

**REGENCY AT PROVIDENCE**  
**ARCHITECTURAL REVIEW COMMITTEE (ARC) HOME EXTERIOR STANDARDS**

The following ARC Home Exterior Standards have been created to clearly define the purpose of the Architectural Review Committee and to document their duties and responsibilities.  
as provided under Section XVIII of the Declaration of Regency at Providence.

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# *Regency at Providence Community Association*

## **HOME EXTERIOR STANDARDS**

The following ARC Home Exterior Standards have been created to clearly define the purpose of the Architectural Review Committee and to document their duties and responsibilities as provided under Section XVIII of the Declaration of Regency at Providence.

### **A. Overview:**

As provided under Section XVIII of the Declaration of Regency at Providence, the Board of Directors (Board) has created and appointed an Architectural Review Committee (**ARC**) with the responsibility for reviewing and approving external changes to individual homes consistent with the provisions of said Declaration and these ARC Home Exterior Standards.

The Board delegates the processing of homeowner change applications to the **ARC**, including empowering the ARC to approve or deny such applications. In consultation with the **ARC**, the Board reserves the right to grant waivers to the established criteria, determine violations of the Declaration, and impose fines as appropriate.

The principle of requiring an advance review of any changes, additions or improvements to the home exterior is established to:

1. Promote visual harmony and preserve aesthetic values.
2. Preserve the overall design plan of the community.
3. Avoid changes, activities, and/or uses which might adversely affect property values.
4. Avoid potential interference with existing drainage patterns, storm water systems, or underground utilities.

The following ARC Home Exterior Standards are intended to supplement those detailed in the Declaration and the Bylaws and may be modified from time to time by the Executive Board. Throughout this document, the term “Regency at Providence” is intended to include that portion of the community known as Regency Hills as well as the portion known as Regency at Providence.

### **B. Evaluation Criteria:**

The **ARC** will evaluate each change application utilizing these and other criteria:

1. Design compatibility: The proposed change must be compatible with the architectural characteristics of the applicant’s home, adjoining homes and neighboring settings.
2. Location and impact on neighborhood: The proposed change should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, light, ventilation, view, drainage, and safety.
3. Relation to common elements or open space: The proposed change should not negatively impact the open space, topography or storm water runoff.
4. Scale: The size (in three dimensions) of the proposed change should be compatible with the adjacent structure and its surroundings.
5. Color: Where relevant, components of changes that are similar to the existing home, such as roofs and trim should be matching in color.

6. **Materials:** Continuity is established by use of the same or comparable materials that were used on the original home. The options may be limited somewhat by the design and materials of the original home.
7. **Workmanship:** The standard of the proposed workmanship applies to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area.

In addition to these basic criteria and regardless of an owner's ability to meet the design criteria, the ARC and the Board may deny any application which would unreasonably impair either a neighbor's enjoyment of his / her home or lot, or the aesthetics of Regency at Providence.

### **C. Change Application Procedures:**

1. All change applications must be submitted to the Management Office and include:
  - a. A fully completed **ARC Change Application** in form and content as required by the Executive Board. Application forms may be obtained from the Management Office at 199 Sloan Rd. or downloaded from the RAP web site <https://my-rap.net/arc-forms/>.
  - b. The Change Application Form must be accompanied by a plan. The plan must adequately describe the proposed changes in sufficient detail to enable the Association Manager, the **ARC** and/or the Board to review the application. The plan should include all of the following as applicable:
    - Height
    - Materials
    - Finish
    - Color
    - Size (drawn to indicate scale)
    - Shape
    - Location

When the proposed change includes construction above the current grading or involves a change of the current grading, the plan must include appropriate elevations.

- c. The Association Manager, the **ARC** and/or the Board may request additional information before considering the application.
  - d. A Plot Plan may be required as explained in the ARC Change Application Form. The Plot Plan may be downloaded from the RAP web site at <https://my-rap.net/plot-plans/>. The proposed modification is to be highlighted on the Plot Plan.
2. No application will be considered if there are any outstanding assessments due or violations of the Regency at Providence Homeowners Association (HOA) Documents (including, but not limited to, The Declaration, ARC Home Exterior Standards, and other RAP Rules and Regulations). If the application seeks to correct a violation of the Documents, the Board will consider it.
3. If no decision is issued within 45 days (or within a granted extension period), the application is denied.
4. Approval of all applications is conditional on the applicant's agreement that the proposed change, when complete, will in all cases maintain proper grading /drainage underneath and around any change.

