



# **Modifications Committee Guidelines**

**Changed Jul 13, 10  
Changed Apr 12, 11**

**WYNLAKES MODIFICATIONS COMMITTEE**  
Modifications Review Guidelines

- I. Purpose
- II. Submittal Process
  - A. One step – minor work
  - B. Two step – major work
- III. Approval Process
- IV. Submittal Requirement
- V. Appeal Process
- VI. Compliance/Inspection of Work
- VII. Standards

**I. PURPOSE:**

It is the intent of these guidelines to insure Homeowners in Wynlakes that future modifications to previously approved structures will be consistent with the objective that Wynlakes “be developed and maintained as a community of quality homes and buildings; that are of tasteful and aesthetically pleasing architectural design; that are harmonious with surrounding structures and topography; and that have landscaping and other site improvements consistent with the aesthetic quality of Wynlakes as a whole”.

This document has been prepared by the Modifications Committee (MC) as a guideline for homeowners and contractors in their selection of construction concepts. These guidelines do not include all building, use, and other deed restrictions associated with Wynlakes, and accordingly, each homeowner and contractor should review the provisions of the Declaration of Covenants, Conditions and Restrictions, the rules and regulations of the Wynlakes Homeowners’ Association, Inc. and specific deed restrictions and/or design standards for the neighborhood the applicant’s residence is located.

Meetings of the MC to review modification submittals shall be scheduled on the second Monday of each month as necessary.

The inclusion of any recommendation in these guidelines shall not preclude the MC’s right to disapprove any proposed matter for any reason. These guidelines may be revised or amended from time to time by the MC or Board of Directors as they deem appropriate.

## **II. SUBMITTAL PROCESS**

**A submittal IS NOT REQUIRED for the following:**

1. Replacing or refinishing any part of an existing structure with the previously approved finish or material with which the building was originally constructed or subsequently modified.
2. Repairing or replacing landscaping or other site improvement with material of the same size, color and nature as previously approved for the original site or a subsequent approved modification.

**ONE STEP SUBMITTAL:** Modifications of a minor nature, i.e. repainting a different color, replacement of windows, renovation of landscape areas, new landscape areas with no effect on drainage etc. may be approved in a single submission.

**TWO STEP SUBMITTAL:** Major modifications, i.e. building additions, changes to the property that do affect drainage, major renovations to existing structure, etc., shall be a two step process as described below under Approval Process.

## **III. APPROVAL PROCESS**

### **CONCEPTUAL APPROVAL**

A conceptual submittal shall be required prior to the submission of detail plans and specifications for any major proposed modification including, but not limited to:

1. Addition to or expansion of the existing home.
2. Demolition of a portion of the existing home.
3. New structures (Changed by BOD April 12, 2011)
  - A. Any new structure such as fence, pool and/or cabana, expansion of existing paved area, playhouse, gazebo, etc.
  - B. New, free standing building structures other than pool cabanas and gazebos are, in general, not encouraged but may be considered under special circumstances such as:
    1. Physical constraints of the site
    2. Allowing a free standing structure would be less impactful to the adjacent properties than an addition or expansion of the existing home.
    3. in addition to meeting the submission requirements on page 5, the following will be of significant concern:
      - a. Non dwelling use
      - b. Design consistent with existing home
      - c. Site lines from adjacent properties and common areas
      - d. Size and overall building coverage of lot with proposed building
4. Any other modification that may be deemed to materially affect the appearance of existing building or grounds; the flow of surface water to or from the existing site; the view/site lines of neighboring property(s).

Conceptual submittals shall be made by the homeowner or contractor to the HOA office at least seven (7) days prior to the regularly scheduled meeting time.

Conceptual submittal shall consist of documents adequate to convey the scope and intent of the proposed modification. This submittal shall in all cases include a site plan of the entire property indicating the location and dimensions of the proposed modification and a schedule showing the proposed timing of the work from start to finish.

The submittal may include floor plans, exterior elevations, photographs of the same or similar modification items, samples of proposed materials, and colors or such other information or drawings as may be reasonably requested by the MC.

