, exterior siding materials, color, and shingle grade.



Subdivision <sup>1</sup>	Minimum SQ feet of heated space	Roof Covering <sup>2</sup>	Garage Entry Location	Wall Cladding	Required % of Masonry Cladding <sup>3</sup>
Arbor Woods	2,400	regular/architectural	side or rear	brick or stone	varies <sup>4</sup>
Cobblestone Cove	2,400	regular/architectural	side or rear	brick or stone	60%
Cumberland Cove	2,400 <sup>5</sup>	regular/architectural	side or rear	brick or stone	60% <sup>6</sup>
Deford Mill	2,400 <sup>7</sup>	regular/architectural	varies <sup>8</sup>	varies <sup>9</sup>	varies <sup>10</sup>
Deford Mill Estates	2,800 <sup>11</sup>	regular/architectural	side or rear	varies <sup>12</sup>	varies <sup>13</sup>
Eastern Shore	1,600	architectural	front, side, or rear	brick or stone	60% or 80% if facing Eastern Bypass
Flint Mill	3,000	regular/architectural	side or rear	brick	90%
Glen Eagles	3,000	regular/architectural	side (rear if certain conditions are met) <sup>14</sup>	brick	90%

<sup>1</sup> All lots that front Hampton Cove Way are excepted from these restrictions and are required to have a minimum of 3,500 square feet of heated space, architectural grade singles, and 90% brick.

<sup>2</sup> Roof pitch for the main portion of the house should be minimum 6:12. Lower pitches will be considered for porches and additions. Any pitch below 3:12 requires a metal roof.

<sup>3</sup> Check individual Supplemental Declarations by neighborhood for individual wall percentage numbers; they vary.

<sup>4</sup> 50% 1<sup>st</sup> and 2<sup>nd</sup> additions, 2<sup>nd</sup>, 90% 3<sup>rd</sup> and 5<sup>th</sup> additions

<sup>5</sup> Lot 197 shall have at least 3,500 sq feet.

<sup>6</sup> Lot 197 shall have at least 90% masonry construction.

<sup>7</sup> 2<sup>nd</sup> addition houses are at least 2,000 sq feet.

<sup>8</sup> Deford Mill: 1<sup>st</sup>-3<sup>rd</sup> and 5<sup>th</sup>-7<sup>th</sup> additions, front, side or rear garages; 4<sup>th</sup> and 8<sup>th</sup> – 17<sup>th</sup>, 19<sup>th</sup> and 25<sup>th</sup> – 27<sup>th</sup> additions, side or rear garages

<sup>9</sup> Brick or stone, with the exception of 4<sup>th</sup> addition, which is brick only

<sup>10</sup> 50% for 1-3<sup>rd</sup>, 5<sup>th</sup>-9<sup>th</sup>, 14<sup>th</sup>-17<sup>th</sup>, 19<sup>th</sup>, 25<sup>th</sup> -27<sup>th</sup> additions, 60% for 10<sup>th</sup>-13<sup>th</sup> additions, and 80% for 4<sup>th</sup> addition, and 90% for lot #249

<sup>11</sup> Lots 60-65, 76, 107, and 109-111 are required to have a minimum of 3,000 square feet of heated space.

<sup>12</sup> Masonry (brick or stone), with the exception of 2<sup>nd</sup> addition, which is brick only

<sup>13</sup> 65% for first addition, 80% for second addition

<sup>14</sup> Rear-entry garages may be approved. Approval depends on location of lot and dwelling placement on the lot. Rear-entry garages are not allowed on golf course lot or lots facing Hampton House.

Grande Highlands	varies <sup>15</sup>	regular/architectural	side or rear <sup>16</sup>	brick or stone	80% <sup>17</sup>
Grande Highlands Estate	3,000 <sup>18</sup>	architectural	side or rear <sup>19</sup>	varies <sup>20</sup>	80%
Hampton Cove Estates	3,000	architectural	side or rear <sup>21</sup>	brick or stone	90%
Lake Pointe	varies <sup>22</sup>	regular/architectural	side or rear <sup>23</sup>		varies <sup>24</sup>
Mallard's Landing	varies <sup>25</sup>	regular/architectural/ uniform color (required color is Weathered Wood)	front or front/side	brick or stone	60% or 80% if facing Eastern Bypass
Providence Island	4,000	architectural	side (rear if certain conditions are met) <sup>26</sup>	brick	90%
Stoneleigh Terrace	2,000	architectural	rear	brick or stone	80%
Sussex Quarter	varies <sup>27</sup>	regular/architectural	varies <sup>28</sup>	brick or stone	50%
Tammerack Lakes	3,000	architectural	side or rear <sup>29</sup>	brick or stone	80%

<sup>15</sup> 1<sup>st</sup> addition requires 2,800 sq foot minimum, with lots 1 and 67 requiring homes having 3,500 sq feet. 2<sup>nd</sup> addition requires 3,000

<sup>16</sup> Front-entry may be allowed, at the discretion of the HCOA, if topographical conditions warrant a front-entry garage.