5. Adjacent neighbors on either side of the home or lot must be notified of the requested change. When possible, the neighbors should sign the appropriate section of the **ARC Change Application Form**. Their signature implies that they have been notified. Alternatively, notification may be completed via email with the neighbor's reply email acknowledging notification, with or without objection, attached to the application. Any concerns by neighbors should be shared with the **ARC** committee. If they are not satisfied with the **ARC's** decision, they may write to the Board. The letter may become a factor in the evaluation process.
6. Within forty-five days of receipt of the completed package (Change Application Form, plan, supporting information), the **ARC** or the Executive Board will have reached one of these conclusions and advised the applicant in writing:
  - The application is approved as submitted.
  - The application is approved, provided certain conditions or changes are met.
  - The application is denied but would be reconsidered for review' provided certain conditions are met.
  - The application is denied.
7. The owner is responsible for obtaining any required local permit or approval.
8. All work must conform to applicable building codes.
9. The owner must obtain a current certificate of insurance from their contractor.
10. The homeowner may appeal any denial of the application to the Executive Board provided the applicant can show in writing reasons why the application should be approved or reconsidered.
11. The homeowner is responsible for any damage or injury that results to any person or property arising from work related to the change application.
12. All work required for the change application must be completed within ninety (90) days of the written approval of the Architectural Review Committee unless the Executive Board or the **ARC** extends such time.
13. All work necessary to complete the change application shall be limited to Monday through Saturday between the hours of 8:00 a.m. and 5:00 p.m.
14. The Architectural Review Committee, Executive Board, and Management shall have access to the lot to inspect the modifications during and after construction.
15. Only the Board may grant waivers to these design criteria based upon the physical features of the home or lot or upon determination that substitute materials will not be contrary to the aesthetics of the Regency at Providence Homeowners Association.
16. Prior to commencing work that requires digging or excavation, the owner must contact PA One Call (811) to locate gas, electric, and other underground utilities.

#### **D. Enforcement Procedure:**

1. No work may commence on a change application until the applicant has received a written notice of approval. Any external changes carried out without prior approval from the **ARC**, or the Board will result in a \$150 fine being levied against the homeowner.
2. If a change application has been approved and the work is not done as described in the application, the Board has the authority to order the homeowner in writing to correct the work, or, if necessary, order the change removed and everything restored to its original state.

3. Residents who want to report violations of the Declaration, the Association's other Rules and Regulations, or any of the ARC Home Exterior Standards listed in this document are asked to contact the Management Office of the HOA. The report must be emailed or mailed to the HOA Manager with specifics, including a description of the violation and the property address and date and time where the violation was observed. To ensure that your report is processed in a timely manner, please include your name and phone number and/or email address. The HOA Manager will forward the violation report to the appropriate committee and, if warranted, the affected homeowner will be contacted to correct the violation.

**Regency at Providence Community Association**  
**Regency at Providence Clubhouse**  
**199 Sloan Rd**  
**Phoenixville, Pa 19460**  
Direct Dial (610) 933-2584

## E. Specific Review Standards:

Unless otherwise noted, the following changes to your property require that you complete and submit the ARC Change Application Form. You must receive approval from the ARC prior to starting your project.

### 1. Patios:

- a. Patios may be constructed in the rear of the home, within the outer boundary of the rear foundation wall of the home.
- b. Patios must be constructed of materials such as slate, flagstone, brick, pavers, granite or concrete.
- c. Patios may feature one or more walls, provided they do not exceed 30" in height.

### 2. Decks:

- a. Only decks extending from the first floor of the home are permitted. They may include steps to reach grade.
- b. The width of the deck and steps must remain within the outer boundary of the rear foundation wall of the home.
- c. The acceptable decking material shall be earth toned composite material suitable for this application or other product and color as approved by the ARC
- d. Deck railings may be vinyl, composite or aluminum. The rails and posts must be white. **A flat "drink" rail, either white or the color of the deck may be added above the white top rail. Flat railings may not be used on steps.** The balusters round or square may be white, black, or other colors approved by the ARC and placed vertically between the rails, not exceeding 42 inches in height. Balusters will be placed leaving spaces between them of not less than two (2) inches or more than five (4) inches or as otherwise directed by the Township Building Code.
- e. Deck steps are permitted provided they are made of the same material as the deck, are a minimum of thirty-six (36) inches wide and have closed risers or as otherwise directed by the Township. Stair risers may be white or must match the tread material.
- f. A weed mat and stones must be placed under decks with less than a four-foot (4') high clearance at maximum height and must be maintained weed-free by the homeowner. To prevent interference with lawn maintenance, crushed stones or gravel must be retained within the area bounded by the deck perimeter. If edging is required, the border material and design must be pre-approved by the ARC. Acceptable edging materials include stone, pavers, and lumber suitable for ground contact (i.e. pressure treated wood or cedar). Plastic and metal edging are not permitted.
- g. Latticework is not permitted.
- h. Decks must be properly maintained.
- i. Storage of items beneath decks is not allowed except outdoor furniture on under-deck patios.
- j. Underdeck ceilings and drains must be approved.

