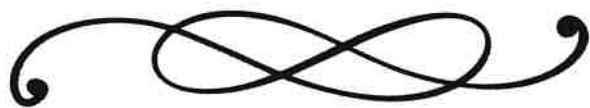


Belvedere

Homeowners Association



Member Handbook

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Welcome to Belvedere

Belvedere is a community of 154 residential homes, with over 15.5 acres of open space consisting of park land, ponds, a City of Dublin Park with play structures, along with sidewalks and bike paths throughout the community all as key components to a quality residential life.

1. History of Belvedere

Belvedere was imagined and developed in 1999 by M/I Schottenstein Homes, Inc. as a planned low-density residential development with executive size property lots. Construction of the first homes was completed in 2001.

2. Belvedere Homeowners Association

As established by the developer in the foundational legal documents for Belvedere (Declaration of Covenants, Easements, Conditions and Restrictions, and By-Laws) the Association shall be responsible for the exclusive management and control of the Common Property, if any, and all improvements thereon, and shall keep it in good, clean, attractive, and sanitary condition, order and repair in accordance with the terms and conditions of the Declaration.

Declaration: Declares Belvedere is a deed-restricted community; it declares use restrictions of the property within Belvedere and defines maintenance responsibilities for Members and the Association.

Bylaws: Defines the laws governing the internal operations and affairs of the Association.

Member handbook – compilation of deed restricted community rules and design standards

The Association is funded by an annual Operating Assessment paid by the owners of each Lot per year. Operating Assessment invoices are mailed to Members in mid-January and are due the end of February. The Association also maintains a law-mandated reserve fund to defray the future replacement costs of those major capital items that the Association is obligated to maintain.

3. Association Mission Statement

The mission of the Belvedere Homeowners Association is to protect and enhance property values and the quality of life in Belvedere.

The board and trustees work to accomplish this mission through:

- Enforcing the Associations deed restrictions, defined design standards and policies;
- Creating a well-maintained and landscaped community;
- Ensuring the financial health of the Association.

4. Basis of Rules and Regulations

Ohio's Planned Community Act (O.R.C. Chapter 5312), the Declaration, and the Code of Regulations of the Association give the Board the power and authority to adopt, publish and enforce rules and regulations governing the use of common properties and the exterior portions of all improvements and the personal conduct of owners, occupants and their guests. These are matters that affect all members of the Belvedere community. The Board has approved and adopted this handbook as the rules and regulations of the Association (the "Rules"). The Board has the power and authority to establish and levy special Individual Lot Assessments as enforcement charges for violations of the Rules. These Rules may be amended or modified from time to time, as conditions change, by the Board.

5. Design Review Board (DRB)

The Belvedere Design Standards has been prepared to help home buyers, architects, designers and property owners of Belvedere understand the design process and to assure the long-term quality of the Belvedere community. The intent is not to dictate the design of each home, but to coordinate the individual efforts of all Belvedere residents to achieve a unique neighborhood setting where homes blend with and enhance the natural environment and are in harmony with each other. The Design Standards are in addition to the Declaration of Covenants, Easements, Conditions and Restrictions for Belvedere Subdivision.

The DRB is a board consisting of three (3) persons. The Board is charged with enforcing Belvedere's design standards and protecting the deed restrictions and aesthetics of the community. Besides reviewing applications for Improvements, the DRB is also charged with enforcing the deed restrictions relating to the Belvedere Association architectural review authority and pursuing correction of the violation of the Design Standards.

Modifications. The DRB has the exclusive authority and jurisdiction over all construction, modifications, additions or alterations of Improvements on or to the Property. No person shall construct any Improvement on any Lot, including without limitation, alter surfaces of existing Improvements, change paint colors or roofing materials, construct or modify fencing, or install any recreational device, without the prior written consent of the DRB.

Property Owners shall submit plans and specifications showing the nature, kind, shape, color, size, materials and location of Improvements and alterations on the approved submission form to the DRB for its approval.

Modifications are reviewed based on their overall appearance and design and best interest of the community and is within the spirit of the design standards of the DRB.

6. Belvedere Design Review Policy

The Belvedere Homeowners Association, through the DRB, works with property owners who wish to repair, update, and/or upgrade their properties. The process to obtain approval for any specified improvement to a member's property is described below.

