

LEGACY PARK HOME OWNERS ASSOCIATION ARCHITECTURAL GUIDELINES

The Architectural Review Committee (ARC) has prepared these guidelines to assist residents and homeowners with the application process for improvements to property within Legacy Park. These guidelines do not supersede or take precedence over the Legacy Park Covenants, Conditions and Restrictions (CCR). When a conflict occurs between the ARC guidelines and the CCR, the CCR shall govern.

These guidelines do not supersede or take precedence over any local, state, or federal building codes or laws. The ARC is not responsible for ensuring that planned improvements comply with local, state or federal building codes or laws. That responsibility remains with the homeowner.

These guidelines are not meant to be all inclusive. They are meant to provide guidance and answers to frequently asked questions. Homeowners may request a variance from these guidelines in their application. The ARC will consider these requests on a case-by-case basis. These guidelines cannot possibly cover all possible situations. The ARC may reject adding a bell tower to your home even though there is no guideline specifically prohibiting bell towers. The ARC reserves the right to reject an application for any justifiable reason, even if it meets the letter of these guidelines. The guideline that requires doors and shutters to be the same color does not allow a homeowner to paint them all bright pink. The ARC exists to keep our community an attractive place to live.

Applications

Article 6 of the CCR governs the ARC and establishes the application process for improvements to property within Legacy Park. Article 7 of the CCR contains additional restrictions on general use that may also apply to some cases. Homeowners are encouraged to review these articles before submitting an application.

To submit an application to the ARC, a homeowner must use the form available on the Legacy Park website. Fill out all the blanks applicable to your project and mail two copies of the form and any attachments to the management company. The ARC has 15 days from the date it is received to approve or disapprove the application. After 15 days it is assumed to be approved as submitted. The management company will notify the applicant of the ARC's decision in writing or by email. All applications received will be signed at the monthly ARC meeting and one copy returned to the homeowner for their records.

Applications can only be considered for approval when the resident's account with the HOA is in good standing, as determined by the Board of Directors. For this reason, walk-in applications will not be accepted. Applications must be mailed to the address on the form.

Sometimes the ARC may have questions regarding some part of the application. In this case, a member of the ARC will contact the applicant for clarification. This may require a site visit by one or more members of the ARC. If a question remains unresolved as the 15 day deadline approaches, an application may be disapproved to avoid automatic approval. In this case, the applicant should attend the next ARC meeting to answer the outstanding questions and seek approval.

Additional information is helpful in expediting the application process. Pictures of fences and building materials are typical attachments. Another helpful attachment is a copy of your survey plat showing the location of improvements. If you didn't get one when you closed on your property, you can use a tax map or a simple sketch of your lot layout. Anything that would help the ARC understand what you want to build and where would be good to attach to your application.

The ARC prefers to get separate applications for each improvement you want to build. That may seem like it creates more paperwork for us, but it actually saves time. An applicant may want to build a fence and a patio. The ARC might have a question about the patio. If there are separate applications for each, the ARC can approve the fence application while it investigates the patio application. If the applicant puts them both on the same application, the patio question might delay approval of the fence.

Homes

Appearance

To maintain a neat appearance, homeowners may not paint the exterior of their homes a different color or replace existing exterior siding or roofing materials with a different color or texture without the approval of the ARC. Front doors must be painted to match shutters. Homeowners who wish to paint their doors or shutters a different color must get approval from the ARC. Garage doors must be painted white.

Additions

Home additions must be approved by the ARC. Additions will be allowed only on the rear of homes unless a variance is requested and granted by the ARC. The exterior colors and material of all siding, trim and roofing must match the rest of the home as close as possible.

Yards and Landscaping

Drainage and Drainage Easements

Adequate drainage in a developed area is very important to maintaining property values and preventing property damage. The ARC will approve the appearance and/or esthetics of drainage systems, but does not approve or warranty their capacity, functionality or workmanship. Homeowners are encouraged to consider the impacts of other projects on drainage. Sidewalks, patios, flower beds, retaining walls and other structures may inadvertently cause drainage problems.

Many lots in Legacy Park have Storm Drainage Easements (SDE) indicated on their record plats. There may or may not be storm drainage structures or pipes within these easements. Property owners may not build permanent structures on these easements. These easements need to remain free of obstructions that would hinder the repair and/or maintenance of these structures, or impede surface drainage.

Decks Patios & Front Porches

Wooden or wood-like decks and/or patios may not extend further forward than the rear of the house. Patios and front porches may be constructed of concrete, stone, tile, finished wood or composite materials and must be maintained accordingly. The color and texture of these materials must complement the external materials of the house.

Driveways & Sidewalks

Driveways shall be constructed of concrete slabs. Stone, concrete or brick pavers will not be allowed for driveways. Sidewalks may be constructed of concrete slabs or pavers.

Flower and Plant Beds

ARC approval is not needed to plant new flowers in existing beds. ARC approval is needed to construct new beds if these beds are to be contained by materials such as stone, brick or landscape timbers. All bedding area shall be mulched to prevent weed promulgation and loss of soils. Bark chips, pine needles, cypress mulch and other wood product derivatives may be used for coverage.