<sup>17</sup> Lots 1 and 67 must have 90% masonry.

<sup>18</sup> Lots 57 and 58 require homes to have 2,800 sq feet

<sup>19</sup> Front-entry may be allowed, at the discretion of the HCOA, if topographical conditions warrant a front-entry garage.

<sup>20</sup> Brick or stone for 1<sup>st</sup> addition, brick, stone, or Hardie board for 3<sup>rd</sup> addition.

<sup>21</sup> Rear-entry garages are not allowed on golf course lots.

<sup>22</sup> 1<sup>st</sup>-4<sup>th</sup> additions require 1,900 sq ft, 5<sup>th</sup>-10<sup>th</sup> additions require 2,100 sq ft.

<sup>23</sup> Front-entry garages are allowed in 3<sup>rd</sup>, 4<sup>th</sup> and 10<sup>th</sup> additions.

<sup>24</sup> 1<sup>st</sup>-9<sup>th</sup> additions require 50%, 10<sup>th</sup> addition requires 75%.

<sup>25</sup> 1<sup>st</sup> addition requires 1,600 sq ft, 2<sup>nd</sup> addition requires 1,700 sq ft.

<sup>26</sup> Rear-entry garages may be approved. Approval depends on location of lot and dwelling placement on the lot. Rear-entry garages are not allowed on golf course lots or lots facing Hampton House.

<sup>27</sup> 1<sup>st</sup> – 6<sup>th</sup> addition homes are required to have 1,600 sq feet, 7<sup>th</sup> – 11<sup>th</sup> addition homes are required to have 2,000 sq feet.

<sup>28</sup> 1<sup>st</sup>– 2<sup>nd</sup>, 11<sup>th</sup> additions, front, side or rear garages; 3<sup>rd</sup>- 10<sup>th</sup> additions, side or rear garages

<sup>29</sup> Rear-entry garages are not allowed on golf course lots.

Tammerack Links	varies <sup>30</sup>	architectural	side or rear <sup>31</sup>	brick or stone	80% <sup>32</sup>
Treyburne	varies <sup>33</sup>	architectural	varies <sup>34</sup>	brick or stone	varies <sup>35</sup>
Twelve Stones	2,400	Regular/ architectural, slate, cement fiber slate, 5-V metal, or standing seam metal	side or rear <sup>36</sup>	brick or stone	varies <sup>37</sup>

### Exterior Cladding

The Declaration of Covenants established a traditional masonry community with exterior wall cladding consisting of predominately brick or stone. Other materials, such as dryvit, engineered wood, fiber cement, stucco, vinyl, or wood, may be approved for accent areas by the HCOA at their discretion. Soffits, fascia, and verge boards may be wood, fiberglass, fiber cement, metal, or engineered wood.

### Exterior Equipment (air conditioning units, heat pumps, antennas, etc.)

Units must have permanent screening made from masonry, fencing, or landscaping. If fencing is used, it should match existing fencing and must be painted to match any existing fence on the property, the color of the house trim, or the masonry. Lattice screening is discouraged. If lattice is used, it must be stabilized within a wood frame and painted to match existing fence or house trim. Shrubs may be used as a screening provided the shrubs are evergreen and large enough to adequately screen unit upon planting (minimum of 3 shrubs not smaller than 3 gallon size).

Window air conditioners and protruding exhaust fans are prohibited.

Exterior radio, television, or other antennas should be placed in the most discreet location possible. Satellite "dish" receiving antennas less than 24 inches in diameter are allowed and cannot protrude above the roof line of the residence at its highest point. If placed in an area visible from the street, they must be screened.

<sup>30</sup> 1st and 6<sup>th</sup> addition homes are required to have 2,600 sq feet, with lots 1 and 41 required to have 3,500 sq feet. 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> addition homes are required to have 3,000 sq feet.

<sup>31</sup> Rear-entry garages are not allowed on golf course lots, 8<sup>th</sup> addition homes shall have side-entry garages only.

<sup>32</sup> Lots 1 and 41 require 90% masonry.

<sup>33</sup> 1st and 6<sup>th</sup> addition homes are required to have 2,600 sq feet, with lots 1 and 41 required to have 3,500 sq feet. 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> addition homes are required to have 3,000 sq feet.

<sup>34</sup> Garage must be located behind the house; no wings with garage protruding behind front façade.

<sup>35</sup> 50% for 1<sup>st</sup> addition, 75% 2<sup>nd</sup> addition.

