

Meadow Creek
COMMUNITY RULES AND REGULATIONS
March 15, 2005

I. INTRODUCTION

The recorded Declaration of Covenants, Conditions and Restrictions (the “Declaration”) for Meadow Creek (the “Community”) provide that all construction work and significant landscaping, excavation, filling and clearing within the Community must obtain prior approval from the Architectural Control Committee (“ACC”). The purpose of this requirement is to help preserve and enhance the quality, aesthetics and value of the Community. These Community Rules and Regulations have been adopted for use by the ACC in review of plans and specifications for: (a) accessory structures, (b) alterations and additions to residences and accessory structures, (c) construction and alteration of fences, walls and other structures or buildings, (d) clearing, excavation and tree cutting, if applicable and (e) construction and/or alteration of surface water or enclosed storm water drainage. These regulations are also intended to assist Lot Owners in obtaining approvals from the ACC and to clarify guidelines for the Community.

These regulations supplement the Declaration and form the basis for most decisions by the ACC. In the event of conflict, the Declaration has precedence over any inconsistent provision of these regulations.

As deemed necessary, the ACC may adopt amendments and/or revisions to these design guidelines.

II. PROCEDURAL RULES

A. Application Procedures

To make an application, you must fill out an Architectural Review Application Form. You can obtain this form from the Community ACC. Completed applications should be returned to the Association Office.

1. Application

a An application must include:

- (1) A completed Architectural Review Application.
- (2) Estimated start and completion dates of work contained within the Application.
- (3) A site plan showing dimensions of the lot and all proposed improvements, including distances from existing house and/or property lines if the improvements

include the construction or placement of accessory building or any addition to the existing house. Plot plan to be 1"=20' scale.

- (4) Plans and specifications showing design, shape, height, bulk and major architectural features of the improvement or addition. Drawings shall be 1/8" or 1/4"= 1'
- (5) A landscaping plan showing any significant vegetation to be removed, and species and size of trees, shrubs and ground cover to be installed. An appropriate scale for the proposed work must be used.
- (6) Samples of materials if requested, and colors to be used on the exterior of all structures and an indication of existing materials and colors, in the case of additions or remodels.

b Applicants are encouraged but not required to submit:

- (1) Any drawing or photographs that will assist the Committee in reviewing proposed work.
- (2) Written comments from neighbors or other residents about the proposed work.

2. Timing of Decisions

The Committee will generally attempt to render decisions on complete applications within two weeks of receipt of submittal, as evidenced by receipt date stamp. Incomplete applications will doubtless take longer to process.

Applicant shall be notified in writing of the committee's decision. The original application and response shall be kept in the Association's file specific to the applicant's property.

3. Appeals

If an ACC ruling denies an application, the applicant will have an opportunity to appeal the decision to the Board of Directors of the Association.

III. STANDARDS—GENERAL AND SPECIFIC

Each submission for approval will be evaluated on the individual merits of that application. Besides evaluation of the particular design proposal, consideration will be given to the characteristics of the housing type and the individual site. An acceptable design for one lot may not be suitable for another.

A. General Standards

Decisions on applications are not based on personal opinion or taste. Judgments on requests for approval are based on established criteria, which represent the general standards of the Declaration, in more specific terms. The currently accepted criteria are enumerated below.

1. Design Compatibility

The proposed improvements should be compatible with the architectural characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similar in architectural style and size, quality of workmanship, and similar use of materials, colors and construction details.

2. Location and Impact on Neighbors

Proposed construction revisions/additions or vegetation removal should relate favorably to the landscape, existing structures and the neighborhood.

The major concerns are community compatibility, access and drainage.

When proposed construction or vegetation removal has possible impact on adjacent properties, it is suggested that the applicant discuss the proposal with neighbors prior to making application. It may be appropriate in some cases to submit neighbors' comments along with the application, as well as their signature(s) of approval.

3. Scale

The size (in three dimensions) of the proposed construction should relate well to adjacent structures and to the surroundings.

4. Timing

Construction activity for any improvement, including landscaping, shall not exceed the limits imposed in Article 5; Section 5.1c of the Declaration, provided that an extension to complete landscaping may be granted where completion within the prescribed time is not feasible due to weather or other exceptional circumstances. In the event that the Committee grants an extension, the total time period for completion shall not exceed 6 months. All applications must include estimated completion dates for construction and landscaping. If such period is considered unreasonable, the ACC may disapprove the application.

5. Utility Easements

The blocking of utility easements by structures, plantings or other obstructions may not be permitted. Refer to the recorded plat language for specific restrictions.

6. Drainage Easements

Specific restrictions for private and public drainage easements are enumerated on the recorded plat and in section 8.1 of the CC&R's. No alteration or structures are allowed without prior ACC and/or jurisdictional approval.

B. Specific Standards

This subsection contains additional rules for certain situations.

