

1 ARCHITECTURAL RULES 1.20.19

- 1.1 **Introduction** - The Windstone Guidelines set forth in this document have been established by the Architectural Control Committee (ACC) and Board of Directors for the purpose of informing all owners within Windstone of the applicable regulations for new construction, alterations and improvements to properties within the Community.
- 1.2 **Authority of this document** - Pursuant to this authority, the Windstone covenants and the Association Board of Directors reserve the right to modify these guidelines as needed.
- 1.3 **Government Rules and Regulations**-In addition to compliance with the rules and regulations of the Association, homeowners and residents are required to comply with all Desoto County, City of Olive Branch, MS state, and federal laws, statutes, rules, regulations and ordinances.
- 1.4 **Application Process-Changes** to the outside appearance of your home or lot covered in Section Two below require an Architectural Review Application (ARA). You must receive written approval from the ACC prior to beginning any project. Applications can be found at www.mywindstone.com or from home.keithcollinsco.com. The ARA application will need to be printed from one of the above locations and completed with all information requested. There are two (2) ways to forward the application: (1) The ARA application and any supporting documents can be sent by mail to Keith Collins Management Company, 3400 Players Club Pkwy, Suite 100, Memphis, TN 38125, Attn. Gaby Reyes or email to (hoa@keithcollinsco.com) OR (2) The ARA application and any supporting documents, can be placed in the HOA Drop Box at the West pool.
- 1.5 **Time Period**-The ACC will try to consider each application in a prompt manner and provide a decision to the homeowner as soon as practical. In the event, however, that the Architectural Control Committee fails to approve, modify, or disapprove in writing a correctly filed application within thirty (30) days, approval will be deemed granted. Total or partial disapproval will include the reasons for such disapproval. The 30 day period begins on the day the application is received by the management company. In order to claim approval due to no response within 30 days, you must have proof of delivery of your application to the management company (signed postal receipt, etc.) and the details of your application must conform to the guidelines in this document.
- 1.6 **Appeal** - An applicant may appeal an adverse ACC decision to the Association's Board of Directors, which may sustain, reverse, or modify such decision. This appeal must be submitted within 30 days of the ACC's decision.
- 1.7 **No Waiver and No Precedent**-Similar to the provision stated in the community's Declaration, the failure to enforce any provision of this document shall in no event be deemed a waiver of the right to enforce it later, nor does a belated discovery of a violation affect its status as a violation. Also, a variance granted for one property shall not create a precedent for another.
- 1.8 **Severability**-If any one provision of this document is determined to be invalid, it shall in no way affect any of the other provisions, which shall remain in full force and effect.

2 GUIDELINES BY TOPIC (ALPHABETICAL ORDER)

2.1 Additions, Alterations, and New Construction - ARA Application Required

- Additions, alterations and new external construction to the existing living unit including but not limited to, roofs, rooms, garages, greenhouses, decks, spas/hot tubs, screened porches, gazebos, and storage building/structures. See individual categories for additional information.

- All additions, alterations, new structures and improvements constructed upon any property within Windstone must conform in all respects to the ACC approval, as well as meeting all city and county approved site plans, construction plans, building permits and other federal, state and local construction and development standards and requirements The architectural design, character, form, scale and proportion of all additions, alterations, structures and improvements will be harmonious with the design and character of the existing house, and adjacent structures.
- At no time will two (2) car garages become enclosed for any purpose

Prohibited types of Exterior Siding, Fascia and Soffit Materials. 3.5.2022

- Vinyl or aluminum siding and/or Stucco is prohibited

(Many older homes in Windstone have Masonite siding (also referred to as Hardboard, Quartrboard, Isorel, hernit, karlit, torex, treetex and pressboard). Materials being used are to be included with your ARA.