<sup>36</sup> Garage must be located behind the house; no wings with garage protruding behind front façade.

<sup>37</sup> Garage must be located behind the house; no wings with garage protruding behind front façade.

Small cylinder gas tanks (less than 50 gallons) that can be placed beside heating and cooling units are allowed with landscaping or fencing to screen from view. Larger tanks are subject to approval by the HCOA. Horizontal (submarine-style) tanks must be buried in the back yard.

Solar energy collector panels or other energy conservation equipment must be approved by the HCOA.

### **Garages**

All single-family residences are required to have an attached garage. Detached garages may be permitted upon approval only if Protective Covenant Supplementals allow. Detached garages must be connected to the residence by a breezeway. Garage entry location, front, side, or rear varies based on supplemental declarations for each neighborhood.

Carports are not allowed.

Fabric car covers are discouraged. If used, they must be kept clean and free of debris, rips and tears.

### **Windows, Doors, and Awnings**

Windows may be wood, vinyl, or aluminum and should be the same color as specified in the original house plans unless an alternate color is approved by the HCOA.

Twelvestones Supplementals require that windows have window divider grids and must be white or light colored.

Storm doors must be high quality, well maintained, and match the house trim color. Only solid, clear glass is permitted, with no etchings or panes. Screens are not permitted on front doors.

Permanent and retractable awnings are allowed. Materials and colors must have approval from the HCOA prior to installation.

## **2.3 Maintenance and Upkeep Responsibilities**

Due to the vast range and variety of potential home improvement projects, homeowners are required to submit a Property Modification Request form or Fence Modification Request form and obtain approval prior to starting projects. This ensures that neighborhood standards are met and avoid the difficulty and expense of correcting unacceptable alterations. The HCOA reserves the right to fine homeowners who proceed with projects prior to approval.

Each owner is required to maintain their property in a safe and attractive manner consistent with the community-wide standards. This includes repair of the residence,

*Approved by the HCOA Board on Nov. 27, 2017*

*Amended by the HCOA Board on Aug. 27, 2018*

*Amended by the HCOA Board on Oct. 23, 2023*

painting, lawn care, driveway repair, and prompt removal of trash. Specific rules are addressed in the *Declaration of Protective Covenants of Hampton Cove*, Article VI, Sections 9 and 15.

All residences and improvements, including bricks and paints, must be kept in a state of good repair. Paint colors must match those currently used on the structure or must be colors approved by the HCOA. Untreated wood on the exterior of a residence is not allowed; it must be painted. Sealers that preserve the natural color are not acceptable, with the exception of pergolas built on property adjacent to lakes. Those residences may have Western Cedar or Redwood pergolas sealed to preserve their natural color.

#### **Lakeside Homes**

Patios must be neat and clean at all times. Sidewalks along the lake must be maintained (clean and free of standing water) by the homeowner.

Geese barriers are only permitted from May through August. They must be taken down by August 31<sup>st</sup> and cannot be erected before May 1<sup>st</sup>.

#### **2.4 Additions, Modifications and Repairs**

The review procedure for additions, modifications, and major repairs is similar to that of new construction. Property modification forms are available at the HCOA office and on our website, and must be submitted for architectural, design, or landscaping changes.

Approval is not required for improvements that do not alter the original appearance. This includes:

- Repainting in existing colors that were previously approved by the HCOA
- Replacement of damaged roof shingles in original pattern and color (color change or shingle change requires approval)
- Replacement or repair of downspout and eaves without changing drainage patterns or color
- Replacement or repair of decks, trim, windows, or other areas of damaged wood without changing original design or footprint
- Landscaping replacement consistent with original plans
- Trimming of trees and hedges
- Pressure washing or repainting fence in approved color. *Fence replacement requires approval.*

### **3.0 Landscaping**

Each residence must be well landscaped, with shrubbery and lawn areas meeting individual subdivision requirements. All new construction applications must include complete professional landscaping and drainage plans. Existing trees on a new construction lot can count toward a landscape plan; they need to be marked and labeled accordingly. Altering the original landscaping requires approval. Foundation shrubs are required and must be an evergreen variety and not smaller than 3 gallon size. If foundation shrubs are removed, they must be replaced with no less than the minimum number required. The use of railroad ties to create retaining walls is prohibited. A Property Modification Request form is required for tree removal, landscaping bed changes, new edging, etc.

#### **3.1 Lawn Establishment and Maintenance**

Well established and maintained lawns, shrubbery, and flower garden areas are essential to neighborhood appearance and property values. Lawns should be mowed regularly, and maintenance should include regular edging along curbs and driveways, removal and control of weeds, and timely fertilization and watering. Flower and shrubbery beds should be kept free of grass and weeds. If lawn requires replacement, check corresponding neighborhood Supplementals if sod is mandated. Artificial turf is not permitted.

