



Modifications Committee Guidelines

**Changed July 13, 2010
Changed Apr 12, 2011
Complete Revision Jan 10, 2018
Updated 06/20/18**

WYNLAKES MODIFICATIONS COMMITTEE
Modifications Review Guidelines

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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, plat restrictions and/or city/county permits associated with Wynlakes. Accordingly, each homeowner and contractor shall review the provisions of the Declaration of Covenants, Conditions and Restrictions, the rules, regulations, and Covenant Resolutions of the Wynlakes Homeowners’ Association, Inc. and specific plat restrictions and/or design standards for the neighborhood the applicant’s residence is located.

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 substantially the same size, color and nature as previously approved for the original site or a subsequent approved modification.

Note: If you are not the original owner/and or do not know if the item being replaced had been previously approved, please call the HOA office for clarification prior to beginning your project.

- A. **PROPOSED MINOR MODIFICATION:** Minor modifications, 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.
- B. **PROPOSED MAJOR MODIFICATION:** Major modifications, i.e. building additions, changes to the property that do affect drainage, major renovations to existing structure, etc., shall follow the Approval Process and meet the Submittal Requirements as described in the sections below.

III. APPROVAL PROCESS

CONCEPTUAL APPROVAL

A conceptual submittal shall be required prior to the submission of detail plans and specifications for any Proposed Major 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 to include pool cabanas and gazebos will only 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 in Section IV, 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 plans submitted to the HOA office 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's 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 received Final Approval for such modification from the Modification Committee.

Submittal for Final Approval of a Proposed Major Modification shall include a set of prints, designed by a registered Architect or person of similar competency, and shall include the items listed under Section IV "Submittal Requirements."

IV. SUBMITTAL REQUIREMENTS:

The following documents, as applicable, shall be submitted with each request for a Proposed Major 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 and Material Samples** 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.

Note: Approved work must be completed within 90 days. Please contact the HOA office if work is delayed. If the homeowner does not begin work prior to the 90-day expiration date, a new Site Improvement form must be submitted for approval.

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 has the right to appeal as stated in the Covenants, Paragraph 3.20.

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.

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 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 MC, 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 MC 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 arrestor at the top of the chimney, it must be enclosed by a material approved in advance by the MC.

GARAGES AND CARPORTS: Garages and carports must open from side or rear unless otherwise approved by the MC. 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 MC. All shrubs, trees, grass and plantings of every kind shall be kept well maintained, properly cultivated and free of trash and other unsightly material.

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 except as part of holiday decoration. Please reference Resolution 21 (attached) for guidelines.

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 MC, 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 MC.

SIGNS: Please reference Resolution 22 (attached) for guidelines

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

GAME AND PLAY STRUCTURES: Please reference Resolution 23 (attached) for guidelines.

FENCES AND WALLS: Please reference Resolution 24 (attached) for guidelines.

APPENDIX

WYNLAKES RESIDENTIAL HOMEOWNERS' ASSOCIATION, INC. BOARD OF DIRECTORS

Resolution Number: 21

Resolution Title: Event/Holiday Decorations & Religious Observations

Date of Board Approval: February 14, 2015

Effective Date: February 14, 2015

Revision Date: December 6, 2017

Authority: Wynlakes Residential Homeowners Association Inc. Declaration of Covenant, Conditions and Restrictions, Article IX. Section 9.04, Rules and Regulations: The Association, through its Board of Directors, may make and enforce reasonable rules and regulations governing the use of the Properties, which rules and regulations shall be consistent with the rights and duties established by this Declaration.

Statement of Resolution: The Association will enforce and expect its members to adhere to the following guidelines for display of seasonal and event decorations within the Wynlakes Community:

1. All seasonal/event decorations as defined by the Board will be temporary and seasonal in nature. Lighted decorations and/or displays may be illuminated only from dusk until 12AM.
2. All seasonal and event decorations will be limited to display during the following periods:
 - Traditional Holiday Season – November 15 thru January 15.
 - Federal and Alabama State holidays – 7 days before and 7 days after the event.
 - Halloween, Valentine's Day, St. Patrick's Day, and Easter – 14 days before and 7 days after the event.
 - Lent –Religious displays are permitted 7 days before Ash Wednesday and 7 days after Easter
 - Event displays – 2 days before and 1 day after the event.
3. Violations will be subject to the same sanctions as other violations set forth under Article III, Section 3.15(i) of the Bylaws of the Wynlakes Residential Homeowners Association, Inc.
4. Permanent structures and decorative displays outside the parameters of this Resolution remain under the purview of the applicable Standing Committees and processes.

APPROVED by the Board of Directors this 14th day of February, 2015.

