

Stonehenge XI Homeowners Association

Rules and Regulations

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INTRODUCTION

These Rules and Regulations (hereafter referred to as Guidelines) for the Stonehenge XI Homeowners Association are provided for in Article 9, Section 1 of the covenants. The intention is to provide clarification to the homeowners for maintenance, landscaping and improvements to their homes.

In a planned community, the question naturally arises as how to maintain a harmonious, quality development such as Bridgeport as the community matures. The following Guidelines attempt to provide a meeting ground between private interests and the broader interest of the community.

The Declaration of Covenants runs with the land and is binding with all homeowners and should be fully understood. Please retain these additional Guidelines as part of your permanent papers. Homeowners should make these Guidelines available to any renters of their home, but homeowners themselves are still responsible for adherence. In the event you need additional copies of this document or The Declaration of Covenants for the community, please contact a board member.

The fact that each homeowner is subject to these Covenants should assure all homeowners that the standards of design quality shall be maintained, enhancing the community's overall environment and protecting property values.

The rules, responsibilities and procedures outlined in these Guidelines will be approved by vote of the Board of Directors (BOD) in compliance with the community's Declaration of Covenants.

The intent of these guidelines is:

- To insure quiet enjoyment for the residents;
- To minimize problems and expenses for the Association;
- And to provide for the architectural integrity of the neighborhood.

The cooperation of each owner will be mutually beneficial.

TOP TEN LIST

The following are some of the most important items to remember to maintain and enhance your property. Additionally, this list will help assist you in planning any exterior changes to your property. Please remember all exterior changes/improvements must be approved in writing prior to any changes being made.

Fences

- Please remember to get written approval prior to *any* installation or changes. See page 15 for more details.

Signage

- No signs are permitted in windows, with the exception of alarm signs. Signs expressing support of or opposition to political candidates are allowed per constraints outlined in Community Covenants. Homemade signs in yards are prohibited, with the exception of yard sale signs.
- With the exception of one (1) 24"X36" sign advertising a property 'For Sale' or 'For Rent' or 'Yard Sale' homeowners must have the consent of the Board of Directors before erecting any sign.

Pet Guidelines

- Maintenance of the yard to keep it free from offensive odors is required.
- No pets may be tied permanently outside the home.
- All dogs must be on a leash when outside of fenced yards.
- No animals shall be kept, bred or maintained for any commercial purpose.
- Homeowners must comply with City and County laws and guidelines concerning pets.

NOTE: Homeowners are required to pickup after their pets, per city ordinance.

Please be courteous!

Garbage and Recycling Containers

- Trash bins, yard waste and recycle containers need to be stored in the back yard or screened from the road when not placed for collection.

Toys/Sports Goals/Play Equipment

- No items (toys, bikes, garden equipment, trash containers, chairs, firewood, etc.) may be left in front or side yards or on front or side porches or in driveways when not in use.
- Portable basketball goals need to be erect at all times. (See Blanket Approvals.)
- Metal play equipment is not permitted.
- Jungle gyms, swing sets, playground equipment, tree houses, and basketball goals must have architectural committee approval before installation.

Parking

- To accommodate emergency vehicles, ensure children's safety, and to enable unrestricted traffic flow, street parking is strongly discouraged.
- Parking is prohibited on the grass, common areas or the medians.
- If you have space in your driveway please move your cars off the street. Do not park across from or in front of any mailbox or any driveway (other than your own).

Satellite Dishes

- Satellite dishes must be installed in the rear yard when possible, or screened from view.

Mailboxes and Posts

- Must be replaced in original style per blueprint available from the HOA, match house siding and trim colors, and be maintained in good condition.
- Decorative adornments on mailboxes are not allowed.

Boats, Trailers, etc.

- Boats, water crafts, unlicensed vehicles, and trailers must be parked in a closed garage or screened area.

