

EXHIBIT C

HEISLEY PARK HOMEOWNERS ASSOCIATION DESIGN GUIDELINES

(As Amended & Approved - 30 Dec 2015)

The following standards have been developed and promulgated by the Declarant in accordance with Article IX, Section 9.2.2 of the Declaration and are applicable to all new construction and all modifications or improvements. These Design Guidelines are not part of the Declaration and can be amended by the Declarant or the Association without a vote of the Owners.

NOTE: PRIOR PLAN APPROVAL IS REQUIRED ON ALL STRUCTURES OR IMPROVEMENTS PLACED ON THE LOT BY THE HOMEOWNERS, TO INCLUDE STORAGE STRUCTURES, WALKWAYS, FENCES, DECKS AND PATIOS.

GENERAL GUIDELINES APPLICABLE TO ALL LOTS

House Placement and Yard Grading. Dwelling Units shall conform to existing grade and drainage patterns. Each Owner and/or Builder shall endeavor to retain as much of the natural woods as practical. Builders shall be responsible to regrade the Lot to conform with drainage plan approved for the subdivision.

The following guidelines shall be used in determining placement with respect to style and elevations:

- a. There must be a minimum of two different homes separating like models on the same side of the street. Optional items, such as full porches, pediment front foyers, stone and front foyers, brick, stone and front elevation changes may be used to establish the differences.

Dwelling Type. No building shall be erected, altered, placed or permitted to remain on any Lot other than a single-family dwelling and a garage for at least two cars. A single-family dwelling shall meet the following requirements:

- a. A one story dwelling structure, the living area being the first floor space only, constructed with or without a basement and a space between the first floor ceiling and the roof of adequate heights to permit its use as a dwelling.
- b. A one and a half or "Cape Cod" dwelling structure, the living area of which is on two levels connected by a stairway and constructed with a basement. The upper level is constructed within the gable portion of the roof. Window penetrations are made by use of dormers.

- c. A two-story dwelling structure, the living area of which is on two levels connected by a stairway, constructed with or without a basement.

Dwelling Unit Size. Dwelling Units must be at least 1000 square feet for any one-story Dwelling Unit, 1000 square feet for a one and one-half story Dwelling Unit, and 1100 square feet for a two-story Dwelling Unit. Declarant reserves the right to make minor variances if, in its sole opinion, the intent of the section is maintained.

Roof. The roof and gables of each Dwelling Unit shall be no less than 6:12 pitch. Porch and patio roofs may be 3.5:12 pitch. All shingles shall be of uniform color.

Garages. A minimum two car garage is required. Detached garages of any size are not permitted.

Yards, Driveways, and Walks. Front yards shall be grass and landscaped as soon after completion of the Dwelling Unit as is practical under weather conditions. Rear Yards shall be defined as the portion of the Lot which is behind the rear elevation of the Dwelling Unit extended to each Lot line. All driveways shall be paved with concrete. Owner additions to walkways and or driveways are allowed as long as they are compatible with the original design of the Dwelling Unit and shall match the overall color scheme. Compatibility shall be at the discretion of the Board. Variances are authorized with approval of the Board.

Color Schemes. All Dwelling Units shall be in conformance with the original color scheme as promulgated by the Developer. The following guidelines shall be followed when determining color scheme with respect to location:

- a. In any group of five dwellings on the same side of the street, at least three siding colors must be used. Never use the same color on two consecutive dwellings.
- b. On any cross-street intersections, at least two siding colors must be used.
- c. Dwellings directly across the street from one another should have different siding colors.

Underground and Log Homes. Underground and log structures are prohibited.

Porches, appendages and additions. No porches, appendages, or additions shall be permitted unless they are of a size, style, color, and type compatible with the original design or the Dwelling Unit and shall match the material and coloring exactly. Porches, appendages or additions must be integrated into the design of the Dwelling Unit. Compatibility shall be at the discretion of the Board.

Front Storage. No front porch shall be used for storage of any item except normal porch furniture. No front yard shall be used for the storage of any item of any kind.

