



# **Planter's Row Homeowner's Association**

Architectural Control Committee (ACC)

## **Manual and Enforcement Policy**

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## I. Introduction

This document is a compilation of Articles V., VI. and VII of the Planter's Row Declaration of Covenants, Conditions, Restrictions and Easements (CCRs) and rules established by the Planter's Row Board of Directors regarding architectural control and maintenance of the dwellings and lots in Planter's Row. For brevity and simplicity, many of the covenants and restrictions presented herein are abbreviations and/or paraphrases of what appears in the Declaration. The Declaration article and section number for each covenant and restriction herein is shown in parenthesis.

These guidelines have been established in order to maintain and enhance the character and visual environment, as well as protect the property values within the **Planter's Row** development. Many of the guidelines have been extracted from the **Covenants & Restrictions** document for the **Planter's Row** Subdivision and are not intended to change, alter, or circumvent the community restrictions and by-laws.

Failure of the homeowner to submit the required information or failure to comply with these guidelines could result in immediate action by the Planter's Row Homeowner's Association. If you are unsure about the need to submit a request, please submit it. It is better to err on the side of submitting the request rather than suffering any consequences of failure to do so for an improvement needing approval.

Keep in mind that the Architectural Control Committee (ACC) does not review the structural adequacies, building code or permit issues for any proposed modification. The property owner is responsible for ensuring that all modifications are structurally adequate, meet applicable building codes and are performed with the appropriate permits. Please contact Mauldin Business Development Services at 864-234-3475 for the most up to date information on permits.

## **II. Exterior Improvements and Alterations (Article V.)**

**Covenant:** No exterior improvements or changes will be made without the approval of the Architectural Control Committee (ACC). This includes buildings, fences, walls, other structures, landscaping, and topography (ground level) (V.1).

**Purpose:** This covenant was established by the developer to ensure buyers that the harmony of the external design, colors, location of structures and plantings and the developed topography throughout Planter's Row would be maintained by all buyers (homeowners) in the future (V.1).

**Procedures:** Homeowners desiring to make any improvement, alteration or change to the exterior of their property shall submit the plans and specifications thereof: showing the nature, kind, shape, height, materials, and location of same to the ACC (V.2.a). The ACC submittal request form can be found on our website, ([www.planterrow.net](http://www.planterrow.net)). Additional copies can be obtained from our property manager: Community Management Partners, LLC, Attn: Kevin Bragman, 213 E. Butler Road, Suite E2, Mauldin, SC 29662, telephone number 864-568-5800.

**Approval Does Not Establish a Precedent:** Approval of an improvement or alteration by the ACC does not establish a precedent for the approved improvement or alteration. The ACC at its discretion may disapprove similar improvements or alterations submitted subsequently (V.2.b).

### **Submittals:**

1. Submittals will be reviewed by the ACC Committee and you will be notified of the result, or a request for more information within 30 days.
2. All submittal requests must be in writing. No verbal submittal will be considered. Submittals should be sent as noted on the request form. Submittals can be made by scanned email to [planterrow@hoapartner.com](mailto:planterrow@hoapartner.com). The submittal should be made as soon as plans are finalized and when the estimate has been received from the contractor, if one is involved. It is your responsibility to inform the contractor involved that they may not start work on the project until approval from the ACC is received.
3. Submittals **must** include the following or they **will be returned** to the homeowner:
  - A. **A completed Planter's Row Submittal Request for Approval of Property Improvement.** The ACC submittal request form can be found on our website, ([www.planterrow.net](http://www.planterrow.net)). Additional copies can be obtained from our property manager: Community Management Partners, LLC, Attn: Kevin Bragman, 213 E. Butler Road, Suite E2, Mauldin, SC 29662, telephone number 864-568-5800.