All property owners are required to apply for approval of all proposed improvement projects, as further defined in the Declarations, Section V. Architectural Standards, A. and B.

The DRB must evaluate all applications against the Design Standards and then must approve or disapprove the applications within 30 days. All improvements, including but not limited to altering surfaces of existing Improvements, change exterior paint colors or roofing materials, window and garage door replacements, installation or placement of a permanent feature (i.e., play sets, trampolines, patios, pergolas, etc.) must be reviewed and approved, in writing, by the DRB before any work begins or financial commitments are made.

Sample improvements/projects requiring approval:

- Additions/Remodeling to the dwelling;
- Decks, patios, fire pits;
- Detached Structures;
- Gazebo, pergola, pavilion;
- Outdoor kitchen, pizza oven, fireplace;
- Sunroom/screened porches;
- Swimming pools
- Fencing;
- Awnings;
- Doors/Storm Doors;
- Driveways;
- Egress Windows;
- Exterior Lighting;
- Garage Doors,
- Grading Changes;
- Hot tubs and Spas;
- Exterior Paint/Stain;
- Retaining Wall,
- Roofing Material;
- Shutters;
- Siding/Exterior Materials;
- Skylights;
- Window replacements;
- Other Exterior Projects not specifically listed
- A/C, Generator, Heat Pump;
- Basketball Equipment;
- Gardens;
- Play Sets/Trampolines;
- Sports Nets;
- Walkways

7. Belvedere Design Standards

7.1 Materials and Colors

Natural materials such as wood, brick, stone, stucco, and/or cementitious siding are required. Earth tones such as browns, tans, dusty greens, and warm grays blend well with the trees, open landscape areas and ponds of Belvedere.

7.2 Exterior Finishes and Materials

Homes must be constructed of high quality, long-lasting materials to contribute to the stability and character intended. The following are high quality durable materials approved for use:

Wood cedar siding,

Composite siding materials (cement board siding products such as Cemplank, Hardi-Plank or other manufactured materials are approved

Brick

Stucco

Stone – native Ohio limestone in gray or buff laid horizontally is permitted. Other ruffle or roughly squared stone may be used.

7.3 Exterior Colors

When a renovation or maintenance project proposes a new paint color, the proposed color must fit within the Belvedere community color palette. The following are meant to be guides to the actual color submitted for approval. Earth tone shades of browns, tans, grays, white.

Prohibited use of color includes:

- High chroma colors are prohibited
- Colors that constitute a glaring and unattractive contrast to surrounding natural environment or homes in the Belvedere.
- More than three different colors or color shades used on a single home, unless appropriate to the architectural style of the home;
- The use of florescent or day glow colors; and
- Color used to obscure important architectural features

7.4 Roofing Replacement – Material and Color

- All homes shall have dimensional asphalt shingles of an approved color by the DRB. Roofing colors should be selected to compliment the architecture of the home in muted tones of browns, greys and black. **The DRB must approve all replacement roofing.**
- Standing seam metal roofing are permitted on secondary roofs such as porches and bay windows.
- Roofing patching is prohibited. The DRB may review minimal repair needs on a case-by-case basis.

7.5 Doors

In most cases, the front door must be a raised panel wood or fiberglass. All exterior door installations or changes must be submitted to the DRB for review and approval. Stain and paint colors should follow the approved colors. No pastels or bright primary colors (red, blue, yellow) are permitted.

7.6 Storm Doors

Certain full-view storm doors may be considered. The color of the storm door must match the immediately surround trim color of the house or color of the door it enclosed. Decorative storm door panels and unpainted aluminum doors are prohibited.

7.7 Garage Doors

The DRB will consider raised panel wood, fiberglass, insulated aluminum, and certain heavy-gauge, insulated steel doors as acceptable replacements. The garage door is generally a more discreet feature of the home and, as a general rule, the finish on the garage door should be the trim color of the house or stained a natural wood color. Pastels or bright primary colors (red, blue, yellow) are not permitted. When contemplating replacing garage doors, consider the architectural style of the home and the neighborhood as there are many styles available, however, not all styles of garage doors will be complementary or appropriate for the home

7.8 Windows and Exterior Doors

It's important windows and doors are appropriately sized for your home's particular style, creating a consistent and cohesive architectural pattern.