ATTESTED: Steve German, President, Wynlakes HOA BOD

WITNESSED: Judy Debray, Secretary, Wynlakes HOA BOD

APPROVED by the Board of Directors this 6th day of December, 2017

ATTESTED: Gary Oos, President, Wynlakes HOA BOD

WITNESSED: Christy Fletcher, Secretary, Wynlakes HOA BOD

**WYNLAKES RESIDENTIAL HOMEOWNERS' ASSOCIATION, INC.
BOARD OF DIRECTORS**

Resolution Number: 22

Resolution Title: Signage

Date of Board Approval: February 21, 2017

Effective Date: February 21, 2017

Revision Date:

Authority: The Wynlakes Residential Homeowners' Association, Inc., through its Board of Directors and the Design Review Board under its authority as contained under Article VI, Section 6.01 and Article VII, Section 7.8 of the Declaration of Covenants, Conditions, and Restrictions Wynlakes.

Statement of Resolution:

Signs: No sign or other advertising device of any nature shall be placed upon any part of the Properties except as provided herein. The Design Review Board shall adopt and promulgate rules and regulations relating to signs and other advertising devices. Signs and other advertising devices when in compliance with criteria as established by the Design Review Board may be erected and maintained upon the Owner's Lot. Notwithstanding the foregoing, the Declarant specifically reserves the right for himself, his heirs, successors, nominees, assigns and the Association to place and maintain signs in connection with constructing, marketing, sales and rental of Units and identifying or information signs anywhere on the property.

The Board of Directors adds the following explanatory language to Section 7.08 stated above:

Homeowner may have **one** for sale/lease/rent sign on their property. The sign will be oval, double sided, 24" wide and 32" tall with black writing on a white background and a dark green border stripe. It will contain the Wynlakes logo at the bottom. Balloons and "take one boxes" are prohibited. Open house signs may be placed out Friday after 4 PM and removed Sunday by 5 PM of the same weekend. Signs are normally provided by the listing agents.

APPROVED by the Board of Directors this 21st day of February, 2017.

ATTESTED: Gary Oos, President, Wynlakes HOA BOD

WITNESSED: Christy Fletcher, Secretary, Wynlakes HOA BOD

WYNLAKES RESIDENTIAL HOMEOWNERS' ASSOCIATION, INC.
BOARD OF DIRECTORS

Resolution Number: 23

Resolution Title: Playground Equipment

Date of Board Approval: March 21, 2017

Effective Date: March 21, 2017

Revision Date:

Authority:

(1) Declaration of Covenants, Conditions and Restrictions Wynlakes, Article I, Section 1.09: "Community Wide Standard" shall mean and refer to the standard of conduct, maintenance, or other activity generally prevailing throughout the Properties. Such standard may be more specifically determined and set forth by the Design Review Board, Modifications Committee or the Board of Directors.

(2) Declaration of Covenants, Conditions and Restrictions Wynlakes, Article VI, Section 6.02, Which reads in part: "The Modifications Committee shall have exclusive jurisdiction over modifications, additions, or alterations made on or to existing Units and the open space, if any, appurtenant thereto." And "Plans and specifications showing the nature, kind, shape, color, size, materials, and location of such modifications, additions, or alterations, shall be submitted to the Modifications Committee for approval as to quality of workmanship and design and harmony of external design with existing structures, and as to location in relation to surrounding structures, topography, and finish grade elevation."

Statement of Resolution:

1. This Resolution rescinds Resolution #16 in its entirety and replaces it as follows.
2. General: This resolution is intended to help homeowners buy and use outside play/sports equipment. To be in compliance with this covenant, homeowners must consider the size of their lot, its contours, the amount of visual screening from both the street and adjacent lots, and the potential negative impact on neighbors. Further, unless otherwise noted the use of outdoor playground equipment is prohibited between the hours of 9:00 p.m. and 8:00 a.m. The location of play/sports equipment must ensure that the resulting activity is confined to the resident's property and does not result in intrusion or damage to the adjacent property. Permanent and semi-permanent play structures and sports equipment must be serviceable and maintained so that deterioration or damage is not noticeable. Play structures and sports equipment not maintained as noted above must be repaired or removed within 30 days after being so notified in writing by the Wynlakes HOA.
3. Types of Equipment: For purposes of this resolution, play equipment includes, but is not limited to: play sets (e.g., Jungle Gyms), swing sets, trampolines, soccer goals, and wading pools having a depth of 24 inches or less, sandboxes, and basketball goals.
4. Categories: Play equipment is categorized as follows:
 - a. Permanent Equipment: Normally, includes all items that due to size will not normally be moved once installed. The type, color, and placement of all play equipment and related items are subject to approval of the Modifications Committee. Soft surfaces such as canopies on a swing set or play set must be dark, and either green, blue, brown or black. Hard surfaces such as swings sets, trampolines, slides, etc., should be a color that will blend into rather than contrast with the existing environment. Earth tone or dark

colors are recommended. Equipment must be installed in a professional manner, normally located where it will have a minimal visual impact from the street or adjacent properties, and be orientated so that all activity is confined to the homeowner's lot. (Metal playsets will not normally be approved. Basketball backboards attached to the home either on a wall or the roof will not normally be approved.)