Residents in Lawn Care communities should not run their irrigation systems in the winter months, unless they have received permission from the HCOA.

#### **Drainage**

Catch basins and drainage areas are for the flow of natural water only. Nothing to obstruct the flow will be allowed in those areas. Drainage flows cannot be obstructed or re-channeled after the location and installation of drainage swells, storm sewers, or storm drains except with the permission of the HCOA. All drainage areas should be maintained in the original design.

#### **Vacant Lots**

Vacant lots must be kept free of brush and weeds. Lots that are clear and sufficiently level must be mowed entirely so that weeds do not exceed 8 inches in height. Lots that are rocky, uneven, and tree-covered must be cleared and mowed to the extent of covering the utility easement or at least 10 feet from the property line of an adjacent completed residence.

#### **Garden Beds**

Garden beds must be well maintained and mulched with either wood mulch or pine straw. All beds must be consistent with the same mulch used for the entire yard. Synthetic mulch is not permitted. Gravel is not permitted. River rock in mulch beds may be permitted, upon approval, and only if Supplemental Declarations permit.



### **Vegetables**

Vegetable plots must be confined to side and rear yards and must be screened from street view.

### **Artificial Vegetation**

Artificial vegetation is not allowed with the exception of seasonal decorations, which shall be confined to wreaths, porch decorations, etc. The time frame for Christmas holiday décor and lighting is November 15- January 15<sup>th</sup>. All lights must be removed by January 15<sup>th</sup>. Halloween specific décor is permitted Oct. 1- the weekend following Halloween.

### **3.2 Fences**

A Fence Modification Request form must be submitted when adding or replacing a fence. All fences and fencing-type barriers of any kind must be approved in writing by the HCOA prior to construction. Certain neighborhoods, including, Eastern Shore, Mallard's Landing, and Twelve Stones have specific regulations.

Chain-link and vinyl fences, regardless of style, are not allowed.

The HCOA is aware that new construction materials may become available and reserves the right to allow test examples to determine the suitability of such materials for future approval. A test of a material should not be interpreted as the new material being given a blanket approval for the neighborhood. The HCOA may decide after a test run that the material should not be approved in future neighborhood projects.

Maximum fence height is 6 feet. Minimum fence height is 4 feet.

Fences are not permitted nearer to the front lot line than the rear-most corner of the dwelling.

The exterior side of the fence must be finished and smooth; structural characteristics must be covered. Rough-sawn boards are not allowed.

Fences must be well-maintained by the homeowner with regular painting/staining on all sides and regular repair. Fences that are not maintained properly are considered an eyesore and subject to fines.

Fences must have brick piers/posts in all corners. Brick piers/posts must coordinate with the same height as the fence. Any side longer than 75 feet must have a masonry center pier.

Wood fences must be painted with a stain or paint that is approved by the HCOA. Pre-approved solid stain colors are Sand Castle SW 3006, Cabin Brown SW 3031 and Tobacco SW 3039 by Sherwin Williams. Other colors must be submitted for approval. "Natural" or transparent stains are not permitted. Fences must be painted/stained on all sides with the same color.

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Requirements for Eastern Bypass fences: Wood fences that are highly visible from the bypass, up to a distance of 700 feet, must be painted Sherwin-Williams SW 3006 Sand Castle on their road-facing sides to ensure a unified aesthetic.

The following fences also must be painted Sand Castle:

- Wood fences in Mallard's Landing
- Wood fences on the southern sides of The Green Court and Waterman Drive in Stoneleigh Terrace

Golf Course and Lake Lot Requirements: Golf Course and Lake lots must use black powder coated aluminum (or wrought iron) Except for approved privacy fences erected around pools and patios, privacy fences cannot be erected on lots backed up to the golf course or lake. The intent of this regulation is to present an aesthetically pleasing "non-walled off" appearance from, to, and in the vicinity of the golf course and lakes.

Tying in or enclosing yard with common wall: Fences that "tie-in" share a common wall and brick post with neighbors. Written permission from neighbor who owns the brick post/pier must be submitted to "tie-in," attach to neighbor's brick post or utilize the brick post and common wall to enclose the yard and creating a "party fence." Each homeowner is then responsible for equally sharing maintenance and repair of "party fence."

Fences that do not tie-in must allow 3 feet between fences for maintenance, weeding, painting, etc. between the fences.

Owners who have lots that are contiguous to or inclusive of any common fencing or monuments must construct their fences at least 10 feet away from such structures. Underground electric fences, which are used to control dogs, must be placed 10 feet away from any sidewalk or road.

### **3.3 Trees**

When planting trees, consider the mature size and its impact on neighboring properties and sidewalks.