The MC will respond to the submittal within seven (7) days after the next regularly scheduled meeting date following the submission. The response may be approval, conditional approval with specific changes to be met, or disapproval for cause or with additional information requested.

### **FINAL APPROVAL**

No demolition, construction, site improvement, landscaping or other work required to accomplish the subject modification shall commence on the property until the plans and specifications showing the proposed design, nature, kind, shape, size, color, materials, and location of same has been submitted to the Modification Committee and received Final Approval for such modification. Construction must begin within six

(6) months of Final Approval or Final Approval is void. If Final Approval is granted subject to conditions and such conditions are not met or performed, Final Approval may be voided.

Submission of documents for Final Approval must be submitted to the HOA Offices at least seven (7) days prior to the next regularly scheduled meeting of the MC. Allow fifteen (15) days for approval.

Submittal for Final Approval of a modification shall include two sets of prints, designed by a registered Architect or person of similar competency, and shall include the items listed under Submittal Requirements.

#### **IV. SUBMITTAL REQUIREMENTS:**

The following documents, as applicable, shall be submitted with each request for a modification:

1. **Site Plan** at minimum scale of 1"=20' showing the location and dimensions of existing structures, landscaping, paving and other improvements and, as applicable, a clearing and grading scheme with proposed and existing land contours; grades and flow of the site drainage, proposed drainage modifications; species and size of trees having a diameter of six (6) inches or more proposed to be removed and the proposed modifications.
2. **Landscape/Irrigation Plan** (if applicable) at a minimum scale of 1" = 20' showing the size, species and location of proposed new trees and planting areas and proposed new or modifications to irrigation system.
3. **Plans** Floor plan(s) at a minimum scale of 1/4" = 1' for each floor where modifications are proposed and exterior elevations of any exterior side which will be affected by the proposed modifications.
4. **Detail drawings or manufacturer cut sheets** of new entrances, eaves, windows, dormers, walls, decks, patios, porches, fencing, screening, pools or other specialty feature construction items, including exterior lighting fixtures.
5. **Color board** indicating color, texture, etc. of all exterior materials such as brick, siding, paint, stucco, trim, etc.
6. Such other information as may be reasonably requested by the MC.
7. The Standard Site Improvement Review Fee for \$25 or the Site Improvement Review Fee which requires city of Montgomery Permit for \$75 check payable to Wynlakes Homeowners' Association.

#### **V. APPEAL PROCESS:**

If an application for Concept Approval or Final Approval has been denied; or if an approval is subject to conditions which a Builder or Homeowner feels are harsh or unwarranted; or if there are disputes to any other matter related to actions of the MC, the Builder or Homeowner may request a hearing before the full committee of the

Board of Directors. At the hearing, the Builder or Homeowner will be allowed to present its position on the matter and make requests or recommendations as to an alternate action. After the hearing the Board of Directors will review the information presented and notify the Builder or Homeowner of their final decision on the hearing. The decision of the Board of Directors regarding the matter shall be final.

## **VI. COMPLIANCE/INSPECTION:**

Changes to the Final Approval plans must be approved by the MC and may be requested by supplying sufficient information to the MC to allow it to fully understand the proposed change. Such information may be as simple as a material sample or picture, or as complicated as the above submittal.

The MC may require a rough stakeout of the proposed new construction area prior to rendering a final decision.

Prior to starting work, the Owner's contractor will furnish to the HOA office contact information including emergency numbers, and a copy of Contractor's Liability Insurance with Wynlakes HOA named as an additional insured for the duration of this project. In some cases where there is potential for damage to HOA property, the HOA may also require a security deposit in the amount of \$1,000. The check will be returned to the contractor upon completion if there are no damages. However, if the HOA property is damaged and Contractor fails to make repairs in a timely manner, these funds, as well as any other remedies available to the HOA, may be utilized to effect repairs. No approval by MC shall be construed to replace or overrule other property restrictions such as minimum building size, setbacks, easements, etc. (Para. Added July 13, 2010 by BOD).