ARCHITECTURAL REVIEW COMMITTEE (ARC)

The Declarations provide for an Architectural Review Committee, hereafter referred to as the ARC, to be comprised of the Board of Directors or three (3) or more representatives appointed by the Board of Directors to rule on architectural submittals. In the absence of ARC, the board of directors will review all applications for exterior home and landscape changes and will render a decision to the applicant within 30 days. The ARC will respond in writing with either an approval, approval with conditions, disapproval or a request for more information on the project. More information may be required for the ARC to make an informed decision. It is the Homeowner's responsibility to provide that information in a timely manner. If the ARC fails to render a decision (after receiving all required information) in the allotted 30 days, the approval will not be required and the application will be considered to have been approved.

THE ARCHITECTURAL REVIEW COMMITTEE PROCESS

The Declaration of Covenants requires prior written approval for any improvements to an owner's lot. Therefore, please do not commit labor or materials until you have received written approval. A copy of the *Application for Architectural Improvement* can be obtained from the HOA board.

1. Owner submits to the Architectural Review Committee an Application for Architectural Improvement. **Please note the Architectural Review Committee has thirty (30) days to review the application.** Occasionally items get lost in the mail and the review period does not start until the association receives the completed application. Please call to confirm your application was received. Complete applications will be considered on individual merit, using these documented standards as a basis for decision-making.

NOTE: Out of courtesy, we request you inform your neighbors of your proposed improvement(s).

2. The application, noted with the date of receipt by the Chairperson, is turned over to the Architectural Review Committee within three working days, provided all information necessary for review is received. (The Chairperson will make a cursory review of the application and request of owner any additional information needed. The committee may still require additional information, as detailed in 4d, below. The **30-day timetable** begins when the application is complete and appropriate for review.)
3. The committee will act on the application within **30 calendar days or sooner** from receipt. In most cases the owner will receive a response within three weeks.
4. The committee's decision will be noted on the application. The owner will be notified by management of all final decisions, either:
 - a. **APPROVAL:** The application is approved as submitted.
 - b. **APPROVAL WITH CONDITIONS:** The overall proposal is accepted, but with certain specified changes, limitations, or requirements that must be followed.
 - c. **DISAPPROVAL:** The application is denied. The owner can appeal to the Architectural Review Committee within 15 business days. Further escalation may require the involvement of the Board of Directors. (*see Appeal Process section for more details*)
 - d. **ADDITIONAL INFORMATION REQUIRED:** The Committee has determined that additional information is needed for appropriate review of the application. In this case, the entire process begins again once the ARC receives the information. The owner should follow the same submission procedure. The Architectural Review Committee will act swiftly on all re-submissions.
5. **Architectural Review Committee inspection:** Per the covenants, the Architectural Review Committee reserves the right to visit your lot and inspect the improvement. This will be done for two specific reasons:

- a. to ensure that the application details were followed and to note problems encountered which might help other residents on similar projects; and
 - b. to gather information that other residents may employ in more easily completing an improvement project.
6. Once work has begun on an improvement, it must be completed within 90 days. Applications are valid for 1 year from the date of approval.

NOTE: Many design changes require a permit and the City and/or County may not issue a permit without the written approval of the ARC. Please plan in advance.

THE ARC HAS 30 DAYS TO REVIEW ALL REQUESTS, AFTER ALL THE APPROPRIATE INFORMATION IS SUBMITTED.

It is strongly suggested that the City and /or County be contacted to determine what permits or approvals are required to comply with any City/County Ordinance. Architectural Review Committee approval does not substitute for approval by the City.

IT IS THE HOMEOWNER'S RESPONSIBILITY TO ACQUIRE APPROPRIATE APPROVALS, PERMITS, ETC. FROM THE CITY.

REVIEW CRITERIA

The ARC evaluates each application on the individual merits of the application and the standards listed below:

Validity of Concept - The basic idea of the exterior change must be sound and appropriate to its surroundings.