Awnings. No metal or plastic awnings for windows, doors, decks or patios may be erected or used. Canvas awnings may be used subject to prior approval of size, color, location and manner of installation for the particular lot in question.

Exterior Carpeting. No exterior carpeting may be used if it is visible from any neighboring lot or the street.

Railings. All deck and balcony railings shall be of the wood, vinyl, wrought iron, or composite type and stained or painted the same color of the deck, balcony or trim of the Dwelling Unit.

Solar Panels. No solar panels shall be permitted.

Chimneys. All chimneys with metal flues must be enclosed within a chase that may be sided. Any direct vent chimney and/or furnace flues, hot water heater or any other flues shall be vented to the rear or side of the Dwelling Unit.

Water Discharge. Storm water must be disposed in accordance with the drainage plan for the subdivision and city regulations.

Skylights. Skylights may be used on a back roof facing the rear of the lot. Variance may be approved by the Builder or Board for a contemporary design home depending upon the design and the particular lot.

Entrance Structures. No additional driveway entrance structures shall be permitted.

Pools. Pools are permitted in the rear yard no closer than ten feet from any property line. Above-ground swimming pools must have skirting. In-ground pools must be approved by the Board as to the style and may only be placed in an approved location in the rear yard and cannot reasonably hinder the flow of surface water on the Lot. All in ground pools must have approved fencing as well. Pool equipment shall be placed in a location approved by the Board and screened in such a manner so as to provide minimum visual impact from the street and other Lots.

Spas and Hot Tubs. Spas and hot tubs are permitted in the rear yard no closer than ten feet from any property line. Spas and hot tubs shall be permitted provided the spa and hot tub must be screened with adequate screening as approved by the Board.

Play Equipment. Play apparatus or structures shall be located in the rear yard and at least five feet from any property line. All play equipment must be maintained and in good repair at all times.

Basketball Hoops. Permanent and portable basketball hoops shall be permitted under the following circumstance:

- a. Specification. In general, any commercially available goal will be acceptable; however any goals with homemade backboards or posts will not be acceptable. All goals must be maintained and in good repair at all times. Any backboard, goal, or post that becomes broken, damaged, or rusted must be repaired, replaced or removed. Any lighting for the goal must be directed away from any neighboring dwellings, patio or deck area.
- b. Location. No goal may be attached to any dwelling or garage. Permanent or non-portable goals are only authorized on a case by case basis approved by the Board. . A portable goal may be located on a driveway and at least five feet from any property line. Hoops cannot be in a sidewalk, treelawns, or positioned in such a way that encourages playing in the street in violation of city ordinances. On corner Lots, goals must be at least fifteen feet from the setback line of the “side” yard adjacent to the street.
- c. Use. Use shall be limited to reasonable playing hours depending upon season. No use will be permitted after 10:00 pm, or earlier than 9:00 am. The Board shall have the right to set different hours in the event that use creates an unreasonable disturbance.

Pool Pump Building, Sheds and Storage Buildings. No pool pump building, shed, or storage building of any sort may be erected unless prior approval is obtained. Pictures may be required as needed. Pool Pump Buildings shall be permitted as accessory to an in-ground swimming pool. A single storage shed, outbuilding, and storage building shall be permitted in the back yard only, provided that such structure do not exceed 100 square feet in size and must be constructed with shingles, trim and siding or high quality resin to match Dwelling Unit. No such structure shall exceed ten feet in wall height. The roof pitch must be at least 4:12. No structure may be located within five feet setback of side yard and three feet setback of rear yard.

Air Conditioning and Heat Pump Equipment. Air conditioning and heat pump equipment shall be located in side or rear yards. To the extent possible, such equipment shall be screened from view in a manner approved for each particular lot.

Fencing. No fence of any sort may be erected unless prior approval is obtained. Standard chain link or other metal fences, except for black wrought iron style, shall not be permitted. Fences may be erected only in the Rear Yard. On corner lots, fences may not be placed within the setback on the street side.