### 3. Deck Lighting:

- a. A detailed description of the installation, including light locations, voltage, wattage, illumination direction, and wiring diagrams must accompany the ARC application.
- b. All deck lighting must be white.
- c. Lights must be contained within the posts of the deck fencing and must project down and toward

the center of the deck.

- d. No lights will be higher than the railing.
- e. No railing lights are permitted.
- f. Stairway lights are to be located on the risers only.
- g. Tiki lights or other torch-type lights are allowed temporarily but must be removed within 48 hours of installation.

4. Gazebos, Screen Rooms, etc.

Gazebos and Screen Rooms are not permitted either on a patio or a deck. This includes any proposed permanent or temporary structures. In addition, tents, canopies or inflatable structures are not allowed on the lawn area, either the homeowners or common area **without prior ARC or Board approval**.

5. Doors, Shutters and Windows:

- a. Front doors, sidelight panels and shutters must be a traditional solid color.

Sidelight panels must be painted white or match the color of the front door.

Shutters should match the front door color or coordinate with the siding/trim color in a manner that provides a pleasing contrast without clashing.

Owners must provide a color sample for all proposed changes. The Committee will consider all traditional colors. The painting and maintenance of any color approved by the **ARC** that is not a color provided by the HOA's painting contractor is the responsibility of the homeowner.

- b. Storm doors must be full-view glass doors. Storm and screen doors must be white, off-white or a color to match the front door.
- c. Garage door replacements must match the existing door in color (white) and appearance. No painting of garage doors or garage door windows is permitted.
- d. Storm windows must have white frames. (Note: Storm windows or regular windows without screens can cause damage to adjacent homes from reflected sunlight.)
- e. Mirrored tinting or privacy films are prohibited on all windows and doors.
- f. All window replacements, other than like-for-like, must be approved by the **ARC**.

6. Roofing, Attic Fans, and Skylights - Repair and Replacement:

- a. An ARC Application is required for total roof replacement, attic fans, and skylights.
- b. Any damage to the roof or leakage caused by the installation of an attic fan or skylight is the responsibility of the homeowner.

Roofing

- a. The roofing material must be an Architectural Grade, Asphalt/Fiberglass shingle, and warranted for a minimum of 25 to 30 years.
- b. Colors must complement the house siding and remain within the color schemes currently in use within the community (i.e. Black, Brown, Grey, etc.).
- c. All shingles shall be removed prior to roof replacement.
- d. Product information must be submitted with your application.

- e. An ARC application is not required for minor roof repairs. (Minor roof repairs being defined further in the Association Service Policy under the HOA Rules)
- f. General Note: A total roof replacement requires a Building Permit under State Law and Township Code. Your contractor must obtain the required permit prior to the start of work and should provide you with a Certificate of Insurance and a copy of this permit. This is critical to protect the homeowner given the risk involved in this type of work.

#### Attic Fans

- a. Attic fans must be installed by a licensed electrician and be Underwriters Laboratory (UL) approved.
- b. The fan may only be installed on the rear slope of the roof and shall not extend above the roof more than eight inches (8").
- c. The hood color must be similar to the existing roof color.

#### Skylights

- a. Skylights must be installed by a licensed contractor.
- b. The skylight must be located on the rear slope of the roof and not be visible from the street in front.

#### 7. Satellite Dishes:

- a. A satellite dish may not be larger than one meter (39.37") in diameter and only one dish is allowed per house.
- b. Any damage to the home caused by the installation of the dish is the homeowner's responsibility.
- c. The satellite dish must be placed in the least obtrusive location and if the homeowner terminates service the dish and all related external hardware must be removed.

#### 8. Awnings:

- a. Retractable awnings of Sunbrella fabric or the equivalent may be installed over decks or patios (whole or part), on the rear of the home.
- b. Awning color must be a subdued earth-tone color, which blends with the color scheme of the house and decking material.
- c. Owners are responsible for the maintenance of the awning, the hardware, the mechanisms and the home where the awning is attached.
- d. An application for the installation of the awning must have a swatch of awning fabric attached for the ARC and Board review.
- e. Any damage to the home caused by the installation or use of the awning is the homeowner's responsibility.

#### 9. Foundations, Porches, Walkways, Front Railings, and Flower Boxes:

- a. Foundation walls may be painted with an appropriate paint to match either the existing color of the wall or the house siding. A color chip, brand name and maker's specifications must accompany the application.
- b. Porch maintenance and repair is the responsibility of the home owner. Use of alternative materials in the repair and maintenance of the porch requires approval of the ARC committee.