Landscape and Environment - The exterior change must not unnecessarily destroy the natural landscape or the achieved man-made environment.

Relationship of Structures and Adjoining Property - The proposed change should relate harmoniously among its surroundings and to existing buildings and terrain that have a visual relationship to the change.

Protection of Neighbors - The interest of neighboring owners should be protected by making provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and other aspects of design, which may have substantial effects on neighboring property. For example, fences may obstruct views, or access to neighboring property. The ARC should consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governing in each specific application.

Design Compatibility - The proposed change must be compatible with the design characteristics of the applicant's home and the general neighborhood setting. Compatibility is defined as harmony in style, scale, materials, and color and construction details.

- a. Scale: The three-dimensional size of the proposed change must relate satisfactorily to adjacent structures and their surroundings.
- b. Materials: Continuity is established by use of the same or compatible materials as used in the existing home. Siding materials and shingles must match existing structure.
- c. Color: Color may be used to soften or intensify visual impact.

Workmanship - The quality of work must be equal to or exceed that of any existing structure. Poor practices may cause the owner problems and may be visually objectionable to others. For example, a wooden fence not properly treated and maintained can in a short period start to decay and become unsightly to the owner and neighboring property owners.

APPEAL PROCEDURE

If the applicant disagrees with the decision of the Committee in its review or inspection, the process is noted for an appeal:

1. Within 15 business days after receipt of a notice of disapproval, the homeowner must file a written appeal with the Architectural Review Committee at the address of contact for the community.
2. Upon receipt of the appeal, the ARC may contact the homeowner and schedule a review of any further information relating to the request and appeal.
3. Should the ARC determine that the disapproval remains, the homeowner may request (within 7 days) that the appeal be forwarded to the Board of Directors. It is the responsibility of the ARC to forward any correspondence and pertinent information to the BOD at this time.
4. The Board of Directors shall then establish the date and the time that the appeal will be heard. Normally, this will be made at the next scheduled Board meeting. To reverse an Architectural Review Committee decision, requires a majority vote of the BOD.
5. No work may progress during this appeal process time period.

VIOLATIONS AND PENALTIES

An exterior change made without the required approval of the ARC constitutes a violation of the Declaration of Covenants and Community Guidelines. **A violation may require removal or modification of the work at the expense of the property owner.**

When a violation is determined to have occurred, the following steps shall be taken:

1. The ARC will investigate any reported violation and attempt to bring the owner into compliance. Homeowners will be notified in writing of the violation and are expected to bring the violation into compliance within thirty (30) days.
2. Should the owner fail to act upon the recommendations for corrections, the Committee shall submit the matter to the Board of Directors.
3. The homeowner shall be invited to a hearing with the BOD where the homeowner will have opportunity to be heard and present evidence.
4. After the hearing, the BOD shall respond to the homeowner with a decision in writing within five (5) days. Any penalties or costs relating to the violation (and the date from which the accrual shall begin) shall be noted in the letter from the BOD. Failure to appear shall result in a fine beginning to accrue on the 6th day after the scheduled hearing date. Of course, if the violation is brought back into compliance prior to the hearing, no hearing would be necessary.

Fines: North Carolina statute allows HOAs to levy fines of up to \$100 per day until a violation is rectified. The North Carolina Community Act passed in January of 1999, allows planned residential communities the ability to uphold standards that will protect and insure homeowners of maintained property values, with regard to holding all property owners accountable for abiding by the existing covenants.

Fees: A violation may also result in payment of damages incurred by the Association in having the work removed or modified, as well as a fine assessed by the Association. Attorneys' fees, court costs, site assessment may be incorporated into the fine process.

NOTE: Please remember Owner's are responsible for their renters.

EXPLANATION OF STANDARDS

The Standards that follow are the procedures and guidelines applied by the ARC to assist the Association and its members in the design review process. It is hoped that these Standards will serve as a positive tool to assist in the full and free use of each homeowner's property in a manner that is consistent with the aesthetic and harmonious development to the community.