- a. Perimeter fences are permitted if they are, 1.) white PVC picket fencing not to exceed four feet in height, or 2.) wood or white vinyl board-on-board/shadowbox or full privacy fencing not to exceed six feet in height. Split rail wood fences are not permitted. All swimming pool fencing shall be reviewed on an individual basis in accordance with general standards hereinafter set forth Fencing is required for all in ground pools.

- b. Privacy fencing should not to exceed six foot, five inches in height. Invisible pet fences are permitted only with prior Association approval. Decorative fencing will be reviewed upon an individual basis, considering the visual impact on surrounding lots.

The Board and the Association reserve the right to restrict fencing in areas where its presence would adversely impact the aesthetics of the community. No fence can be erected in such a manner that it requires any type of attachment to any fence or structure on adjacent property. Homeowners must make provisions to maintain any fencing without encroaching on adjacent property.

Radio and Television Antennas. These guidelines are to be interpreted so as to balance the rights of the individual owners to receive acceptable quality broadcast signals in accordance with F.C.C. regulations with the rights and duties of the Association to preserve, protect, and enhance the value of the properties within the subdivision.

- a. Prohibited Apparatus. All exterior antennas, except the following, are prohibited:
 - 1. An antenna that is designed to receive direct broadcast satellite services, including direct-to-home satellite services, that is one meter or less in diameter; or
 - 2. An antenna that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, and that is one meter or less in diameter or diagonal measurement; or
 - 3. An antenna that is designed to receive television broadcast signals.
- b. Permitted Location. An antenna must be located in the rear yard or on the side or rear of the Dwelling Unit in such a manner so as not to be visible by a person of normal height standing at the edge of the street, directly in front of the Dwelling Unit. Other locations are permitted if placement under these guidelines precludes reception of an acceptable quality signal. In such case, the Owner and the Declarant or the Association shall attempt to find a location with the least visual impact upon surrounding properties. An “acceptable quality signal” is one that is intended for reception in the viewing area and is consistent with the quality of signals received by others in the immediate vicinity. The Declarant or the Association may prohibit a location that imposes a legitimate safety concern. An example of a location that imposes a legitimate safety concern is one that is near high voltage power lines or one where the guy wires obstruct legitimate pedestrian access.
- c. Other Requirements. The Declarant or the Association may impose restrictions on methods of installation that create legitimate safety concerns. For example, permitted methods of installation may include reasonable height restrictions and adequate bolting and guying.

- d. **Continued Maintenance.** Each owner shall maintain any antenna in a reasonable manner so as not to become unsightly. Each owner shall remove any antenna upon cessation of its use.

Landscaping. Landscaping and normal lawn is required for all houses.

Lot Maintenance. All lots must be kept mowed and free of debris and clutter. Length of grass should not exceed eight inches without approval from the Association. During construction, any Owner and Builder shall be responsible for keeping the streets and adjacent Lots clean and clear of debris. No fill material shall be dumped on any lot except within five days of commencement of construction. The Association shall have the right to assess any owner for the costs of mowing and/or clean up in the event the Owner fails to do so.

Lot Grading. The Builder and Owner shall be responsible to re-grade the Lot in accordance with the grading plan as approved by the City of Painesville. Any deviation from such plan must be preapproved by the City.

Mailboxes. All mailboxes and posts must be as close to uniform in design, style, and white in color as possible and as determined by the Board.

House Numbers. House numbers must be placed on all mailboxes or posts.

Exterior Lighting. Exterior lighting is permitted. Lighting should be directed in a manner so as to not to intrude into neighboring Lots or Dwelling Units.

Discretion. Any discretion to be exercised in the review plans shall be that of the Board

Variances. The Board may grant variances from these guidelines if such variance will not be a substantial detriment to adjacent Lots and will not materially impair these guidelines and the overall best interest of the subdivision.

Right to Modify Guidelines. The Board reserves the right to modify these guidelines, provided however, that no such modification shall be made that will materially and adversely affects the overall character of the properties as a first class development.