Porches (the front concrete slab) may be painted the following color selection of Valspar (or equal) concrete paint:

- i. Sand Dune
- ii. Artist Canvas
- iii. Chowder
- iv. New Concrete
- v. Weathered Concrete

Anti-Skid is encouraged in all applications. A color chip, brand name, and maker's specifications must accompany the application.

Use of tile or similar materials to affect this work shall be neutral in color, frost proof, shall have finished edges and be slip resistant. All work in this regard shall comply with the adopted building code of Upper Providence Township.

**c. Painting walkways is strictly prohibited.**

- d. It is the homeowner's responsibility to maintain a satisfactory appearance of the painted surfaces.
- e. On the front of homes with existing railings, all extensions or additions to porches, steps, or walkways must exactly match the existing railing in style, material, and color. For homes that do not have railings, new additions should match the rear deck PVC railing, or the owner may request metal railings in black or white.
- f. All attachments to front porch railings, including flower boxes, must be neutral in color and receive ARC approval. No attachments of any kind are permitted on handrails or safety rails.
- g. Front window flower boxes must be approved and maintained. No artificial flowers are permitted.

**10. Mailboxes:**

- a. The original mailboxes are provided by the Declarant and may not be altered in any way. The Association will be responsible for their eventual replacement subject to normal wear and tear. Homeowners are responsible for the costs of any interim repairs or replacement.
- b. Mailboxes must be maintained in a safe and attractive condition. The Board reserves the right to require the repair or replacement of any damaged or poorly maintained mailboxes at the homeowner's expense.
- c. Plantings are not permitted at the base of the mailbox.

**11. Fences: No fencing of any kind is permitted.**

**12. Pergolas/Trellises/Arbors:**

- a. A pergola is defined as a permanent structure consisting of columns or posts to define a space, topped with beams and open rafters.
  - i. As a permanent structure, it must be permanently attached and meet the applicable local building code.
  - ii. The color shall be white.
  - iii. It is to be an open structure. There are to be no temporary sides such as curtains, screening, or roof of any kind.
  - iv. There are to be no changes of any kind after the initial and final inspection by the **ARC** without further approval by the **ARC**. It may not be relocated after initial installation unless

directed/approved by the **ARC**.

- v. All maintenance, repair, or replacement is the sole responsibility of the homeowner.
  - vi. Any damage caused by the pergola from storm or any other cause to adjacent structures, landscaping, whether it is to the homeowner or neighbors or common areas is the sole responsibility of the homeowner of record on the application.
  - vii. The maximum height shall not exceed ten (10') feet.
  - viii. A detailed sketch, photo or drawing of the proposed pergola must be included with the application along with a plot plan.
- b. A trellis is defined as a garden structure usually made from a tighter weave of open framework or intersecting pieces called lattice used to support climbing plants.
- i. Trellises require ARC approval and shall not exceed eight feet (8') in height.
  - ii. Trellises are to be neutral in color and shall not impede in any way the maintenance of exterior areas.
  - iii. Trellises are to be planted with plantings that shall be pruned and maintained in an appropriate manner to avoid attachment to adjacent structures or obstruction of lawn maintenance equipment.
- c. An Arbor is another garden structure. It is defined as an open structure much smaller than a pergola, using interwoven lattice pieces and sometimes having an arched top. Arbors usually define a point of entry or the division of two places along a path.
- i. Arbors are not permitted.

### 13. Landscaping/Irrigation:

- a. Trees can be added, removed, or replaced only with prior written approval from the **ARC**. Note that tree removal includes stump removal and turf replacement which conforms to existing drainage (see page HE-3, paragraph 4).
  - 1. In order to maintain a consistent and attractive streetscape it is required that each property in the community maintain at least one tree on the lot frontage. The tree shall have a mature height of over 6' as a minimum and may be located as a street tree or within the foundation landscaping of the front of the property. The variety, number, and location shall be approved based on existing conditions individual to the lot request. Corner properties may require additional trees on the alternative street frontage.
  - 2. The planting of weeping willow and bamboo is strictly prohibited on Homeowners or Common property. Any planting of weeping willow and bamboo will be removed at the owners expense.
- b. The location(s) and types of shrubs and bushes that a homeowner wants to add must be approved in advance by the **ARC**. Homeowner must provide plant type and size at maturity with the application. **Like for like replacements do not require approval.**
- c. Annuals and perennials which will not exceed three (3) feet in height at maturity may be planted in original planted landscape beds without approval.
- d. Plantings shall not extend into the lawn area. Plantings in the front beds shall not obstruct the front window. The Board reserves the right to request pruning or removal of plantings by an owner.

