

Stuart Hall HOA

Policy Handbook  
&  
Architectural Guidelines

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- This document is intended to supplement and clarify the Stuart Hall HOA “Governing Documents” (Articles of Incorporation, Bylaws, and Covenants Conditions and Restrictions). Any future references to the term Governing Documents will also include this policy handbook.
- Homeowners should read all the Governing Documents to ensure a full understanding of all rules and restrictions.
- Any reference to a City requirement, refers to the Lexington-Fayette County, Kentucky Code of Ordinances.
- **If a homeowner is renting their home, it is their responsibility to provide a copy of all Governing Documents to their tenant. The homeowner will be held legally responsible for any non-compliance on the part of their tenant.**

## Association Procedure for Enforcing the Governing Documents

Please review section 18 of the Bylaws for a full understanding of the Association's enforcement procedure. Below is a summary:

1. An HOA inspector reviews the community for compliance with the Governing Documents approximately once every two weeks. If a violation is noted, the homeowner will be notified by regular U.S. Mail and given until the next inspection to resolve the issue. If the issue cannot reasonably be resolved in that timeframe the homeowner should contact the Association to work out an alternate resolution.
2. If the violation has not been resolved by the second inspection, the Association will send a second letter, notifying the homeowner of the continued violation and its intent to seek further legal remedy if the violation not resolved by the next inspection.
3. If the violation has not been resolved by the third inspection, the Association will send a third notice of hearing per the Bylaws. The homeowner will have a chance to appeal at the hearing, otherwise sanctions and further legal actions may be imposed.
4. If the violation has not been resolved after the hearing, the Association may impose sanctions and/or engage an attorney to pursue legal remedy. The homeowner shall be held responsible for the cost of all legal fees incurred by the HOA in its efforts to enforce the Governing Documents (see section 26 of the Covenants).

## Mailboxes

Homeowners are responsible for upkeep and replacement of their own mailbox. Per the Covenants, mailboxes must be approved by the Board. The following information should be used to find acceptable replacement mailbox parts and clarify appropriate standards of mailbox upkeep:

- Mailboxes and posts must be black metal and flags must be red. Mailboxes should be a uniform size: 7 inches wide x 9 inches high x 19 inches long.
- All posts and mailboxes should be kept in good condition and proper working order. Generally, this means the mailbox and post are painted and free from damage, the post is upright, not leaning, the mailbox door and flag are functional, and the address numbers are legible and secured to the mailbox, not peeling or hanging.
- Mailboxes and posts can be ordered from <https://melnorthey.com/quality-case-iron-mailbox/>. The image below shows the closest match to original box & post in the neighborhood – item #1018BP.
- Any material deviation from these guidelines must be approved by the Board.



## Fences

The Covenants state **all fences must be approved in writing by the Board before construction**. An application can be found on the Association website. The following are guidelines for what the Board will approve:

- Fences cannot extend past the rear wall of the residence or beyond the building setback lines as designated by the plats (except in the rear of the property).
- Wooden fences must be shadowbox style and cannot exceed six feet in height.
- Black metal fences are permitted and cannot exceed six feet in height.
- Brick and stone walls/fences may be approved on a case by case basis.
- No chain link or vinyl fences are permitted.

A formal application must be completed before any fence is constructed. The Association also requires a copy of the city building permit with the application to ensure the fence complies with city requirements.

After a fence is completed, the owner is responsible for maintenance and upkeep of the fence. For example, missing or broken boards must be replaced, and the fence should be kept from leaning or falling over. Any existing fences that do not comply with this policy must be brought into compliance when they are replaced.

## Swimming Pools

The Covenants are silent on swimming pools. This section is intended to clarify acceptable standards:

- Any swimming pool must be approved in writing by the Board prior to installation.
- Swimming pools may be in-ground only. Above ground swimming pools are not permitted.
- Drainage, fencing, placement, and lighting plans shall be included in the construction design plan submitted to the Board for approval.
- Small temporary wading pools are acceptable so long as they meet the following criteria:
  - Can be easily setup and taken down, i.e., not requiring more than two adults for setup, can be taken down less than an hour.
  - Only setup behind the back corners of the house in an inconspicuous location.
  - No filtration system, motor, or any mechanical components of a typical swimming pool.
  - Water depth does not exceed 24 inches.
  - Not to be left up permanently.
- Hot tubs are acceptable so long as they behind the back corners of the house in an inconspicuous location.