The design theme for any building construction shall be traditional in keeping the overall theme of the Wynlakes development and consistent with the existing structure except in the case of a major renovation intended to change the design motif.

## **VII. The following standards shall be observed as applicable:**

**EXTERIOR MATERIALS:** Finish building materials shall be applied consistently to all sides of the exteriors of buildings. Recommended materials shall be brick, stone, stucco, wood, or other approved material. No simulated brick or stone will be permitted.

**ROOF:** Roof slopes shall be a minimum 8" – 12", unless otherwise approved by DRB, and no light colored roofs are allowed. Roofing shall be textured, architectural type shingles compatible to or better than Elk Prestique II, GAF Timberline or Bird.

**ROOF OPENINGS:** All roof openings, vent and fan locations, and any other roof opening excluding chimneys must be open from rear of house unless approved by DRB and a minimum of roof penetrations is encouraged.

**WINDOWS:** Submit manufacturer's cut sheet for approval. **Note: certain neighborhoods within Wynlakes have specific criteria/requirements for windows. Please consult the plat restrictions for your section.**

**CHIMNEYS:** Any exposed portion of a chimney outside of the building shall be constructed solely of brick, stone or stucco. If the fireplace is a metal (self-insulated) type with a metal spark arrester at the top of the chimney, it must be enclosed by a material approved in advance by the DRB.

**GARAGES AND CARPORTS:** Garages and carports must open from side or rear unless otherwise approved by DRB. Garage doors, automatic door openers and service doors shall be maintained in a useful working condition and shall be kept closed when not in use. A garage or carport may not be enclosed to use as a living area unless it is replaced by another garage or carport of comparable size, but not less than space for two cars. (approved by BOD July 13, 2010)

**PARKING:** Homeowner must provide for off the street parking of all vehicles. No on street parking allowed.

**DRAPES, CURTAINS & SHUTTERS:** As viewed from the exterior, any drape, curtain, shutter or any other similar element shall be compatible in color and style with the exterior of the building.

**WINDOW AIR CONDITIONING UNITS:** No window air conditioning units shall be permitted where visible from any adjoining property.

**LANDSCAPING:** Any home site which shall have been altered from its natural state, shall be landscaped according to plans approved by the DRB. All shrubs, trees, grass and plantings of every kind shall be kept well maintained, properly cultivated and free of trash and other unsightly material.

**ANTENNAS:** No antenna for transmission or reception of television signal or any other form of electromagnetic radiation shall be erected, used or maintained where visible from any adjoining property.

**LIGHTING:** All exterior lighting shall be consistent with the character established in Wynlakes and be limited to the minimum necessary for safety, identification, and decoration. Exterior lighting of buildings for security and/or decoration shall be limited to uplighting or downlighting and the style and type of lighting shall be compatible with the building design and materials. No color lens or lamps allowed.

**DRAINAGE & GRADING:** No drainage ditches, cuts, swales, streams, impoundments, ponds or lakes; no mounds, knolls, dams or hills; and no other physical improvements or elements of the landscape or terrain which control or determine the location or flow of surface water and drainage patterns may be created, destroyed, altered or modified without the prior consent of the DRB, whether on private property or common area.

**LAWN FURNISHINGS:** No bird baths, frog ponds, flag poles, lawn sculpture, artificial plants, birdhouses, rock gardens or similar types of accessories and lawn furnishings are permitted on any home site without prior approval of the DRB.

**GAMES & PLAY STRUCTURES:** All basketball backboards and any other fixed and play structures are subject to approval by the MC. Tree houses or platforms of a like kind or nature shall not be constructed unless approved by the DRB.

**SIGNS:** No signs whatsoever, (including, but not limited to, commercial, political and similar signs) shall be erected or maintained on the home site, except such signs as may be required by law and such signs as may be approved by the DRB.

**MAILBOXES:** The home site owner shall provide, install and maintain the common design mailbox as prescribed by the DRB.

**FENCES AND WALLS:** All fences and walls must be approved by the DRB. Chain link or wire will not be allowed. Fences or walls along property line adjoining golf course or lakes are limited to fences 4' high maximum and which have 50% open area.