- e. Plants used to hide utility boxes must obtain **ARC** approval, be maintained by the homeowner to a maximum height of 4 feet and be placed in a mulched bed. Note: the HOA is not responsible for the plantings or bed and the utility company has a right to remove plantings if they need to repair/service the equipment. Utility companies are not required to replace plantings and are held harmless if any of them are destroyed.
  - f. The expansion of any existing beds or creation of new beds, along with additional plant material, may not be done without prior written approval of the **ARC**. New or expanded beds, with the exception of those around utility boxes, may not be placed along sidewalks or driveways or within 2 feet of any property line shared with another homeowner.
  - g. Homeowners are responsible for care, watering and replacement of turf, plants, bulbs, shrubs, or other landscape on their lots. Mulching of these areas must use brown or black mulch in accordance with the HOA Rules. All dead plantings must be promptly removed.
  - h. Irrigation or sprinkler systems must have **ARC** approval prior to installation. Irrigation in the common area between the sidewalk and curb is permitted.
  - i. For those residents with sprinkler systems, it is their responsibility to see that the sprinkler heads are retracted when not in operation. The Board will not hold contractors responsible for any damage to sprinkler heads in the raised position during grass cutting or snow removal.
  - j. Burlap screening of trees and bushes is allowed for the first two winters only.
  - k. Extended plantings parallel to property lines as a barrier to block the view of adjacent homes are not permitted.
  - l. Landscape beds and gardens may not be bordered by synthetic edging material, such as plastic or rubber, or by rocks or wood, either natural or synthetic. The only acceptable border for landscape beds and gardens are stacked pavers for retaining elevated terrain which must be pre-approved by the **ARC**.
  - m. A vegetable garden is permitted in the back yard only, but it must be adjacent to the deck or foundation, not exceed 24 square feet in area, and plantings at maturity must not exceed 4 feet in height. All plantings must be removed by October 31. ARC approval is required before installation.
14. Garden Statuary, Bird Baths/Feeders, Sundials, Fountains, and Ornamentation are permitted without **ARC** approval subject to the following:
- a. A maximum of four (4) garden statuary, sundials and similar items less than 4-feet tall (including the base) and 3-feet wide may be permitted. These items must be confined to flower beds. **Additional items must receive ARC approval.**
  - b. A maximum of two (2) bird-baths are permitted, one (1) in the front yard and one (1) in the back yard. Bird-baths must be placed in a landscaped bed.
  - c. A maximum of four (4) bird-feeders are allowed. They are not permitted in the front of or on the side of homes. Bird-feeders must not interfere with landscape maintenance nor cause property damage. **Additional items must receive ARC approval.**
  - d. Fountains, which the HOA Board has defined as permanent structures which spray or pour water into a basin and are supplied by external water and power sources, are prohibited by the RAP Declaration.

- e. Water Statuary, defined as portable free-standing structures, 4 feet or less in height, with a self-contained water supply and pump, are permitted. **ARC** approval is required before installation.
- f. The Association and its contractors shall not be responsible for any damage that might occur to these objects during snow clearing or regular grounds maintenance.

15. Exterior Lighting Affixed to the Unit:

- a. The replacement or the addition of any exterior lighting, i.e., front entrance, rear entrance, post light, garage, etc. must have prior **ARC** approval. These lights must cast only white light. All fixtures attached to the front of the house must be of a traditional early American or carriage style fixture.
- b. Floodlights or motion Detection Lights attached to the exterior of the home shall not be more than 1125 lumens per bulb (equates to a 75-watt incandescent) and must have **ARC** approval. Only white light is permitted.
- c. Post lights are limited to one specific fixture, Progress Lighting Model Number P5432-31 in black. {Note: Previously approved and installed fixtures are grandfathered if they were approved by the ARC based on the old standards.}

16. Exterior Security Cameras:

- a. Exterior security cameras must receive ARC approval prior to installation.
- b. Front door Smart Video cameras, such as the Ring Doorbell Cameras do not require ARC approval.
- c. Cameras must be mounted using a stationary mount, no moving parts.
  - i. Installations require all wiring to be concealed or painted to blend in with the surrounding material.
  - ii. Camera's field of view is restricted to the resident's own property, or adjacent common property. Cameras will not be directed to a neighbor's property.
  - iii. No audio recording is permitted.