There are three major categories of items for specific home improvement guidelines:

BLANKET APPROVALS

COMMON IMPROVEMENTS

APPEARANCE STANDARDS / MAINTENANCE

These three are very important to you because they identify which improvements are permitted and how approvals can be secured. Items not specifically mentioned here require approval.

BLANKET APPROVALS

Items in this category do **not** require approval, *provided the guidelines mentioned are followed.*

- Plants, shrubs and flowers planted within three feet of the front of your house, not to grow higher than the lowest portion of the windows.
- Bedding borders, if constructed of common landscaping borders not to exceed 8 inches in height.
- Plantings of flowers and shrubs around trees or mailbox.
- Mailboxes and posts, if repainted or replaced in original colors, style and materials.
- Low voltage lighting (12-volt AC).
- Hose caddies affixed to the side or back of the home or enclosed in an appropriate container. Caddies are not allowed on the front of the house.
- Outside seasonal decorations, displayed up to five (5) weeks prior to and two (2) weeks after the holiday season.
- Vegetable gardening in rear yards, provided they are not noticeable from the street, do not exceed allowed fence heights or grow through to the neighbor's yard.
- Removal of trees that are less than six inches (6") in diameter and less than four feet (4') above the ground. All other trees must have the approval of the ARC. Any dead or diseased tree may be removed without approval. Clear cutting of trees is prohibited.
- Lawn furniture, barbecue equipment, toys, bikes, trampolines, etc., if kept in good repair. **These must be stored out of sight from the front of the house at all times when not in use.**
- Attic turbines, if they are mounted on the rear of the house roof, extend no higher than the roof peak, and are no more than 12" above the roof surface.
- Replacement garage doors that match the style, materials and colors of the existing doors.
- Exterior Painting / Maintenance
 - Provided that material and color remain the same, no approval is required for standard maintenance of the house exterior.
- Vinyl and aluminum siding are prohibited.
- Hot Tubs
 - Hot tubs may not be visible from the street, and must meet all City, County, and State requirements (e.g., enclosed, fencing, plumbing, electricity)

- **Play Equipment**
 - All play equipment (except basketball goals) should be stored in the rear of the house, not the side, front yard, on porches, or in the driveway when not in use.
- **Basketball Goals**
 - Basketball goals are to be placed in the backyard, or on the rear third (toward the house) of the driveway or parking pad.
 - Goals should be mounted on a single pole with a backboard that is predominately white, clear or gray.
 - Basketball goals are prohibited from being mounted directly on the house.
 - Basketball goals may be cemented into the ground with ARC approval.
 - One goal per house.
 - It is required that players be courteous and not hinder a neighbor's property during normal play.
 - Goals are not to be placed so basketball is played in the street.
 - Moveable basketball goals are to be located on the driveway, away from the street end when not in use.
 - Basketball goals need to be erect at all times.
 - Nets must be attached and in good condition.

COMMON IMPROVEMENTS

Items in this category require approval. *An application must be submitted and meet these guidelines.* Approval is not necessarily limited to constraints listed here, but is much more likely to be given for:

Grading

- Major changes to the topography of a lot are required to be approved by the ARC prior to being started.
- The HOA may require an engineering report at the homeowner's expense for drainage impact.
- Drainage and water flow patterns must be taken into consideration prior to the start of any grading.

NOTE: The Association, its Board of Directors, nor the Architectural Review Committee accepts any liability for any damage caused by such grading, whether or not the committee approved the request.

Home Exterior Color and Maintenance (Changes)

- You must specify the new material and/or color you wish to use; include a color sample from the store.

Drives, Walks and Parking Areas

- Proposed changes in drives, walks or parking pad additions must be submitted to the ARC.
- Replacement gravel or asphalt driveways or parking areas will not be permitted.
- All walks must be of colonial style red brick.
- Drives and parking pads must be constructed of unstained, unstamped concrete.
- Engineered driveway pavers must be submitted to the ARC for approval.