Trees and Bushes

ARC approval is not needed to replace existing ornamental trees that have died or plant new trees in open areas. Arc approval is needed to plant new trees or bushes within drainage easements.

Vegetation within Right-Of-Way

Bushes and other dense vegetation shall not be planted within the right-of-way of any Legacy Park street if their full grown height is more than 3 feet. Vegetation higher than this can restrict the vision of motorists as they navigate curves or exit driveways. This includes climbing vines that may cover mailboxes or other structures.

Rain Barrels

Residents are encouraged to use rain barrels to conserve water. These must be completely screened if they can be seen from the street.

Retaining Walls

Retaining walls may be built of treated wood, railroad ties, decorative masonry blocks, stone or other approved material. Residents should consider the impacts of retaining walls on drainage. Retaining walls must be strong enough to hold back the weight of soil behind them when that soil is completely saturated with water. For this reason, residents are strongly encouraged to seek the advice of a design professional when the height of a retaining wall exceeds 4 feet. Use of a geotextile fabric behind retaining walls is required to allow water to seep out while preventing soils from washing through cracks or openings in the wall.

Storage Boxes

Approval is not needed for storage boxes. These can be of any material but must be located in the rear of the house and not visible from the road. Size is the determining factor when deciding if something is a storage box or an outbuilding. If it is taller than 5 feet with a door on the front, it is an outbuilding. ARC approval is needed for construction of screening for storage boxes.

Garbage Can Screens

Garbage cans and recycle bins must be kept out of sight either behind the house, in the garage or in a screened area on the side of the house. ARC approval is needed to construct a screened area for these containers.

Clotheslines

Outside clotheslines are not permitted.

Mailboxes

Materials and size

Mailboxes and the posts supporting them shall be made of black metal and shall conform to US Postal Service Standards. The mailbox itself shall be no more than twelve inches tall and shall have a cylindrical black metal newspaper receptacle below it. The newspaper receptacle shall be approximately six inches in diameter. The newspaper receptacle shall be attached to the post, shall not rely on the mailbox for support, and shall not extend beyond the front of the mailbox when the box door is closed. The newspaper receptacle shall display the house number on both sides in gold letters three inches tall.

Location and height

The mailbox must be placed to allow safe and convenient delivery by mail carriers without leaving their vehicles. The front of the mailbox may not extend over the back of the curb of the street when the box door is closed. The mailbox shall be no more than six feet from the driveway. The top of the mailbox shall be approximately four feet above the back of the curb.

Fences

Materials

Fences may be constructed of wood, powder coated aluminum, or PVC. Chain link or chicken wire fences are not allowed. Wooden rail fences may have woven wire attached to the inside to contain pets. Picket or privacy fences must be constructed so that the pickets or vertical slats face outward. Fences may be no more than 60 inches tall at their tallest point, including posts. No dog kennels, animal pens or poultry cages are permitted.

Location

Fences and/or gates may extend no further forward than the rear of the house. Variance may be granted in some cases due to conflicts with existing utilities, AC units or unusual grading conditions. Variance must be specifically requested on the application. A site visit may be required before a variance is granted. In the case of corner lots, fences may not encroach upon the right-of-way of any Legacy Park street. If the fence will tie into an existing fence, prior written permission must be received from the owners of all fencing which will be tied into.

Gazebos

Size

Gazebos are limited in size to 12 ft X 12 ft and 10 ft tall.

Materials

Materials must be rust proof with wood being the preferred material. All gazebos must be securely attached to the ground to prevent damage during strong winds. If any damage occurs due to weather or for any other reason, repairs must be made in a timely fashion.

Location

Gazebos must be located no further forward than the rear of the house. There shall be no more than one gazebo per lot. Written permission may be requested by all neighbors who will have a sightline to the gazebo from their property.

Out Buildings

Size

Outbuildings are limited in size to 12 ft x 16 ft and one story. Outbuildings may have an attic space for additional storage.

Materials

External materials shall be equal to or better than the external materials of the house. Walls, trim and doors shall be painted to match the house. Roofing material shall also match the house. Metal, plastic resin or HDPE storage buildings are not allowed.

Location

Outbuildings must be located no further forward than the rear of the house. There shall be no more than one outbuilding per lot.

Pools and Hot Tubs

Material

Only in-ground pools will be approved. These can be made of concrete, fiberglass or other approved material. Above ground hot-tubs must be screened to prevent casual view from the street.

Location

Pools and hot tubs must be located no further forward than the rear of the house. There shall be no more than one pool and one hot tub per lot. This includes in-ground hot tubs.

Play Sets and Swing Sets

Material

Play sets and swing sets must be made of wood or wood-like materials. No metal is allowed

Location

Swing sets and play structures must be located no further forward than the rear of the house. There shall be no more than one swing set or play structure per lot.

Other Improvements

As stated above, these guidelines are not all inclusive. They cannot possible cover all possible situations. The ARC exists to keep our community an attractive place to live. The ARC reserves the right to approve or deny other improvements on a case-by-case basis.

If there is any question that the project you are undertaking may require an Architectural Approval Application, please send an email to arc@legacyparkhoa.org and we will respond as soon as possible.