

CANTERBURY PLACE

REGIME / LANDSCAPING GUIDELINES FOR COMMON / LIMITED ELEMENTS



All residents are required to support these guidelines in order for our community to remain an attractive, harmonious place to live. Adherence by all homeowners will protect property values by maintaining the upscale, cohesive look and feel of our community.

A NOTE ABOUT CONDOMINIUM LIVING

Condo living is different from owning or renting a single dwelling home or apartment due to the dual nature that comes with Unit Ownership. Condo owners hold ownership over their respective units but each one shares responsibility for the operating costs and maintenance of the shared elements of the property / regime. Basically, that means when you buy a unit within the Canterbury Place community, you do not own the land beneath the building; you simply share an interest in it. You own the space between the walls of your unit and share ownership of the common areas with other owners.

The administration of the Regime is vested in its Council of co-owners. The Administration of the Condominium Regime shall be conducted for the Council by a Board of Administration and/or Homeowners Association (HOA).

By choosing to live in a deed-restricted condominium, you have chosen to accept and follow the standard rules and regulations unique to Canterbury Place. Due to the community approach of living within a condo community, it is necessary that all homeowners adhere to the following:

- Follow the HOA rules established in the bylaws
- Ask questions before you act if unsure of a rule
- Support community efforts to keep our neighborhood safe and beautiful
- Keep informed through periodic newsletters, annual meeting information and property management website, as well as other means of communication (ie: Reach Alerts)
- Treat all neighbors with respect and courtesy
- Consider volunteering for something of interest that will serve your community

ANSWERS TO COMMONLY ASKED QUESTIONS

1. What does the homeowners (HOA) control?

The HOA controls the exterior of all condos as well as driveways, streets, lawns, landscaping, pool and community center.

2. What services are provided by the HOA with the homeowners HOA fees?

- Public water and sewer
- Maintenance of the exterior of the condo (window cleaning excluded)
- Insurance of the structures, excluding the interior of the unit as well as the residents' personal belongings
- Lawn care/ maintenance which includes grass cutting, fertilizing, mulching, shrub trimming / edging
- Reserves for future roofing and/or general repairs and replacements
- Snow removal for roadways excluding driveways and sidewalks
- Operation and maintenance of the Clubhouse and pool
- Lighting and watering at the entrance
- Professional management of the Association

3. Who do I call if I have questions or need to report a problem with my condo?

Contact the property management company at (502) 410-4190

4. **What are the rules for pet owners?**

All pets must be kept on leashes at all times. Residents are required to clean up pet waste immediately regardless of the location.

The following explanation will clarify guidelines for property maintenance, controls and regulations for the use of common and/or limited common elements. These guidelines include yards, patios, planting beds, driveway, sidewalk and building. In addition, a guide is provided for homeowners to add to current landscaping of their unit in the limited common elements.

HOA Regime / Landscaping Guidelines / Rules for Canterbury Place

The Landscape Committee and HOA will follow the revised guidelines when rendering decisions to homeowners' requests. The decision will not be made arbitrarily but will be made accordingly to one (1) or two (2) of the reasons below:

- A. Landscaping designs are to maintain the aesthetics of the community and ensure consistency among homes while preserving and protecting property values through curb appeal.
- B. Provide efficient operation of lawncare services to control budgeted costs which includes avoiding unnecessary expenses.

1. **Common Elements (CE) – (See attached schematic)**

The planting of plants, flowers, trees, shrubbery and crops or landscaping of any other type is prohibited in the general common elements without the prior approval of the Board. No personal property shall be left unattended on the grounds of the common elements.