New Fences

- All fence requests must be approved by the Architectural Committee.
- Fences should enclose all or part of the back yard and may extend no further forward than the rear corners of the house.
- Fences should be scalloped or arched pickets (plain stockade fences will not be permitted).
- All new fences must be 4' in height, excepting fences bordering the apartments.
- Pressure treated wood is the permitted fence material.
- The finished side of the fence needs to face outward.
- Fences must be maintained and kept in good repair.
- All fences must be unpainted, clear sealed or transparent stained.

NOTE: When attaching to a neighbor's fence, written approval must be obtained from the neighbor.

Storage Sheds

- No shed shall be larger in size than 8' x 12'.
- Constructed of wood; no aluminum sheds allowed.
- A suitably constructed concrete slab or brick foundation is required.
- They are to be placed on the property behind your home so the shed cannot be seen from the road when standing directly in front of house.
- They must be at least 3 feet from the neighboring property.
- Siding material must be similar in color and composition to the home.
- Roof must have similar pitch, similar cedar shake materials, and similar color as that of the home.
- Doors and windows must match the materials, style and colors of the home.

Decks/Screened Enclosures/Outdoor Living Areas

- All decks should be on the rear of the house. No side or front decks are permitted.
- Homeowners are responsible for maintaining condition of deck materials and finishes.
- They will pose no drainage problems for you or your neighbors.
- The materials to be used are designed specifically for patio and/or deck designs.
- Enclosure of existing porches or decks requires ARC approvals.

Lamps & Landscape Lighting

- One walkway/entrance light on post is allowed, not to exceed 7 feet in height to the base of the light fixture.
- The post shall be of metal painted black, or wood, painted to match the house exterior.
- The lamp design should be similar to existing house exterior lights.
- Entrance lighting on ARC-approved walls on the sides of driveway entrances will be considered providing they match existing light fixtures.

NOTE: Low voltage lighting (12 volt AC) does not need ARC approval.

Windows

- Window unit air conditioners are prohibited.
- Fans in windows are prohibited.
- Appropriate window dressings are required (sheets, newspapers, blankets, etc. are prohibited).
- **All windows are required to have mullions**, and may not be tinted or have burglar bars.
- Window materials should be paintable. Vinyl windows are prohibited.

APPEARANCE STANDARDS / MAINTENANCE

- Exterior structures including homes, decks, sheds, fences and tree houses must be maintained in uniform and good repair (with no rot, peeling, chipping, cracking, discoloration, mold, or mildew) on the trim or siding, no broken windows or missing shutters.
- No portion of the property may be used for the repair of vehicles.
- Properties should be free of any debris, appliances, containers or building materials. Each homeowner will be responsible for mowing, seeding, weeding, and watering of front and side lawn areas extending to the back side of the house, mulching and weeding of planted areas and removal of any debris including fallen trees or tree limbs on their property, or on the limited common area between the road and their house.
- In ground or potted vegetable gardens are allowed in backyards only.
- Trash storage and recycling containers must be screened from the road.
- Signs may be placed in the homeowner's yard for the express purpose of selling and/or renting the property. All other signs are prohibited by the covenants. No signage may be located in the common area, with the exception of an open house or community event. Yard/Garage Sale signs are permitted the day prior to and of the event and the event day and then need to be removed, promptly. Temporary signage during the period of home improvements is permitted. Signs must be removed as soon as the job is completed. No signs are permitted in windows, with the exception of alarm and pet signs. Homemade signs in yards are prohibited. **Please refrain from attaching signs to street sign poles as tape damages the painted surfaces.**
- Homeowners may not rake leaves or other debris into or in front of common areas. Additional costs for removing these materials may be billed to the homeowner by the HOA maintenance company or by the HOA.

**** These standards are in addition to any listed in the Declaration of Covenants**