17. Landscape/Accent Lighting:

- a. All proposed accent/landscape lighting (electric or solar) must be approved in advance by the **ARC**.
- b. The lights must not be taller than fifteen (15) inches with a weatherproof black, dark green or a muted colored fixture, which casts only white light.
- c. Walkway path lighting and landscaped bed lighting must be a twelve (12) volt or other type of low voltage system and the outdoor receptacles and hard wiring components must be installed by a licensed electrician.
- d. Walk lights must be installed inside mulched flowerbeds. They may not be installed on lawn areas.
- e. The Association and its contractors shall not be responsible for any damage that might occur to these lights during snow clearing or regular grounds maintenance.

18. Decorations:

- a. Modest holiday decorations are permitted on the exterior of homes and in front/side of the home provided they are installed no more than four (4) weeks prior to the holiday and removed within

two (2) weeks after the holiday.

- b. No plastic or inflatable objects are permitted.
- c. White or colored lights in reasonable numbers are permitted.
- d. No sign, banner, flag, billboard or advertisement of any kind shall be erected on the property without prior **ARC** approval. (One exception: 1 flag of the United States of America, not to exceed 15 square feet, may be affixed only to the front of the house.)
- e. Permanent decorations on exterior walls must receive ARC approval.

19. Other Restrictions:

- a. Nothing will be allowed on the lawn areas that might interfere with mowing.
- b. No pools, including ponds, spas, or hot tubs will be allowed.
- c. No play equipment, including basketball backboards, will be allowed.
- d. Roof and gutter de-icing cables require approval. The homeowner will be responsible for the care and maintenance of the affected areas, including, for example, gutter cleaning.
- e. Dumpsters, when required for ARC approved contractor work, shall be located on the homeowner's driveway. Where unique local conditions preclude this location, it may be placed on the street in front of the homeowner's house with the prior approval of the Executive Board. Precautions to protect the street and driveway surfaces shall be taken. The homeowner is responsible for any and all damage that occurs to the street or driveway. All damage must be satisfactorily repaired to comply with the intent of the Community Standards.
- f. Signage, banners or advertising shall not be placed on community or homeowner's property in accordance with HOA Declaration, Article XVI Use Restrictions, Section 16.01, paragraph f.
- g. Sidewalks, whenever possible, should be maintained free and clear of all dumpsters, construction material, and porta-potties to allow for the safe passage of pedestrians.

20. Standby Generators:

- a. All applicants for standby generator approval must attach the completed ARC Generator Location Diagram and ARC Generator Standards Compliance Statement forms to the ARC application. Neighbors must be notified of the proposed generator location before signing the application.
- b. The homeowner must use a licensed contractor who is fully qualified to install and maintain standby generators.
- c. The generator self-test operation must be set to run at most once per week for a maximum 30 minutes and only between the hours of 10 AM and 5 PM Monday through Saturday.
- d. The installation must conform to all township, state, and federal requirements, including applicable building codes, inspections, and permits.
- e. The generator mounting pad must be placed in a bed which does not restrict lawn maintenance equipment and is at least 3 feet from the nearest property line. The homeowner is responsible for keeping gravel in the bed and away from mowers.
- f. The homeowner assumes all liability for any property damage or personal injury caused by the installation or operation of the generator.

## 21. Drainage Modifications:

Any modifications to storm drainage (collecting and rerouting water from sumps and downspouts) can create problems for adjacent homeowners, for lawn maintenance, and for future owners and must be pre-approved.

## 22. Driveway/Walkway/Walkway Edging or Borders Replacement and Installation:

- a. All driveways and walkways are the homeowner's responsibility to repair and maintain.
- b. Homeowners must obtain ARC approval for all work under this section and any Township permits if required. All permits and compliance with the building code regarding the repair and installation is the responsibility of the homeowner.
- c. All driveways shall be replaced and installed in their existing footprint and with bituminous materials that are consistent in color, texture and appearance with the surrounding community. ..
- d. Walkways to the porch shall be replaced and installed in their existing footprint and constructed with concrete or other acceptable material that is permanently cemented in place and is consistent with the surrounding community. SAFETY NOTE: It is very important that the rise and run of all steps in the path to your door be consistent and meet the standards of the Township's adopted building code
- e. Walkway edging or borders (to the house) shall consist of permanently installed masonry paver or brick/block type material. No synthetic/metallic edging material, rocks or wood are allowed. The color of this border shall match the color scheme of the home on the property. It is the intent of these provisions that the edging is to be installed as a soldier course along the edge of the sidewalk with a maximum of a 4-inch reveal above the finished grade of the sidewalk. These borders shall not be installed in a manner that increases the walking area of the sidewalk; this is to be a border that assists in the retention of mulch. The installation method, color and material are subject to review by the **ARC** and an application with full documentation shall be submitted for review prior to installation.