Replacement windows are required to match the style of the home with appropriate muntin patterns and trim. Changing technology in window and door design and construction offers many options for replacement units. Some of those are appropriate for installation in Belvedere homes, and some are not.

7.9 Window and Door Installation

The proper installation of replacement windows and doors is important for the longevity of the unit and for the integrity of the wall, but also for the exterior appearance of the window/door, exterior trim and exterior cladding. This usually means installing the window first, then the exterior trim, and finally, the siding, stucco, brick or stone cladding.

In replacement applications, the DRB will only approve installations where the entire window unit, often including the interior and exterior trim, is removed and replaced. This "full frame" replacement method is required in order to assure that replacement window installations are indistinguishable from the original window installations. Full-frame replacement may not be an option with all window and door construction types. It is the property owner's responsibility to ensure that their window/door supplier and installer are complying with all the requirements of the HOA and DRB.

7.10 Awnings

Awnings are permanent structures attached to the home to provide shade over a deck or patio and make them more usable in the summer where homes have little or no shade protections. Awnings must be compatible with the house in color and style. Awning components and materials must be Earth-tone colors. Awnings that are solid in color or contain simple, clean lines are required. Scallops, patterned fabrics, or high-chroma colors are prohibited.

7.11 Egress Windows and Window Wells

All exterior portions of the window seen above grade must be painted the color of the house adjacent to the unit. In all cases, the installation of egress windows and/or window wells or a below -grade window that is visible from the exterior must be approved by the DRB.

7.12 Window Shutter

Shutters may be used as architectural accents on some styles of homes. Shutters should be made to appear as authentic as possible. Shutter design must be paired with the home's architectural style. Prior to replacing or adding shutters to the home, research should be done to pair the correct shutter style with the architecture of the home. Color for new shutters or changes to existing shutters must be approved by the DRB.

7.13 Compost Bins

Due to the odor and sight nuisances compost bins create, they are not permitted in Belvedere.

7.14 Rain Barrels

Rain barrels can provide a way for property owners to 'go green' and be cost efficient. Rain barrels are defined as an above-ground storage receptacle with an automatic overflow system that collects and stores storm water runoff from the roof of a structure that would have been otherwise routed into a storm drain. By attaching roof downspouts to a receptacle, rainwater can be collected to use for outdoor watering.

The DRB will review requests for rain collection receptacles. The receptacles must be located in an inconspicuous area in the year-yard or side-yard, against the wall of the home, and screened with evergreen shrubs for year-round screening, while still allowing full access to the unit. The color and ornamental style of the rain barrel must be considered so that it blends in with the surroundings. Industrial-looking containers are prohibited.

Rain Barrel installations must conform to the following conditions:

- Rain barrels are to be located at the rear or side rear of the home. Rain barrels are not permitted to be placed at the front of the home or in the side yard if adjacent to a street, corner lot.
- Rain barrels must be screened with evergreen scrubs.
- The maximum permitted combined capacity on one lot is 100 gallons.
- The maximum height, including supporting frame, is 48" above grade.

- Connections from the downspout to the rain barrel must be black or match the color of the downspout.
- Rain barrel styles must be an appropriate design to compliment the residence and designed to appear similar to a planter or similar yard accessory.
- Rain barrels must be neutral in color. Some styles may need to be painted to match the body or trim color of the home at the discretion of the DRB.

7.15 Detached Structures (Including Gazebo, Pergola, Pavilion, Trellis, Fireplace/Firepit, Outdoor Kitchens, and Retaining Walls)

Certain types of detached structures are acceptable in Belvedere when they are designed to integrate with the design of the home; this means utilizing identical materials, colors, and overall design characteristics of the home. These structures are limited to the rear yard, unless otherwise approved by the DRB, and must be consistent with the design of the home. Detached structures must be enhanced with landscaping to soften the lines, and where applicable, to provide privacy or screening with respect to adjacent neighbors' homes and outdoor living areas.

Storage shed and other prefabricated outbuildings are prohibited.