- (a) HOA maintains all lawns by mowing, trimming, blowing off of driveways and sidewalks for 28 mowings per season. In addition, the company trims bushes and shrubs, with removal of debris once in Spring and once in the Fall. They remove debris from landscape beds, edging of beds and install hardwood mulch. Eight (8) times per season, they weed, use round-up spray as needed, remove volunteers around trees, pick-up sticks and garbage. Different times through the seasons, they provide weed control applications. There is leaf clean-up two (2) times per season and three (3) gutter cleanings per season.
- (b) Homeowners may not have plantings in an area where mowing will take place by the lawncare staff.
- (c) Homeowners shall not place any object such as furniture or lawn decorations that include but not limited to statues, bird baths, etc. in the Common Elements that would impede the mowers from mowing the grass in an efficient manner.

No Unit Owner shall permit the Common Elements to be unsightly or disorderly.
By-Laws, Section 6. Use of Regime (i) –

(d) No change may be made to the structure, or the Common Elements surrounding your unit without prior written approval from the HOA.

2. **Limited Common Elements (LCE) – (See attached schematic)**

Each Unit Owner shall keep clean all windows, doors and patios assigned to him. This area is the responsibility of the Unit Owner; however, the HOA shall have the authority to properly maintain neglected limited common areas. **By-Laws, Section 5, Maintenance of Units.**

No Unit Owner or occupant shall place, store, or maintain in the Limited Common Elements any indoor furniture, storage unit or containers of any kind; nor shall any sporting equipment, toys, gardening supplies, or grill supplies be stored or maintained in the Limited Common Elements. The Limited Common Elements shall not be unsightly or disorderly.
By-Laws, Section 6. Use of Regime (j)

(a) **Limitation on Patio**

Patios are a highly visible area of the neighborhood and should provide an aesthetic appeal of the community as a whole. The patio area should be free of clutter, including empty pots. Patio furniture that appropriately fits the area is allowed, along with potted flowers and /or plants.

(b) **Sidewalk**

For safety access to the front door of each residence, including the patio and sidewalk area, there must be a clear path of at least three (3) feet wide to permit emergency personnel to access the residence.

(c) **Limitation on Garden/Lawn Sculptures/Ornaments** (benches, statues, bird baths, bird houses, etc.) Most simple garden statues are permitted in landscaping beds but should not exceed the height of three (3) feet. Any sculpture larger than three (3) feet would require approval by the Landscaping Committee. **All items must be in a landscaped bed.**

(d) **Driveway**

Homeowners may not leave storage boxes, empty pots and/or containers, including trash receptacles on the driveway. Two (2) containers of flowers/plants may be used for decorative purposes in season and kept on the driveway; however, **no vegetable containers may be on the driveway.**

i. No trash receptacle shall be left on the driveway other than on trash collection day, then returned to inside the homeowner's garage.

- ii. One (1) vehicle must be parked in the garage before a second vehicle may be habitually parked in the Unit's driveway. **By-Laws, Section 6. Use of Regime (n).**
 - iii. No commercial truck, motor home, recreational vehicle, bus trailer, boat or inoperable automobile shall be regularly or habitually parked in the Regime unless same shall be parked in a closed garage. **By-Laws, Section 6 (m).**
- (e) **Grilling Guidelines** - Use of grills or similar devices for cooking, heating or any other purpose on any patio is prohibited under any over hanging portions or within ten (10) feet of the structure.
- (f) **Fire Pits** - Due to Fire Codes, fire pits are prohibited.

3. **Landscaping Plant Schematic**

To maintain the uniformity of the community with similar landscapes, the HOA has a schematic that includes plants that are suitable for the community. Any plant outside this schematic must be approved by the Landscaping Committee.
(See the landscape schematic on final page.)

(a) **Front of the Unit**

The HOA will continue to use the prior schematic of three (3) green shrubberies below the three (3) windows in the front of the unit and between the two (2) burning bushes. In addition, two (2) green shrubberies shall be placed in front of the two (2) windows at the end of the unit.