## 23. Solar Installations:

All installations of solar equipment used to power the home or related equipment shall require approval of the ARC Committee prior to the start of installation. At the present time no solar installations to power your home are approved. No freestanding units are allowed on roofs, in yard areas or common areas in the community. For solar landscape lighting please refer to (16a. All landscape lighting electric or solar...)

## F. Organization:

1. The size of the Architectural Review Committee (**ARC**) shall consist of an odd number of members. There shall be no less than five (5) members and no more than 9 members. When possible, the committee will be comprised as follows:
  - a. Two (2) members from Phase I.
  - b. Two (2) members from Phase II.
  - c. Two (2) members from Phase III.
  - d. Two (2) members from Phase IV.
  - e. One (1) member from any Phase.

2. The Architectural Review Committee (**ARC**) shall have a Chairperson, a Vice Chairperson, and a Secretary.
3. The Architectural Review Committee (**ARC**) shall conduct an open meeting once per year. Additional meetings may be called if necessary.
4. All decisions require a majority vote.

**G. Duties and Procedures:**

1. The Architectural Review Committee (**ARC**) Chairperson shall:
  - a. Prepare the Chairperson's reports and agendas for the regularly scheduled monthly meetings.
  - b. Send out notices and agendas of all meetings.
  - c. Preside over meetings and conduct the meetings consistent with Roberts's Rules of Order.
  - d. Appoint sub-committees and sub-committee chairs as needed.
  - e. Review *Minutes* prepared by the Secretary prior to their submission for approval.
  - f. Maintain contact with the Association Manager and the HOA Board on **ARC** issues.
  - g. Call special meetings as needed to discuss concerns and/or issues.
2. The Architectural Review Committee (**ARC**) **Vice Chairperson** shall:
  - a. Assume the duties of the Chairperson if the Chairperson is absent.
  - b. Undertake any special projects at the request of the Chairperson.
3. The Architectural Review Committee (**ARC**) **Secretary** shall:
  - a. Record the proceedings of monthly meetings as the *Minutes*.
  - b. Forward prepared *Minutes* to the Chairperson and Vice Chairperson for review.
  - c. Send approved *Minutes* to all **ARC** members.
  - d. Maintain a file of all *Minutes* and forward names of committee members to HOA Board in December.
4. The Architectural Review Committee (**ARC**) **Members** shall:
  - a. Attend regular scheduled meetings.
  - b. Receive Change Applications from the Community Manager and investigate, review and sign off on the applications in a timely fashion.
  - c. Forward all completed *Change Application Approval Forms* to the Community Manager and committee members.
5. The Architectural Review Committee (**ARC**) **Members** shall appoint new committee members using the following procedure:
  - a. A RAP flyer will go out to residents living in the phase that has the particular opening. If no resident is interested from that phase then a flyer will go out to the entire RAP community.
  - b. Once names are received, the committee will discuss all candidates at a closed **ARC** meeting.
  - c. A majority vote is required for the selection of a particular candidate.
  - d. The appointment must be approved by the HOA Board.

## H. Section XVIII of the Declaration of Regency at Providence

### ARTICLE XVIII Architectural Review

**Section 18.01 Improvements, Alterations and Additions.** No external improvement, alteration (including change of exterior finish or color, landscaping, plantings, cutting, pruning or removal of plants, shrubs and trees) or addition to a Unit shall be commenced, erected, installed or maintained upon the Unit before the Unit Owner submits to the Executive Board an application requesting the Executive Board's review and obtains prior written approval of such improvement, addition or alteration.