#### **Approved Trees**

Large: Maple, Oak, Poplar, Sycamore, Magnolia, Birch and Zelkova

Small: Redbud, Dogwood, Crepe Myrtle, Nellie R. Stephens Holly, Plum, Cherry, Japanese Maple, Star or Saucer Magnolia, and Arborvitae.

#### **Banned Trees**

The following trees are not allowed, either because they are considered invasive in our region or because they are known to create significant maintenance problems: Autumn Olive, Box Elder, Bradford Pear, Catalpa, Camphor, Chinese Privet, Chinaberry,

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Cottonwood, Ginkgo, Mimosa, Princess Tree, Russian Olive, Siberian Elm, Silver Maple, and Tallow (Popcorn) Tree.

Palm trees and bamboo are not allowed within the subdivision.

Fruit trees are welcome, but because they often drop fruit and can make a mess on sidewalks, they are only allowed in side and rear yards.

### Minimum Tree Recommendations by Subdivision

Subdivision	Front Yard (Large/Small)	Back Yard (Large/Small)
Arbor Woods	2/3	1/1
Cobblestone Cove	2/3	1/1
Cumberland Grove	2/3	1/1
Deford Mill	2/3	1/1
Deford Mill Estates	2/3	1/1
Eastern Shore	0/2	0/1
Flint Mill	2/3	1/1
Glen Eagles	2/3	1/1
Grande Highlands	2/3	1/1
Grande Highlands Estates	2/3	1/1
Hampton Cove Estates	2/3	1/1
Lake Pointe	2/3	1/1
Mallard's Landing	2/3	1/1
Providence Island	2/3	1/1
Stoneleigh Terrace	0/2	0/1
Sussex Quarter	2/3	1/1
Tammerack Lakes	2/3	1/1
Treyburne	2/3	1/1
Twelve Stones	2/3	1/1

### **Pruning and Tree Removal**

Trees and shrubs should be properly pruned.

Trees cannot be removed without the express consent of the HCOA except for:

- Diseased or dead trees (which are to be removed immediately)
- Trees that need to be removed to promote the growth of other trees
- Safety reasons
- Trees in the immediate location of a building or addition approved by the HCOA

Stumps must be completely removed/ground out and the area landscaped, sodded or mulched within 60 days of tree removal. Wood chips must be removed after settling.

### **3.4 Exterior Storage**

Storage sheds, shops or similar buildings are prohibited. Low-profile exterior storage utility boxes or “deck boxes,” no taller than the height of the fence, may be permitted if the storage box is completely screened from view of street and neighbors.

Each resident is required to keep equipment and supplies stored in a neat, safe area, not highly visible to passersby or neighbors.

Illustrative examples include:

Garbage cans, piles of debris, stacks of yard waste, must be stored out of sight from the street and other residences. Lake and golf course lot owners must store garbage cans out of sight from passers-by. These items can be placed on the street the evening before scheduled trash pick-up.

Equipment such as lawn mowers must be stored in areas screened from the front view of the house, neighbors and passersby.

Wood piles must be stacked neatly in the back of the house.

Storage of recreational equipment, such as picnic tables, portable grills, bicycles, etc., must be in a privacy-screened area.

Clotheslines are only allowed to the rear of the house, in an area that is not visible from the street or other residents.

### **3.5 Outbuildings, Pools and Other Exterior Structures**

External structures such as storage sheds, shops, or similar buildings are strictly prohibited. The HCOA has made exceptions for well-designed gazebos, pergolas, playhouses, and hot tubs when located in a rear privacy area and not highly visible. A Property Modification Request form must be submitted for approval.

### **Storm Shelters**

Storm shelters are allowed in fenced back yards, providing they are screened from the street. The location and design must be approved by the HCOA.

### **Swimming Pools**

Aesthetically pleasing in-ground swimming pools may be approved if they meet all local codes, including fencing requirements. Above-ground pools are not permitted.

Accessory buildings, such as a pool house, must also comply with the masonry and roofing requirements of the main house. A Property Modification Request must be submitted for approval.

### **Basketball Goals, Swing Sets, and Trampolines**

Permanent or portable basketball goals must be regulation in size, a neutral color, and must be located no more than 20 feet from the front corner of the house. Basketball goals be erected in an area that backs up to the residents' own yard and not the adjacent neighbors' yard.

Well designed playhouses may be permitted upon approval. Wooden playsets maximum height is 14 feet. Playsets must be located in a rear privacy area, not highly visible from the street and in an approved area. Playsets should be screened from view with landscaping. Wooden playsets must be painted or stained an HCOA approved color within 120 days of installation. Playsets must be maintained with regular repairs and painting. Playsets in disrepair are considered an eyesore and are subject to fines. Metal swing sets are not permitted.

Trampolines should be anchored into the ground to prevent movement from winds. Trampolines must be located in a rear privacy area and not highly visible from the street.