- B. **Site Plan:** A copy of the official lot survey (site plan) should include the street address and the lot number, the position of any existing structures, the location of any utility or drainage easements that affect the property and the area of the proposed property improvement. The placement of the improvement and any setbacks from the property line should be noted on the lot survey. Site plans can be obtained from the following website: <http://ims.gcgis.org/webmappub/>
  - C. **Sketch:** The sketch should illustrate the proposed improvement and should include an appropriate notation and/or description to clarify and specify the proposed improvement. All materials, colors and relevant dimensions of the improvement must be included. Specifications for fencing should include the composition and dimensions of the posts and board to be used as well as the fence height and color. Any photograph, brochure, contractor's estimate or sketch that provides that information should also be included. Any other information that you think will clarify the proposed improvement should also be included.
4. In general, the homeowner will be notified in writing as to the committee's decision within ten (10) business days after the committee meets. Verbal notifications will not be given.

**Association Rules Take Precedence Over Building and Zoning Codes:** In those instances where building and zoning codes permit structures or activities that are contrary to the Declaration and the Association's rules the Declaration and rules take precedence. Example: A proposed shed may meet all building and zoning code requirements, but it exceeds the Association's maximum size rule of 12 feet by 12 feet by 8 feet high. The Association's rule takes precedence and the shed will not be approved.

**Association Not Liable for Plan Defects:** The ACC or members of the ACC are not responsible or liable for any defects in any plans or specifications (V.2.c). Also, the ACC does not review the proposed plans for building and zoning code compliance or the need for a building permit. Please contact Mauldin Business Development Services at 864-234-3475 for the most up to date information on these matters.

**Enforcement:** Failure to comply with ACC rules can result in the Association requiring corrective action at the homeowner's expense. Failure to comply can also result in suspension of voting privileges, suspension of facilities use, and a monetary fine. There is no time limit on the Association as to initiating an enforcement action. Therefore, please contact the ACC if there is any doubt as to the need to obtain approval for any exterior improvement or alteration. Also, see the Approval in Writing item regarding the keeping of project approval documents (X.1 and V.2.b). **See attachment.**

**Sprinkler Systems:** The installation of a sprinkler system does not require ACC approval if it does not involve changing the grade level or erecting a structure.

## Rules for Exterior Improvements and Alterations:

All of the following Items require ACC approval. This list is not a complete list of items that may require ACC approval. Therefore, please contact the ACC ([acc@plantersrow.net](mailto:acc@plantersrow.net) or [plantersrow@hoapartner.com](mailto:plantersrow@hoapartner.com)) if you are planning any exterior improvement or alteration that is not listed below.

**1. Antennae and Dishes:** Reception towers, satellite dishes or antennae should not be erected upon any structure or within the property without the approval in writing from the ACC. Such structures shall be screened to conceal them from the view of the street (VII.15). However, satellite dishes that are 35 inches or less in diameter and are shielded from view from the street do not require ACC approval. In no event shall free standing transmission or receiving towers, satellite dishes or disks be permitted.

**2. Awnings:** Awnings and similar structures are considered permanent additions to the house. Categories of such awnings are those designed to be installed over windows, doorways, decks, patios, etc. Metal canopy awnings are prohibited. All awnings require ACC approval (V.1).

**3. Basketball Goals:** Permanently installed basketball goals are permitted with ACC approval (V.1). They must be situated no less than two-thirds (2/3) up the driveway from the street. Portable basketball goals shall be assembled in accordance with the manufacturer's instructions (i.e. having the base filled with sand/water, not weighted down with blocks, etc.); shall be in a good state of repair and shall not be located at or in the street, so as to cause a nuisance or safety hazard to other homeowners (VII.12). **Portable basketball goals do not require ACC approval.**

**4. Colors, Exterior of House:** Any departure from the current exterior colors of any house requires ACC approval. The areas covered by this provision include siding, shutters, trim, garage doors, front doors, roofs, and sheds/outbuildings (V.1). Close approximations of the current colors on the house do not require ACC approval. Mailbox posts shall be painted with Sherwin Williams paint, color: Stone Lion (exterior flat) (VII. 8).