#### **Section 18.02 Application Contents and Process.**

- a. The Executive Board shall have the right to establish design criteria and standards for improvements, alterations, and additions within the Community.
- b. Each Unit Owner shall submit to the Executive Board by mail or personal delivery to the manager, plans and specifications showing the nature, kind, shape, height, materials, finish, colors and location of the Unit Owner's proposed change, alteration or addition to the Unit. The submission shall contain proof of compliance with all applicable codes, laws and ordinances.
- c. The Executive Board has the right to approve or disapprove any proposed construction or other change to exterior aspects of a Unit for any reason, whether subjective or objective, including judgments based in whole or in part upon a sense of taste, aesthetics, harmony, suitability or compatibility with the Community. If the submission is for the repair or restoration of damage or destruction to a Unit, then the purpose of the review by the Executive Board under this Article is only for the purpose of confirming that the proposal described in the submission will restore the exterior aspects of the Unit to the condition and appearance preceding the damage or destruction without material change. The approval of the Executive Board is required for any change to the exterior aspects of the Unit from the condition and appearance preceding the damage or destruction.
- d. The Executive Board shall review the plans to determine, *inter alia*, whether they are harmonious and compatible with the Units in the Community and consistent with the design criteria, if any, developed by the Executive Board.
- e. The Executive Board shall issue a written decision to the Owner within 45 days after the date the Owner's submission, completed in compliance with the requirements of this Article and the Rules and Regulations, is received by the Executive Board. The 45-day period can be extended by mutual agreement of Owner and the Executive Board and, if the Executive Board requires additional information to make its decision, the 45-day period will be extended for the period of time equal to the number of days between the date the request for additional information was made to Owner and the date the additional information was received by the Executive Board. The decision of the Executive Board is final, conclusive and binding upon all Owners. No Owner shall commence work or make a commitment for work requiring approval under this Article unless and until Owner receives written confirmation of approval under this Article.
- f. If the submission is disapproved, the reasons for disapproval shall be included in the written decision. A decision of disapproval is final but without prejudice; the Owner is permitted to resubmit the Owner's submission, modified or amended, for review by the Executive Board in accordance with the provisions of this Article.
- g. If a conditional approval is given, commencement of the work described in the submission constitutes an acceptance by the Owner of all conditions of approval set by the Executive Board.
- h. If no decision is issued within the 45-day period (as it may have been extended), the proposal described in the submission is deemed denied.

**Section 18.03 Exclusion from Architectural Review.** The provisions of this Article XVIII does not give the Executive Board authority to regulate, control or determine external design, appearance, use or location of Common Facilities under development, or to be developed, or Units under construction, or to be constructed, marketed or sold by the Declarant if and when such design, appearance, use and location shall have received any required approvals by the Township or its appropriate departments or officials. This Article does not apply to the Declarant.



**Section 18.04 Architectural Review.** The Executive Board may delegate its rights and duties under this Article in whole or in part to an architectural review committee under the applicable provisions of the Bylaws. If delegation has been made to an architectural review committee, the architectural review committee shall exercise the rights and carry out the responsibilities as may be delegated by the Executive Board.

**Section 18.05 Fees.** The Executive Board may adopt a schedule of fees that may be charged for the review of submissions under this Article.

**Section 18.06 Waiver.** The Executive Board is authorized to interpret the requirements affecting Units under this Article and the applicable provisions of the Rules and Regulations. The Executive Board is authorized to grant reasonable waivers from these requirements but only upon a finding by the Executive Board that the Owner has furnished sufficient evidence to substantiate to the satisfaction of the Executive Board the standards set forth below. The authority to grant waivers may not be delegated by the Executive Board to the architectural review committee. If the Executive Board grants to any Unit a waiver from any requirement, the decision applies only to that Unit and only so long as the Unit remains in compliance with the conditions of the waiver. The grant of a waiver as to any Unit does not create or imply any obligation on the part of the Executive Board to grant a waiver to another Unit whether or not similar circumstances apply. The following standard must be met for the granting of a waiver:

- a. The requirement creates an unreasonable hardship to the Owner due to peculiar physical features of the Unit.
- b. Compliance with the requirement would result in an unreasonable economic burden on the Owner that would be alleviated by the requested waiver.
- c. The waiver requested would not materially alter the Unit so that it would not be compatible or harmonious with other Units in the vicinity of the applicant's Unit.

**Section 18.07 Limited Review.** The Executive Board may, in rendering any decision or responding to any request for waiver, consider whether the proposal is in compliance with applicable laws and may request the Owner to furnish evidence that substantiates compliance. However, neither the Executive Board nor any Declarant nor any other Person or Persons exercising or participating in the rights of review or approval under this Article, whether or not the Person is qualified to render advice as an architect, engineer, attorney or other professional, has any responsibility or obligation to review submissions for, or bears any liability for:

- a. Compliance of submissions with applicable law or advising any Person of the need for any approvals, permits or licenses under applicable law.
- b. Conformity of submissions to architectural or engineering design standards or advising upon the suitability of construction materials or methods.
- c. Compliance with requirements of mortgagees or insurance companies.
- d. Any health, safety, liability or other issues.

**Section 18.08 No Liability.** Neither the Association, Executive Boards, Declarant, officers of the Association, nor any other Person or committee exercising rights of review or approval under this Article shall have any liability to any Person arising from or related to the exercise of or failure to exercise the rights of review under this Article, the issuance of or failure to issue any decision under this Article, or the grant of or failure to grant any waiver under this Article.

**Section 18.09 Township Zoning Code.** The foregoing use restrictions are not intended to and do not expand permitted uses under the applicable zoning code of the Township in effect at the time of the final approval of the Community.

## **I. Forms**

The required ARC Change Application and Generator Forms may be downloaded from the RAP web site at <https://my-rap.net/arc-forms/>.