b. Portable Equipment: Includes equipment stored when not in use. When stored, all play equipment shall be located where it will normally be out of view, or stored for minimum visual impact from adjacent property or the street. Soccer goals and Badminton nets are examples of portable playground equipment. These and similar items may be used during the day in the front of the residence but must be removed by sunset.

c. Semi-portable Equipment: Includes equipment that once erected is not normally moved to a different location for storage. For example, portable basketball goals /backboards are not considered a permanent change to the exterior of the home because they are movable. However, they must be placed toward the rear of the house to provide for minimal visual, physical, and noise impact. Its location must consider the potential for intrusion and /or damage to adjacent property. Portable basketball goals shall be used as designed and additional ballast (sandbags, rocks, bricks, etc.) is prohibited. Basketball backboards must be white or clear. Portable backboards should be folded when not in use if so designed. Basketball goals must be well maintained with no broken backboards, torn nets, or rust on poles.

APPROVED by the Board of Directors this 21st day of March, 2017.

ATTESTED: Gary Oos, President, Wynlakes HOA BOD

WITNESSED: Christy Fletcher, Secretary, Wynlakes HOA BOD

WYNLAKES RESIDENTIAL HOMEOWNERS' ASSOCIATION, INC.
BOARD OF DIRECTORS

Resolution Number: 24

Resolution Title: Fences

Date of Board Approval: June 13, 2017

Effective Date: June 13, 2017

Revision Date: NA

Authority: Amended Declaration of Covenants, Conditions and Restrictions, Article 7, Paragraph 7.26, Walls or Fences.

Statement of Resolution:

Objective: The purpose of a Community-Wide standard for fences, regardless of construction material, is to ensure they are constructed and maintained in a manner so as to preserve the appearance and reputation of Wynlakes as a premier community.

General Guidelines for new or existing fences:

- Chainlike or wire fences are not allowed.
- Fences cannot exceed six feet in height; however, partial repair of a previously approved fence that exceeds 6 feet in height is permitted in lieu of total replacement. New fences can exceed 6 feet if, in the opinion of the Modifications Committee, terrain, safety, pollution (light or noise) sight lines, or aesthetics justify a variance.
- Any fencing other than shadow box ("good neighbor") will be constructed with the "smooth side" facing outward from the property.
- When fences of two separate heights adjoin, at least one transitional panel will be used to join the two sections so as to avoid an abrupt change in height where the fences meet.
- Fences facing the Golf Course and abutting lakefronts cannot exceed four feet in height and must have a minimum of 50% open area.
- All fences must be repaired or replaced, partially or totally, as needed.
- Fences must be uniform to include design and color. If only part of a fence is replaced, the replaced section must be stained or painted to match the remaining portion of the fences as closely as possible.
- Fences must be kept in a near vertical condition. Noticeable leaning (more than 3 degrees) must be corrected to vertical including anchoring posts and masonry pillars.
- Wooden Fences: Signs of structural deterioration include but are not limited to: loose/missing nails or screws, missing/split boards, in whole or in part, warped boards, sections separated from anchoring posts, and rotten boards.
- Metal – PVC - Vinyl – Plastic Fences: Repair or replace rusted areas and/or areas of oxidization. Paint metal fences, as required. Fence must remain structurally sound to include proper anchoring.
- Masonry-EFFIS Fences: Repair cracks; keep free of mold and clean. If originally painted, repaint as needed to keep wall or fence attractive.

Approval Process for new or altered fences: The Wynlakes HOA Modifications Committee (MC) is the approval authority for any alterations to the exterior of Wynlakes properties. This includes constructing new fences or altering existing fences, including

total or partial removal. Only after submitting an *Application for Site Improvement* to the MC and **obtaining all necessary approvals, which may include city and or utility company permits**, may construction/alteration begin. **The MC will provide residents with all necessary guidelines for new fence construction.** Any changes to the approved plans must also be resubmitted and approved by the MC.

Homeowner Responsibilities: All **new fences** must be installed on the homeowner's property, which includes applicable easements. If necessary, surveys should be done to establish property lines. Should a valid complaint be made regarding intrusion into a neighbor's property the fence will be considered a deviation from the approved plan and be required to be appropriately realigned. All **existing fences** must be structurally sound and maintained in appearance as close as possible to the original construction. When that is no longer possible due to structural deterioration, the fence, or appropriate sections thereof, must be replaced or repaired. The standards for replacement and/or repair are listed above.

Shared fences: Fences clearly constructed on a property line by the developer or by the cooperative efforts and finances of two or more homeowners are considered to be owned in common by the affected landowners. The standards for maintaining these fences are the same as those for fences solely owned. When maintenance is required to maintain the HOA standards, the respective owners must share the expense proportional to the benefit received.

APPROVED by the Board of Directors this 13th day of JUNE, 2017.

ATTESTED: Gary Oos, President, Wynlakes HOA BOD

WITNESSED: Christy Fletcher, Secretary, Wynlakes HOA BOD