1. Decks

- a) Under-deck area may not be used for storage unless completely screened from view.

- b) Decks should compliment the architecture, style and materials of the home if visible from the street or other lots.
- c) Decks must be located within the approved building envelope of the lot.

2. Drainage

Changing, obstructing or retarding the flow of drainage is prohibited without prior ACC and/or jurisdictional approval, as well as alterations to houses or lots that may change existing drainage patterns, including filling of swales or roadside ditches, if applicable.

3. Driveways

- a. Only hard, stabilized surfaces of concrete or masonry will be approved for driveways, parking or turn-around spaces upon each lot. In some cases, asphalt may be approved.
- b. Relocations of driveways may be inconsistent with jurisdictional traffic safety standards and must be approved by the jurisdiction, prior to ACC application.

4. Dog Runs

Approval, in part, will take into consideration the size of the dog run to available space, location (must be located on the side or rear of property), impact on neighboring properties and any other conditions unique to the location. Dog runs must be screened from the street and neighboring properties.

5. Exterior Lighting

- a. Exterior lighting that is part of the original structure may not be altered without ACC approval. If an owner proposes replacement of fixtures, the new fixtures must be compatible in style, scale and color with the applicant's house. Applications for changes or additions to exterior lighting should include wattage, height of light fixtures above the ground and a detailed description of the fixtures themselves and their location on the property. If more than one fixture is used, all fixtures shall be of the same color and style.
- b. At no time may lighting be directed outside one's property.

6. Fencing

- a. Additions to existing fencing must be compatible with materials and color of existing fencing. Generally there is one color approved for the entire community.
- b. Privacy fencing is limited to a maximum of 6' in total height, except those areas within the community that limit the maximum height to less than 6' as noted in 'd' below or as may be restricted in the recorded Plat language.
- c. No side yard fence between houses shall extend towards front of house beyond a point that is 10' back from the front of either house adjacent to the fence. Side yard fences should not enclose gas or power meters.
- d. No side yard fence adjacent to a public street or private Access or Joint Driveway Tract shall exceed 42" in height and must not encroach into the street or tract right-of-way. These fences shall only be approved when located from the rear line of the house

to the rear property line, except when fences are screened by vegetation or are otherwise approved by the Committee.

7. Greenhouses

- a A greenhouse should be attached to the rear of a house, although it may be located elsewhere if screened from view from other properties or if designed to enhance the aesthetics of the entire house.
- b A greenhouse must maintain a continuity of building lines, scale and material with the existing house. Glass is preferred; visquine, tarps and similar materials are prohibited.

8. Hot Tubs

Hot tubs and similar equipment shall be screened from view from neighboring lots and street.

9. Landscaping

Landscaped areas of the 'Lot' include those areas that extend into the public right of way and any application for modification to this area of the 'Lot' shall be included in any landscape plan. In any event, the owner's obligation to maintain landscaping shall extend into the public right of way along each 'Lot' which has been, or is required to have been, landscaped to the sidewalk or street curb in front of and along side of the 'Lot', as applicable.

10. Painting

The ACC must approve any changes in exterior color for houses, fences, decks, roofs and trim. Colors should be compatible with the colors of other houses in the neighborhood and the approved color palette. All fences within the community are to be stained the same color as directed by the ACC approval.

11. Parking

- a No additional spaces may be created on site.
- b Street parking shall be limited to a period not to exceed 60 continuous hours.
- c Specifically, street parking is not to be used as an additional, continual parking space.

12. Signs

- a Signs on lots or in common areas are prohibited except as provided herein.
- b The use of real estate signs is limited to a maximum size of 24"x 24", including "For Sale," "For Rent," "Open House," "Garage Sale" and directional signs, with a total maximum of one sign per lot.
- c The use of contractor or subcontractor signs is permitted only during the construction period, but in any event not more than three months, with a maximum size of 24"x 24".

- d Signs of any type are not permitted for any business or hobby.

13. Sports Courts

Any sports court, including basketball hoops, must be located beside or at the rear of the house. If permanent standards of any kind above four (4) feet are emplaced, they must be screened from view of the street and neighboring properties. Lighting is not permitted unless specifically approved by the ACC. Specific plans, including materials and location, must be submitted for ACC review and approval. Plans should take into consideration the potential for any noise and visual pollution. Written approval must be obtained from all affected property owners. This includes, at a minimum, all adjacent property owners. At the sole discretion of the ACC, other property owners' agreement may be required, depending on the specific situation. No installation will take place until all affected property owners (as defined by the ACC) have agreed in writing, and approval of the specific plan has been granted by the ACC.

14. Woodpiles

Woodpiles may be kept only in back or side yards, and must be screened from view from adjoining properties and street. They must be neatly stacked and must be less than four (4) feet high, four (4) feet in width, and sixteen (16) feet in length.