- i. Pursuant to the advice of professional landscapers, residents may choose from three (3) types of shrubs: Green Velvet Boxwood (or similar), China Holly, or green Mr. Bowling Ball. All species are hardy for our area and should sustain an adverse winter event.
- ii. The shrubbery shall be maintained to a height of no higher than the windows edge for security reasons.
- iii. Residents may plant at their expense a limited number of small annuals or approved perennials within the landscaping beds. The plants shall not exceed the height of the full-grown shrub, nor shall the plant grow in size in which it would hide the shrubs.

(b) **Landscaping beds to the side of the unit.**

In order to provide homeowners with personal choices in landscaping around their unit, the HOA will allow the landscaped beds on the side of each unit as an approved area to plant their choice of specific flowers / plants at the homeowners' expense. *See the attached landscape design schematic* for the approved area

marked by XXX which is located along the side of each unit. The residents' choices must coincide with the generic community appearance that aligns with the desired aesthetics of the community. Homeowners must follow height restrictions as described above and obtain approval for specific flowers/ plants prior to planting.

(c) Landscape Area between Driveways

Homeowners are allowed to plant in the landscape area between the driveways. However, prior to planting, the homeowner must obtain approval from the adjoining neighbor, then submit the request to the Landscaping Committee for approval. If approval is granted, the homeowner must contact BUD for marking of gas and electrical lines.

(d) Homeowners' Responsibility

In the event, the homeowner chooses to plant flowers at their expense, they do so by accepting the responsibility of said plants. The lawncare company will not maintain these plants after planting or in the future. Further, the HOA is not responsible for any damage that may occur by the lawncare company during their scheduled maintenance of the Common and Limited Common Areas.

Following the planting, if additional mulch is needed, homeowners must add mulch at their expense and use the same type and color of mulch as the lawncare providers use in common areas.

If the homeowner replaces the dead boxwoods, burning bushes and or trees, the lawncare providers will maintain those plantings.

4. Landscaping Request Procedure

A landscaping form has been designed for residents to request a specific landscaping request. All requests may be forwarded to the Property Manager and/or the Landscaping Chairperson. The form may be accessed from the Canterbury Place website. The Property Manager may not give approval to the request. A Request Form must be completed and reviewed by the Landscaping Committee who will provide their recommendation to the Board for a final decision on the request. In the event a request is denied, this may be appealed to the Board.

- (a) The request requires the homeowner to sign acknowledging they agree to maintain all future care of any additional planting they are approved to plant, with the exception of the plantings referenced in Section 3 (d) above.
- (b) If the request concerns the middle island between the driveways, the homeowner requesting the planting shall obtain approval from the neighboring unit that they agree and approve of the planting which will include the neighbors' signature on the form.

5. **Tree Removal**

If you have a tree that you feel needs to be removed due to decay, complete the Landscape Request form as indicated above. The landscape committee will assess your reasons for removing the tree, check the value of the tree, and finalize a decision accordingly.

6. **Limit / Restrictions on Personal Vegetable Gardens**

Due to the aesthetics of vegetable gardens, the HOA will limit what a homeowner may plant, as well as the location of the plants.

- (a) Residents may have one (1) to three (3) pots up to 24” in diameter containing tomato plants
 - i. One (1) pot may be maintained on the patio in an area that is not highly visible.
 - ii. The second and third pot (or all three pots) may be kept in the landscape bed as noted in the landscape design schematic attached on the last page.

- (b) In addition, herbs may be grown in small pots or in a landscaping bed along the side of their unit which must be consistent with the height restrictions as described above.

7. **Enforcement of Unit / Landscape Rules**

Residents have a **legal obligation** to adhere to the covenants, conditions, and restrictions of the HOA. **Making landscape improvements without HOA approval can result in fines or removal** of the new enhancements at the homeowner’s cost. The board or landscaping committee will review any complaints and investigate non-compliance.

A violation letter will be sent to the homeowner when violations have occurred. If the letter fails to resolve the matter, the HOA will proceed with fines as defined in the HOA By-Laws.