7.16 Fencing and Screening

Preserving the open green space, views throughout Belvedere, and remaining consistent with the Belvedere neighborhood design, fencing of any type is prohibited.

Landscape plantings are permitted where privacy screening is desired. The screening technique that results in a "wall-of-green", using all one plant type are prohibited. Instead, use mixed shrub plantings consisting of deciduous and evergreen material, incorporating both shrubs and trees and ornamental plants as well.

7.17 Outdoor Lighting

Lighting and light fixtures must be part of an overall design plan and appropriate to the architectural style of the home. Even when unlit, lighting fixtures impact a residence or space with their size and form. At night, lighting can create an inviting atmosphere through the level of intensity and strategic placement of the fixtures. All lighting will be 'indirect' or 'area' lighting. Wall mounted motion lighting may be used for the doorway but should be positioned so as not to disturb neighboring homes.

Outdoor string style lighting must be contained to the rear of the yard incorporating the lights above a patio or outdoor living space area. The lighting and intensity of the lights should not disturb adjacent neighboring homes.

Belvedere does not have municipal street lighting. Gas lamp posts were installed on every Lot by the developer as part of the safety and appearance of the neighborhood, providing light at night. As such, all property owners are asked to maintain and keep their gas light lit. Gas lights can be converted to another energy source, i.e.: LED or solar upon approval by the DRB. The

overall appearance of the lamp and post must be the same or very similar to the original gas lamp.

7.18 Mailboxes

The declarations require all mailboxes in Belvedere be the same style, size, shape and color for a consistent standard design. Property owners are responsible for the maintenance and replacement of their mailbox. The mailbox and post specifications are the 1.5 Black Fulton mailbox, the post is the 4-inch CL Aluminum post with 2.25-inch white vinyl screen printed classic numbers on both sides of the mailbox. The mailbox, post and lettering are available through Capital Lighting at Polaris.

The Mailbox Doctor has been approved to provide the original mailbox and post. They can provide a complete replacement of the mailbox and post or can refurbish the existing mailbox and post and straighten the post if needed. The Mailbox Doctor 614-746-2503, info@themailboxdoctor.com.

What to do if your mailbox is hit and damaged by a city snowplow? Contact the City of Dublin, and they will replace the mailbox according to our HOA mailbox specifications noted above.

7.19 Vegetable Gardens

Vegetable gardens are part of the lawn and landscape. Gardens must be located in the rear-yard area only and within the Buildable Area of the lot. Placement of the garden area should not be viewable from the street or directly in the line of sight to neighboring homes. Screenings with evergreen shrubs is encouraged. Use of wire fencing should be avoided.

7.20 Firewood

Firewood must be placed in an inconspicuous location at the rear or side yard, stacked neatly and kept in good condition at all times. Firewood is not permitted to be store at the front of the Lot or anywhere that is visible from the street. A maximum of 1½ cord of stored firewood is permitted to be stored on a Lot. Logs can be no longer than 8" in diameter. If wood pieces are larger, they must be split and cut into pieces not more than 30" long.

7.21 Trash Containers

Belvedere has a deed restriction requiring all trash containers be kept indoors in the garage area or screened year-round from view based on the City of Dublin Code Ordinance.

City of Dublin Code of Ordinances

§153.076 Public Nuisance Regulations

(D) *Storage of residential waste and recycling containers.*

(1) All residential waste and recycling containers shall be placed inside the garage of a residence or to a location at the side or rear of the residence that is shielded from the view of any adjoining property's occupants and any street by natural landscape barriers, which

will maintain a 100% year-round opacity within two years of planting. Any landscape barrier is subject to the review and approval of the City Manager or the Manager's designee.

Land Usage/Zoning Regulations/General Development Standards

7.22 Temporary Tents

- Tents must be located at least 7' from any Lot lines.
- Tents must not obstruct neighboring views
- Flags, banners, advertisements or other signage is not permitted to be displayed on tents.
- Tents larger than 200 sq. ft. need a permit from Washington Township Fire Department
- Tents must be removed within five calendar days from the date of installation.

7.23 Antennae/Satellite Dishes

No outside television or radio aerial or antenna, or other aerial or antenna, including satellite receiving dishes are permitted except for a satellite dish with a diameter less than one (1) meter, erected or installed to minimize visibility from the street which the dwelling fronts. To preserve the integrity of the Belvedere property, all installations must be as unobtrusive as possible.