## **Exterior Maintenance of Homes, Lawns, & Landscaping**

The Covenants do not have clear direction on exterior home maintenance. This section is intended to clarify acceptable standards of maintenance:

### **Home Maintenance:**

- All exterior elements of the house should be kept in good condition including but not limited to:
  - No peeling paint or rotting wood.
  - Siding should be kept clean (i.e., no mold, dirt, or mildew) and free of holes or missing pieces.
  - No missing shutters.
  - No missing roof shingles.
  - No damage to gutters or gutters falling off house.
- Color of exterior elements like trim, doors, shutters, etc. should generally be neutral or earth tone and complimentary to the architectural character of the neighborhood.
- Any significant color changes or changes to exterior building materials must be approved by the Board prior to the change.

### **Lawns & Landscaping:**

- Residents are required to mow and weed their yard as necessary for a neat and uniform look to the neighborhood and to keep lawn vegetation at a reasonable height. Lawns should be edged so as not to overhang sidewalks or driveways.
- The appearance of the lawn during the growing season should be predominantly green in color. Residents should water frequently enough to encourage greening of lawns unless government authorities have issued watering restrictions. "Bald" areas or dry spots must be treated by the resident to facilitate growth. At no time during the growing season should a lawn be

more than 50% brown or yellow unless watering restrictions are in place, or unless unseasonably cold weather has prevented greening.

- At no time should a lawn be more than 10% weeds. Residents must take care to either pull weeds by hand or apply chemical treatments to reduce the area of weed coverage.
- Landscape shrubbery, including trees, will be neatly trimmed to be visually appealing, symmetrical, and proportionate to the property.
- Any dead plant material, including street trees, should be removed, and replaced as soon as practical. Please consult the City before removing any street trees, to ensure compliance with City ordinances. The Covenants also stipulate replacement street trees should match in species with the original tree.
- The lot shall be kept free of trash, waste, debris, etc.
- No gardens are permitted in any front yards or nearer to any street than the minimum building setback line as shown on the plat.

### **City Requirements**

- City ordinance requires owners to maintain the sidewalks and street trees on their lots.
- Sidewalks must be free from excessive cracking and trip hazards.
- Street trees must be pruned 7 feet off the sidewalk and 12 feet off the street.



## Trash Containers

- Trash, recycle, and yard waste containers may not be stored in front of the home. Containers may be stored beside or behind the home or in the garage. Homeowners are encouraged to store the containers in a manner that does not create a visual imposition on neighbors or neighboring lots.
- City ordinance requires containers to be put out on the curb no earlier than 4 p.m. the day before collection and no later than 5 a.m. on the day of collection. Containers must be removed from the curb by 7 p.m. on collection day.
- If building an enclosure for the trash containers, the enclosure must be approved in writing by the Board of Directors prior to construction and must meet the following requirements:
  - Complete and submit the Fence Application on the Association website: [www.stuarthallhoa.org](http://www.stuarthallhoa.org).
  - Enclosures may be no taller than six (6) feet.
  - The enclosure must be shadowbox design.
  - Dimensions may not exceed four (4) feet by nine (9) feet.

## Summary of Other Covenants

This section is intended to summarize the other restrictions found in the Covenants.

Please consult the Covenants for a full understanding.

- Lots are for residential purposes only.
- No outbuildings, sheds, storage buildings, etc. are permitted.
- No outside clotheslines are permitted.
- Only typical household pets, like dogs and cats, are permitted. No animals of any kind may be bred or kept for commercial purposes.
- Satellite dishes must be located in the rear of the home in an inconspicuous location.
- No RVs, trailers, boats, or inoperable vehicles are to be parked on any lot, driveway, or street in the neighborhood for a period in excess of twenty-four (24) consecutive hours, or in any manner that may be construed as an intentional attempt to circumvent this restriction.
- No commercial vehicles over  $\frac{3}{4}$  ton shall be regularly parked on any lot or street in the neighborhood unless housed in a garage. Work vehicles may be allowed on a case by case basis by written request to the Board.
- No major car repairs are permitted within the neighborhood.
- No signs, other than "Home for Sale" or "Home for Rent" signs, are allowed on any lot.
  - Because Lexington city ordinances allow political/election signs to be up 30 days before and 5 days after the relevant election, this restriction will not be enforced on those signs during those time frames. According to the ordinance "Political sign means a temporary sign supporting the candidacy for office or urging action on any other matter on the ballot of a state, local or national election or referendum."