**5. Decks:** All deck replacements, additions or new installations are considered an elevation change and must be approved by the ACC (V.1). Repairs to decks do not require ACC approval as long as the same material and color of the existing structure is used.

**6. Driveway Coatings:** The painting or tiling of driveways is prohibited. However, clear sealers may be applied without obtaining ACC approval (VII. 23).



**7. Driveway Additions:** Driveways may be widened up to eight (8) feet and extended no further than the front of the garage. The widened section will start at least one half of the distance from the street to the garage, tapering out gently from this point to the full width of the extension. The driveway may not be more than two (2) lanes (16 feet) wide at the street. The driveway extension may not extend past the front of the garage. The expansion must be made of concrete that matches the concrete of the existing driveway. In cases where the setback of the house prohibits complying with the ACC guidelines, applications will be considered on a case by case basis. All driveway expansions require ACC approval (VII.23).

**8. Elevation (Ground Level) Changes:** Elevation (ground level) changes must be approved by the ACC. An evaluation must be made as to how the proposed elevation changes would impact drainage and tree roots on the subject lot and on adjacent lots. No lot owner shall excavate or extract earth for any business or commercial purpose (VII.18).

**9. Fencing:** Refer to Planter's Row Fencing Guidelines Attachment (V.1).

**10. Gazebos:** All such structures require the approval of the ACC. They will be located behind the house, shall not exceed 12 feet in diameter and shall be constructed of wood. Metal structures are prohibited (V.1).

**11. Lamp Posts:** Front yard lamp posts are permitted subject to ACC approval. Lamp posts must be situated no less than two-thirds (2/3) up the driveway from the street (V.1).

**12. Landscaping Guidelines:** Refer to Planter's Row Landscaping Guidelines Attachment. (V.1)

**13. Play Structures:** They must be located in the back yard. Play structures more than 6 feet in height, 6 feet in length or 6 feet in width must be submitted to the ACC for approval. Materials, colors, and placement on the property will be considered in the review process (V.1).

**14. Retaining Walls:** Retaining walls are permitted with the approval of the ACC. The height may not rise above the finished grade elevation of the embanked earth. The exposed part of retaining walls shall be made of clay bricks, concrete retaining wall stones, natural stone, or pressure treated lumber (VII. 3).

**15. Sheds/Outbuildings Rules:**

- A. **Sheds/Outbuildings:** All detached structures and accessory sheds require ACC approval and must be located to the rear of the main dwelling. (VII.5). Temporary or metal sheds/outbuildings are prohibited.

**B. Specifications for Basic Shed/Outbuilding** The dimensions of the structure shall not exceed 12 feet by 12 feet , i.e. not to exceed 12 feet on any one side. Side walls shall not exceed 8 feet in height at the exterior from grade level to the bottom of the eaves. Roofs shall be gable-ended or hipped, in keeping with the prevailing style for houses in the community. The roof pitch shall closely approximate that of the main dwelling on the property. The gabled ends shall not exceed the side walls in length. The roof shall be shingled to closely match that of the main dwelling. The structure shall have siding to closely match the main dwelling in style and color. Corner boards and trim shall match that of the main dwelling in color and proportion. Doors shall be painted a single color to match the trim or the front door of the main dwelling (V.1).

**16. Sun Rooms and Screened Porches/Decks:** All such structures require the approval of the ACC. Metal structures are prohibited (V.1).

**17. Swimming Pools/Hot Tubs:** Only in ground swimming pools located behind the house will be considered for approval by the ACC. The request must indicate that all code required fencing and safety equipment will be installed. This provision does not apply to temporary children's pools that are ten (10) feet or less in diameter. Above ground pools, whether installed free standing on the ground or installed within a deck, are prohibited. Hot Tubs are permitted with ACC approval. Hot Tubs must be placed at the rear of the dwelling and should be enclosed with a privacy fence so as to screen the hot tub from the street/neighbors (V.1).