7.24 Renewable Energy Policy

Solar panels are prohibited from installation on any home within Belvedere.

7.25 Air Conditioners, Heat Pumps, Generators, Meters

Air conditioners, generators, heat pumps, and other utility equipment must be located at the rear or rear half of the side rear elevation of the home and tucked into an inconspicuous location.

The unit(s) must be screened from street view. Screening must consist of evergreen plant materials.

Window air conditioning units are prohibited.

7.26 Exterior Remodeling and Additions (Including Room Additions, Sunrooms, and Screened-In Porches)

When constructing an addition or remodeling an exterior building element, construction materials must be the same as the existing house in color and type.

- The massing, form, and scale of any addition must be appropriately sized to the existing home.
- Additions must not be overwhelming in scale to the existing home.
- Room additions are limited to the rear of the home and must not be visible from the street.
- The DRB will review any additions to the front and side of the home and the back of the home if it is visible from the street on a case-by-case basis.

- Additions must be located within the Buildable Area of a Lot.
- Additions must be offset from the home's existing façade by a minimum of 2 feet. Exterior walls of the addition are not permitted to align with any of the existing home's exterior walls.
- Conversion of any existing garage into a room addition is prohibited.
- Windows and doors of an addition must match the same material, color, and style configuration as the existing home.
- The addition's roof pitch must, if possible, match the existing home's roof pitch.
- Roofing materials are required to match the existing home's roof materials and colors.
- The addition's location must minimize tree removal.
- Supplemental landscaping may be required to compensate for the removal of significant vegetation or to provide appropriate screening where necessary.
- Exterior wall materials must be consistent with the existing home's materials and colors.
- Temporary, prefabricated or demountable walls or roof materials are prohibited.

7.27 Detached Garages

Detached garages must be setback a minimum of 8 feet from the forward most wall of the home massing. Where a side-load garage is incorporated into the home, the detached garage must be setback behind the side-load garage.

Detached garages are required to be placed within the Buildable Areas of the Lot.

Detached garages must be architecturally detailed to match the homes, and match colors and materials, doors, windows and the roof.

Prior approval is required by the DRB of the overall design and materials.

7.28 Driveway Guidelines

Driveway widths and auto-court footprints should be minimized to limit impervious hardscape.

Quality driveway paving is recommended using brick, pavers, asphalt, natural-colored concrete, natural colored stamped concrete, or a combination of pavers and concrete. Gravel and "tar-and-chip" driveways are prohibited. Driveway dimensions and curb cuts are restricted by the City of Dublin. When planning to replace or enlarge a current driveway, check City Requirements and any needed permits.

7.29 Walkway Guidelines

Front walks are required to provide access to the front door of each home.

Walks may connect front door to the driveway, to the street sidewalk, or to both.

Permitted walk materials are concrete, including natural, exposed aggregate, buff-wash, and stamped-colored), brick paver, concrete paver or stone paver.

7.30 Basketball Backboards

No basketball backboard shall be mounted on any house or garage front elevation facing the street.

7.31 Play Equipment (swings, play sets, slides, trampolines, etc.)

Metal/plastic swing sets are not permitted in Belvedere. All swing sets and play equipment should be made of wood and stained in natural colors. All swing sets, play sets, and trampolines and their intended location on the lot must be approved by the Design Review Board prior to being installed

7.32 Sculptures, Fountains, and Exterior Decorations

Sculptures, fountains, flags and exterior decorations should be used with discretion and attention to good taste. What may be attractive to you as the homeowner may be viewed as distracting, gaudy or unattractive to the members of the community. Excessive yard ornamentation is discouraged. Plastic flowers, plastic animal figures, windmills, bird baths, bird feeders and multicolored lights are just some examples of what should be used sparingly and in good taste. Outdoor Christmas and Holiday lights, decorations are permitted from Thanksgiving through January 31st each year. Display of other holiday decorations are permitted 15 days before and after the holiday.

All outdoor furnishings must be kept in good repair and clean condition. Only furniture manufactured for outdoor use is permitted on porches, patios and other outside areas of the home.