- Siding, Fascia and Soffit Board materials should be consistent with those installed on the home, and should be made from wood, hardy board, or fibrous cement products.
- The color palette for homes should be earth tones and harmonious or consistent with other approved Roofs must be architecturally compatible with the roof on the applicant's house and shingles must be compatible Replacement windows, garage doors or exterior doors must match the type used in the applicant's house and consistent with approved doors and windows in the community.
- If changes in grade or other conditions which affect drainage are anticipated, they must be indicated. Approval will be denied or revoked if adjoining properties are adversely affected by changes in drainage.

2.2 Address Numbers

- Address numbers are required on all houses.
- Alley homes should have numbers on the front and the back of homes.
- House numbers will be made of black or brass colored metal and be not more than 6 inches or less than 3 inches in height.
- House numbers painted on curbs will be black and/or white in color and stencil applied only.

2.3 Air Conditioners Page 15, Article VII, Section 2, J

2.4 Antennas/Satellite Dishes Page 17, Article VII, Section 3, c

2.5 Attic Ventilators

- Ventilators must be located on the backside of the roof and cannot extend above the roof line.

2.6 Awnings - ARA Application Required

- Exterior awnings will be permitted if clearly compatible with the architectural design and quality of the home and screened from the view of adjoining neighbors due to the proposed location of installation.
- Acceptable Awnings are retractable fabric covers attached to a house.

- Metal and or acrylic awnings or any other material other than types of fabric awnings are prohibited
- Awnings are not permitted on the front of the house.
- They must have colors which are compatible with the siding color of the house.
- They must be consistent with the visual scale of the house to which attached.
- Awnings must be maintained in good condition. Tarps and/or canopies may be solid in color or striped and compliment the exterior colors of the home. Faded or damaged tarps and /or canopies must be replaced.

2.7 Barbecue Grills/stands and outdoor fireplaces - May Require ARA Application

- No application is needed for portable grills.
- All permanently installed barbecue grills and stands will require an ARC Application and must be in the back yard or side yard as determined by the home's original design and must be maintained in good condition.

2.8 Basketball Setups - May Require ARA Application Page 18, Article VII, Section 3, h, j, m 2.9

2.9 Decks - ARC Application Required. See section on ADDITIONS, ALTERATIONS, AND NEW CONSTRUCTION

- Wood or composite decks may be left to age naturally or may be stained with a natural wood color.
- The color must be stated in the application and approved by the ACC.
- When deck plans include other exterior changes such as fencing, lighting, plantings, hot tubs, etc., other appropriate sections of these guidelines should be referenced

2.10 Dog Houses

- Dog houses should be concealed behind approved fencing and maintained in good condition.

2.11 Driveways-ARA Application Required Page 15, Article VII, Section 2, G

- Extensions and additions to driveways will be considered when a thorough investigation of the impact on adjoining properties is completed.
- Driveway additions must be constructed using the same material as the existing driveway.
- Driveways must be well maintained, and broken concrete must be repaired or replaced.

2.12 Exterior Color Changes - ARA Application Required Page 14, Article VII, Section 1, E

- An application is not required to repaint a house or trim if the original color is matched, example: repainting an off-white home with a similar shade of off-white paint.
- The exterior brick of each home should be maintained and may not be painted.
- If any painted surfaces, including shutters, doors, trim, columns, siding and/or garage door, are being changed from their original color an ARA (Architectural Request Application) outlining the color choices for each area to include the paint finish type (matte/flat, satin, semi-gloss, high gloss)

2.13. Fences - ARA Application Required

- Support post should not be visible from the front of home, alleys, common areas or public streets.
- Six-foot cedar and treated medium or high-grade pine are approved shadow box fence materials.
- Black wrought iron or aluminum style fence is an approved fence material 2.1.2021.

2.15 Flagpoles - ARA Application Required

- An application is required for permanent or free-standing flagpoles.
- Permanent flagpoles must be installed and maintained in a vertical position.
- The poles should not exceed twenty (20) feet in height, and the flag size should be no larger than 4 feet by 6 feet.
- Only one permanent, free-standing flagpole and one flag per pole, per lot is allowed.
- Nothing may be attached to the flagpole except a flag, nothing inflammatory, immoral, or otherwise offensive allowed.