### **Pergolas, Gazebos and Pavilions**

Pergolas that are permanently attached to the home, require approval by the HCOA and must be constructed of treated natural wood, PVC, fiberglass, or heavy-duty metal, stained or painted to match the house trim. Pergolas can be over the lawn or patio but cannot be more than 50 percent of the backyard. The maximum height cannot exceed 2 feet above the top plate of the first story or 3 feet above the top of the door frame, whichever is greater.

Gazebos, stand alone pergolas and pavilion kits from big-box stores may be permitted upon review. The size may not exceed 50 percent of the lawn and cannot be more than 14 feet in height. These kits must be set in concrete footers or bolted to patio for safety. They must be regularly maintained, repaired, and replaced or removed when unsightly.

### **Outdoor Kitchens and Fireplaces**

A property modification form must be submitted and approved for outdoor kitchens and fireplaces. Their design must be in keeping with the architectural characteristics of the home and the neighborhood. Kitchens and fireplaces must be located on the ground level, cannot be located near combustible materials, including trees, and must be a minimum of 15 feet inside a fence and/or property line. Fireplaces must be screened at the top with a spark arrester, with minimum chimney height set at 10 feet and maximum height at 14 feet.

### **Outdoor Statuary and Fountains**

Large fountains, waterfalls, and statues (over 5 feet tall or 4 feet wide) must be approved by the HCOA for placement in the front yard and/or side yards for corner lots. Fountains and statues must be placed in flowerbeds or landscape areas and must fit with the aesthetic value of the community.

### **Mailboxes**

Each single-family, detached residence requires a mailbox appropriate to the subdivision. Mailboxes and posts must be black with the exception of the original bronze mailboxes in some neighborhoods, which can be replaced with black. Mailboxes should be black, have a red flag, and display 2" brass numerals in the Williamsburg style font on the flag side of the mailbox. Sticker numbers are not permitted. Please contact the HCOA office for information on mailbox repair or replacement.

### **Flags Poles and Flags**

USA flags should be displayed in accordance with flag protocol. Flags should be displayed on a pole attached to the front porch or a garage corner facing the street. Flags should be in good condition, without tears or fading. Offensive flags may be prohibited. Flag pole structures are discouraged. If installed, they should be well maintained and free of rust.

## **3.6 Exterior Lighting**

The Declaration of Covenants prohibits exterior lighting except for the following:

- Two (2) decorative post lights
- A street light in conformity with an established community
- Seasonal lighting at Christmas
- Low-voltage accent lighting
- Walkway lighting

Garish or non-aesthetic lighting is prohibited.

Functional lighting for security and safety is permitted only with attached motion scanners or timers.



Extended use of house-mounted elevated floodlights is prohibited. This also applies to solar powered lights.

The time frame for holiday décor, large inflatables and lighting is October 1- the weekend following Halloween for Halloween specific decor and November 15- January 15<sup>th</sup> for Christmas theme décor. Holiday specific decorations must be removed no later than 2 weeks after the holiday. All lights must be removed by January 15<sup>th</sup>.

### **3.7 Signage**

Signs are limited to no greater than 26 inches x 32 inches.

Only one real estate "For Sale" sign is allowed per residence, and it must be at the front of the lot. Lake lots, corner lots, and golf course lots may have one sign in the front and one to the side or rear. Directional signs are permitted after noon on Friday and must be removed immediately following the open house.

"Beware of Dog" or other warning signs should be placed on fences only, and are limited to one per house.

Political signage and other temporary signage (ie: First Day of Kindergarten signage, etc.) is limited to a total display time of two weeks and must be removed after the two weeks have passed.

### **3.8 Lakeside Homes**

Wooden seawalls must be stained with Sherwin Williams Harbor Mist (semi-transparent stain), Caribou (solid stain) or Porpoise (paint) and must be maintained and in good condition. Property adjacent to lakes may not use wood in the construction of a pergola unless it is Western Cedar or Redwood, sealed or stained and properly maintained.

## **4.0 Disturbing Uses**

Hampton Cove use restrictions require homeowners to prevent unclean, unhealthy, or unkempt conditions. A residence cannot be used to store items that are untidy or detract from surrounding homes.

Activities that involve disturbing noises such as horns, sirens, or whistles are prohibited except as security devices. The restrictions are also intended to prevent conditions that would be disturbing to neighbors, including, but not limited to:

- Loud operation of automobiles, motorcycles, or other vehicles
- Loud music, electronic or live
- Incessant barking from dogs
- Spotlights/floodlights operated for extended periods or shining onto neighbors' property

## 5.0 Interactive Use Restrictions

This category includes regulation of vehicle use, animals, pets, and firearms.