8. Annual Property Owner Assessment Collection Policy

The Belvedere Homeowners Association annual assessment collection policy is in accordance with Declaration Article IX and addresses the application and use of Assessments, including Operating Assessments, Reserve Fund and Individual Lot Assessment (enforcement assessments).

The annual assessment billing is mailed mid-January of each year.

1. All assessments are due on February 28th and are considered late if not received by March 10.
2. An administrative late charge of \$50.00 will be added for any late payment or on any balance of unpaid assessments. (Subject to increase upon further notice.)
3. The Homeowners Association will apply any partial payments on unpaid assessment in the following order:
 - a. Interest owed to the HOA
 - b. Administrative late fees or enforcement assessment owed to the HOA
 - c. Collection costs, attorney's fees, and paralegal fees the HOA incurred in collecting the assessment; and finally,
 - d. Oldest principle amounts the Member owes to the HOA for common expenses chargeable against the Lot.
4. Any unpaid assessment may result in the HOA filing a lien, a suit for money judgment, and/or foreclosure. While a foreclosure case is pending, partial payments may not be accepted and, if the Lot is leased, a Receiver may be appointed to collect the rents. Once judgement is obtained, the HOA may proceed with post-judgment action, including bank attachment and wage garnishment.

5. Any costs the HOA incurs in the collection of unpaid Assessment, including non-sufficient bank fees, attorney's fees, recording costs, title reports and court costs, will be charged back to the property owner's account.
6. If any member (either by their conduct or by the conduct of an occupant) fails to perform any act required by the Declaration, the Bylaws, or the Rules, the HOA, after giving proper notice and an opportunity to correct the violation, may levy an enforcement assessment, undertake such performance, or cure such violation. Any costs the HOA incurs in taking such action will be charged back to the property owner's account.

9. Enforcement

The Belvedere HOA's Enforcement Policy is in accordance with the Articles of the Declaration and outlines measure for enforcing the property restrictions as found in the Declaration, Bylaws, Design Standards, Ohio Revised Code 5312, and all other governing document for Belvedere Homeowners Association including, but not limited to, any published Rules, regulations, guidelines, and resolutions.

If any member violates any provision contained in the Declaration, Bylaws, Design Standards, or other Rules the HOA may, but is not obligated to, assess the Member an enforcement assessment (also referred to in the Declaration as an Individual Lot Assessment) or undertake such performance or cure such violation and charge and collect for the member the entire cost and expense, including reasonable attorney's fees, of such performance or cure incurred by the HOA. Any such amount will be deemed to be an individual Lot Assessment and will due and payable immediately following notification of such charge and the HOA may obtain a lien for said amount in the same manner and to the same extent as if it were a lien for Common Expenses.

Sensible compliant procedures combined with a fair, common-sense approach to violations will be used to maintain the integrity of the community. Once the complaint procedures have been completed, violations must be corrected in a timely manner.

10. Enforcement Practices, Procedures and Sanctions

Because we are all neighbors, in most instances before any formal enforcement action is taken, a good faith effort will be made to inform a member, guest or occupant of any violation or condition in violation of the Restrictions or Rules and give that person an opportunity to bring conditions or conduct into compliance. However, in any case viewed by the Board to be urgent, and in any case where conduct or conditions in violation continue or re-occur, the Board may assess administrative enforcement charges, commence legal action, or exercise the self-help rights granted to the board by the Declaration.

- **Special Individual Lot Assessment / Enforcement Charges**

Belvedere Homeowners Association Enforcement Charges. A friendly letter will be sent to the homeowner to notify of the violation; if not corrected, a violation will be issued in 30 days.

If not corrected or brought into compliance,

- First charge is \$50.00.
- Second charge is \$75.00, and
- Third charge is \$100.00.

Charges listed are *per incident* (e.g., landscaping maintenance, trash can charge, apply per violation until the violation is corrected).

- **Failure to submit required Design Review Board submission form(s) for changes/modifications approval:**

\$100.00

11. Design Review Board Application Submission Forms

- 11.1. Paint/Stain Application
- 11.2. Roofing Replacement Application
- 11.3. Garage Door Application
- 11.4. Deck or Patio Installation / Change Application
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