2.16 Garages-ARA Application Required See section on ADDITIONS, ALTERATIONS, AND NEW CONSTRUCTION

- All garages must complete brick on three (3) sides to the roof line
- Fourth side wall is required a knee wall of brick; siding must extend from the knee wall to the roof line.
- All roofs must be hip roof.
- Siding must be horizontal hardy board or fibrous cement board either textured or smooth.
- No window HVAC system (air conditioner) is allowed to be installed in any window.
- If any wall HVAC system is installed, it must be at the lower section of the structure where it is not visible from streets, including alleys, or neighbor's property.

2.17 Gazebos, Arbors, Pergolas, and Potting Structures - ARA Application Required See section on ADDITIONS, ALTERATIONS, AND NEW CONSTRUCTION

2.18 Greenhouses - ARA Application Required - See section on ADDITIONS, ALTERATIONS, AND NEW CONSTRUCTION

- Seasonal greenhouses must be made of clear material & require ACC approval.
- A permanent greenhouse used for planting materials will be treated as an addition to a dwelling unit and subject to the same level of review. Attached & seasonal greenhouses must meet the following criteria to be approved:
- They must be to the rear plane of the house and within the homes fenced area or need to be screened.
- The size and design must be architecturally compatible with the house.
- It shall present a neat appearance in and outside of the greenhouse and not visible from the front of the house.
- Greenhouses shall not be used for any commercial purposes whatsoever

2.19 Generators - ARA Application Required 3.2026

Portable Generators (ARA is not required) are allowed only during extreme weather conditions that cause our neighborhood to lose power. Once power is restored a portable generator's use must be discontinued.

- Generator must be concealed from view by an approved 6 ft. shadow box fence

Geriatric Generators - ARA is required, to include Medical Condition

- Property owners with a family members having a medical condition that is life threatening even when power is disrupted due to non-weather-related outages but other common causes such as by vehicular accidents damaging utility poles, planned maintenance, construction damage to underground cables, etc.
- Generators may not produce a noise level greater than 70 decibels
- Must be concealed behind an approved fence.
- Manufacturer's product specifications must be included with the ARA

2.20 Gutters and Downspouts - May Require ARA Application See section on EXTERIOR COLOR CHANGES

- Replacement or additional gutters and downspouts must match the design of the original gutters and downspouts. Color must match house trim or siding or be white.
- Discharge from downspouts installed by builders is not the responsibility of the HOA.
- No application is required for replacement of existing gutters and downspouts.
- Application is required for installation of additional gutters and downspouts or change of color or type of existing gutters and downspouts.

2.21 Hot Tubs/Spas - ARA Application Required

- An exterior hot tub or spa must be located behind the house or may be adjacent to a side patio as determined by the home's original design and within a fenced area, not visible from the front of the home.
- The hot tub or spa must blend with the exterior finish of the home, deck or patio.

2.22 Landscaping, Hardscaping/Soft-soaping - ARA Application Required Page 17, Article VII, Section 3, g, Page 18, Article VII, Section 3, r, Page 19, Article VII, Section 3, t

- All flowerbeds should have living plant materials.
- Stone, gravel, and pebbles are only permitted in a limited amount to enhance drainage.
- Stones are only permitted in landscape beds, at corners of alleys, and between homes for drainage.
- All rocks, stone, gravel, and pebbles must be in tones of browns and tans.

2.23 Lanterns (Front yard) 3.2026

To remain consistent within Windstone, all lanterns must be gas or electrically wired, painted black and maintained by homeowners.

Solar Lantern Toppers are an option to gas or electric. Solar Lantern Toppers must meet the following specifications:

- Be (4) sided
- Minimum of 180 Lumens
- Fits on 3" inch Diameter Post
- Corrosion resistant battery harness

- Weather resistant
- Cast aluminum
- Tempered glass.
- Solar Lanterns require a minimum of 6 hours of daily sunlight, before you select a Solar Lantern Topper, please make sure the location of your lantern will receive sufficient sunlight.