### 5.1 Vehicle Use and Parking

The restrictions on vehicle use are designed to protect residents from disturbance from loud vehicles and to avoid visual distraction that can result from parking or storing vehicles on residential land.

#### Parking

Residents should utilize all parking spaces in garage and driveway before parking vehicles on the street. When parking on the street, residents (or resident's guests) must not block or impede neighbors' ingress or egress from the adjacent property.

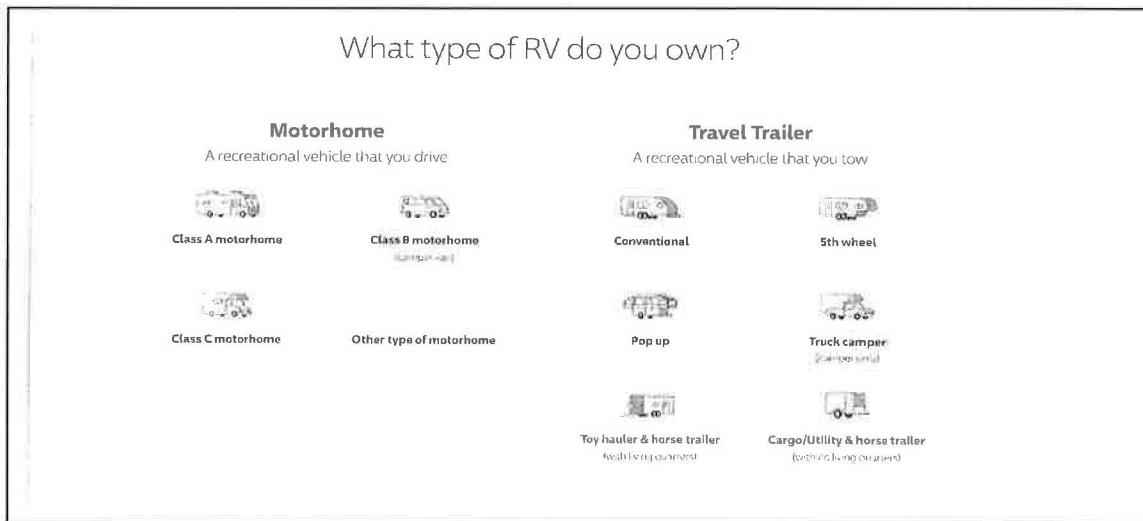
No vehicle may be parked in the yard or grass of any residence. Garage doors shall be kept closed at all times, except during ingress and egress.

#### Recreational Vehicles, Boats and towed vehicles

Without prior authorization, recreational vehicles or towed vehicles of any kind may not be parked in on any portion of a lot for more than 24 hours. A recreational vehicle (RV) is a motor home that combines transportation and living quarters for travel, recreation, and camping. Recreational vehicles include boats, boat trailers, campers, trailers, and motor homes (Class A, B and C). Recreational vehicles and towed vehicles may not be stored in the Hampton Cove development except in a garage. Privacy fences are limited to a height of 6 feet, so vehicles higher than 6 feet would not be completely screened and cannot be stored unless in a garage.

Except as may be approved by the Board or its designee, boats with internal combustion motors and boats of any kind longer than seventeen (17) feet shall not be permitted on any lake. In addition, no boat that requires a trailer for transport will be allowed.

Illustrative examples of recreational vehicles (RV):



## **5.2 Animals and Pets**

The association's regulations allow homeowners to enjoy the benefits of pet ownership without causing disturbances to others, or deterioration of the neighborhood's character. The following are prohibited:

- Raising of livestock or poultry of any kind
- Breeding of dogs, cats, or other animals, whether or not intended for profit
- Ownership of wild animals

Dogs must be under control at all times when outside of the pet owner's residence. The normal means of control are to have the dog on a leash or within an adequately fenced confine, which includes electric fences. Underground electric fences must be placed 10 feet away from any sidewalk or road. Dogs may not be left unsupervised and tethered in a yard. Under no circumstances may any dog be allowed to roam free at any time. Dog owners must clean up after their dogs. Please see section 4.0 regarding excessive barking, etc. from dogs.

## **5.3 Guns and Weapons**

The discharge of any firearm, including handguns, rifles, shotguns, or automatic weapons is prohibited. In addition, regulations prohibit the use of "B-B" guns, pellet guns, bows and arrows, and any kind of weapon within the community.

## **6.0 Use Restrictions**

The Hampton Cove use restrictions are in addition to local business and zoning laws. This category is established to ensure that single-family residences be used and maintained as originally intended. Use of residences for purposes other than a single-family dwelling is not permitted except as specifically described in the *Declaration of Protective Covenants* in Article VI, Sections 2, 5, 6, 16 and Article VII.

Hampton Cove use restrictions require homeowners to prevent unclean, unhealthy, or unkempt conditions. Activities or material storage that contribute to foul or noxious odors, or contamination of the environment are prohibited. Activities that involve disturbing noises, such as horns, sirens, or whistles are prohibited. (Except as security devices.)

### **6.1 Residential Use**

All residences within Hampton Cove are to be used exclusively as single-family homes. A "mother-in-law" apartment is permitted.

## **6.2 Business Use**

Home businesses are common now, and the HCOA allows home-based consulting businesses if the business is not obvious from the street and does not impact the residential character of the neighborhood or increase traffic or parking congestion.

Businesses beyond a consulting business must have the written approval of the HCOA board; this would include businesses that provide art or piano lessons. The letter of application to the HCOA must describe the type of business and procedures for avoiding disturbance or disruption of the neighborhood.

In no case may signs be used to advertise or identify the residence as a place of business. No equipment or supplies may be delivered or stored in a manner that detracts from neighborhood appearance. The activity must not generate noise or visual disturbances to surrounding residences.

### **Garage Sales**

Garage sales are permitted in Hampton Cove only under strictly observed conditions. In general, all the rules of allowed businesses apply, with temporary relaxation of traffic and parking disturbances. To minimize disruption, the following rules have been adopted:

- Garage sales may only be held on a Saturday between the hours of 8 a.m. and 1 p.m.
- One small sign may be used at the driveway entrance. No signs may be posted elsewhere in Hampton Cove. The sign must be removed immediately after the sale period.
- No resident or group of residents may sponsor more than two garage sales in any one year.
- Professional garage sale sponsors are prohibited.

The organizer should minimize disturbance, such as traffic blockages, to neighboring residents.

Hampton Cove has a community-wide garage sale in the spring and fall. Contact the HCOA for more information.

## **7.0 Occupants**

All use restrictions that govern the owners or property also apply to other family members who aren't owners, and guests of the owners.

### **7.1 Leasing**

Owners who lease their property must notify the HCOA within one week of the lease being signed and provide a copy of the lease to the HCOA office. Properties in Hampton Cove may not be rented temporarily through AirBnB, or a similar site. Non-compliance will result in fines.

### **7.2 Subdivision of Residence**

No residence shall be subdivided or its boundary lines changed except with the prior written approval of the board or its designee. No request for subdividing or re-platting will be considered if it is not compliant with applicable subdivision and zoning regulations.

### **7.3 Timesharing**

No form of timesharing ownership is permitted in Hampton Cove.

## **8.0 Enforcement**

The Declaration of Protective Covenants of the Hampton Cove Community was adopted on April 8, 1992 and provides the board with the power to enforce Architectural Standards and Use Restrictions defined therein. These powers are described in Article XIII, Section 1.

The enforcement of the "Use Restrictions" is established in two major parts. First, the board is provided (Article XIII, Section 1) the power to impose fines, enforce fines, and recover sums due for damage or injunctive relief. Secondly, the board has the power of "self-help." Article XIII, Section 2, which states the board may enter such property to correct the violation and to charge the property owner with the costs for such operations.

Two additional factors are important to the enforcement of these regulations. Article XIII, Section 1, states that failure to enforce any provision shall not be deemed a waiver of the right to do so thereafter. Article XIII, Section 18 allows for the Board of Directors or its designee, in the exercise of reasonable discretion, to permit deviation from use restrictions and design guidelines.

The Board of Directors applies enforcement powers cautiously. The goal is to enhance everyone's enjoyment of the community rather than create unnecessary hardship for individual

*Approved by the HCOA Board on Nov. 27, 2017*

*Amended by the HCOA Board on Aug. 27, 2018*

*Amended by the HCOA Board on Oct. 23, 2023*

members. The board will make every effort to handle all infractions as promptly and fairly as possible. Residents who would like to address the board may call the Hampton Cove Owners Association office by the close of business on the Wednesday before a board meeting to be placed on the agenda for the upcoming meeting.

## **8.1 The Fine Process**

**Class C:** Minor issues, such as garbage cans, weeds in lawn, etc. \$50 after three warnings (all for the same issue) over a period of a year.

**Class B:** Typically, maintenance issues, poor lawn care, unapproved vehicles, painting needs (faded shutters). \$100 after three warnings, with one month to comply or to contact HCOA with a plan.

**Class A:** Major infractions of construction, additions, fences, lack of property modification request prior to changes, landscaping changes, major maintenance issues. \$250 after three warnings, with one month to comply or to contact HCOA with a plan.

## **8.2 Hearing Request**

Residents who have been fined for non-compliance may request a hearing on the matter. If a hearing is requested, it shall be held before the board in an executive session, and the alleged violator shall be given a reasonable opportunity to be heard. The minutes of the meeting shall contain a written statement of the hearing, including the results.