2.24 Mailboxes

- To remain consistent within Windstone, the color of all mailboxes should be black or black with Verde and mounted on a black or black with Verde wrought iron post and maintained by homeowners.

2.25 Patios - ARA Application Required

2.26 Pergolas - ARA Application Required

A metal or plastic roof *may only be* approved if the top of the pergola has a facial board that is wide enough to completely cover the metal or plastic from the street or alley view.

2.27 Railings - ARA Application Required

- Additional railings added to front steps should be harmonious and consistent with dwelling porches and balconies including but not limited to white wood or black wrought iron Approved materials includes white wood or thicker gauge white vinyl, or black wrought iron or aluminum

2.28 Recreation and Play Equipment - May Require ARA Application

- All swing sets, jungle gyms, tree houses, playhouses, etc. must be kept in good condition and any canvas awnings should be no more than three colors.
- Such facilities shall be permitted in the rear yard only, or side yard as determined by the homes original design.
- Height, length and width of equipment should be scaled according to size of yard.
- Sets that contain several levels and/or several towers and/or several slides Must obtain an ARA Application.

2.29 Retractable Screens or Shades - ARA Application Required See section on AWNINGS

2.30 Roofs - ARA Application Required Page 14, Article VII, Section 2, D

2.31 Screened Porches - ARA Application Required See section on ADDITIONS, ALTERATIONS, AND NEW CONSTRUCTION.

2.32 Seasonal Holiday Decorations

- Homes or lots decorated with seasonal decorations should only be displayed six (6) weeks before the holiday and should be taken down no later than two (2) weeks after the holiday 2.1.2021.

2.33 Sidewalks, Front Walkways and Pathways - ARA Application Required 2.32 Storage Building/Structure - ARA Application Required

2.34 Storage Building/Structure - ARA Application Required

- The storage building/structure must be located in the rear yard of a lot, (in the back yard, not on the side of the house) and setbacks shall not violate existing City of Olive Branch ordinances. Building/Structure should be constructed upon a concrete slab.
- Design of the storage building/structure should be in harmony with the architecture of the community and the existing home on the property.
- The building/structure's trim, siding, asphalt shingles and brick colors must match those on the existing home.
- Portable Storage Buildings are prohibited

2.35 Storm/Screen Doors and Windows - ARA Application Required

- Full clear glass storm door applications must also include paint color of metal frame.
- Metal security doors must also include color, and any custom logo or design should be in good taste, not offensive, obscene or inflammatory.

2.36 Swimming Pools (Personal) - ARA Application Required Page 18, Article VII, Section 3, q

2.37 Walls (Retention) - ARA Application Required

Walls and similar features require application and approval and will be considered on a case-by-case basis. Walls should meet the following criteria:

- Walls should not extend beyond the front plane of the house or the front plane of adjacent houses.
- They should not cause adverse drainage conditions for adjacent properties. Homeowners must correct any drainage problems that do arise within 60 days.
- Brick walls should match brick used on house.

2.38 Yard Sales

Homeowners who hold multiple garage or yard sales would be subject to the recurring business guidelines.

- A biannual neighborhood yard sale is organized and advertised the first Saturday of May and October

2.39 Skylights ARA Application Required 2.1.2021

- Skylight(s) must be located on the backside/rear of the roof. ACC Committee has final decision on the location of the Skylight(s)
- Cladding Type must be aluminum
- Color of Cladding must match the color family of the existing roof shingles
- Glazing type must be Tempered Glass or Laminated Glass or Tempered-Over-Laminated Glass. Plastic is prohibited.
- Property owner may choose skylights that open or remain closed
- Glass may be tinted to be in the color family of the existing roof shingles

- Glass must have a flat surface. Dome, Acrylic or Bubble style glass is prohibited
- Height and width of the skylight(s) must be in proportion to the size of the roof area
- If any existing skylights are replaced the above rules and regulations apply