**18. Trampolines:** Trampolines are allowed without prior approval from the ACC. The trampoline must be located at the rear of the house at all times, and must be assembled and secured according to the manufacturer's recommendation. All equipment associated with the trampoline must be properly maintained and kept in good visual condition by the property owner (V.1).

**19. Tree Removal:** Living trees with a diameter of six (6) inches or greater, measured at two (2) feet above the ground shall not be intentionally destroyed or removed without prior approval from the ACC (VII.14).

### **III. Exterior Maintenance (Article VI.)**

**Responsibility:** Each homeowner is responsible for the exterior maintenance of his/her house, other structures, and grounds. This includes, but is not limited to the following:

- |                                    |                                   |
|------------------------------------|-----------------------------------|
| ✓ Decks                            | ✓ Painting and staining exteriors |
| ✓ Driveways                        | ✓ Plant beds                      |
| ✓ Fences                           | ✓ Shrubs                          |
| ✓ Gutters and downspouts           | ✓ Roofs                           |
| ✓ House and out buildings exterior | ✓ Trees                           |
| ✓ Lawns                            | ✓ Walks                           |
| ✓ Mail box and post                |                                   |

**Enforcement:** Failure to maintain the lot and the exterior of structures in a manner consistent with other lots and structures in Planter's Row, can result in the Association providing the necessary exterior maintenance at the homeowner's expense (VI). Before doing so, the Association shall give a written notice to the homeowner of the specific maintenance or repair needed. The homeowner shall then have 20 days to take corrective action. Failure to respond to the request can also result in suspension of voting privileges, suspension of facilities use, and a monetary fine.

### **IV. Use Restrictions (Article VII.)**

**Purpose:** This covenant was established by the developer to ensure that the aesthetics, property values and quality of life of the homeowners would be maintained by all homeowners in the future.

**Enforcement:** Failure to comply with ACC rules can result in the Association requiring corrective action at the homeowner's expense. Failure to comply can also result in suspension of voting privileges, suspension of facilities use, and a monetary fine. There is no time limit on the Association as to initiating an enforcement action.

**1. Advertising Signs:** No advertising signs or billboards shall be erected on any lot. (VII.13). This includes, but is not limited to: real estate, contractor, and political signs.

**2. Animals, Etc.:** No animals, livestock or poultry may be kept on any lot. However, dogs, cats or other small household pet may be kept, but not for breeding or commercial purposes and must not constitute a nuisance or cause unsanitary conditions (VII.11). Animal pens more than 6 feet in height, 6 feet in length or 6 feet in width must be submitted to the ACC for approval (V.1). Dog houses available from local pet retailers which do not exceed these dimensions are permitted.

- A. Leash Law** Mauldin City Code Section 6-52. No dog shall be permitted off the premises of the owner or the person keeping or harboring such dog, unless such dog shall be placed on a leash held by a person over the age of 12 years who shall have complete control of the dog. Such leash shall not exceed eight feet in length (Code 1994, § 4-37).
- B. Animal Waste** Mauldin City Code Section 6-11. The owner of every animal shall be responsible for the removal of any excreta deposited by his animal on public walks, recreation areas or on private property (Code 1994, § 4-11). The Planter's Row Board further defines this ordinance to include any animal excreta deposited in swale areas and on the street of Planter's Row.
- C. Animal Noise** Mauldin City Code Section 6-13.
- (a) It shall be unlawful for any person to own, keep, possess or maintain within the city an animal in a manner so as to constitute a public nuisance. By way of example and not of limitation, the follow acts or actions by an owner or keeper are hereby declared to be a public nuisance and are, therefore, unlawful:
- (7) Allowing or permitting an animal to bark, bay, whine, howl, crow or cackle in an excessive, continuous, or unreasonable fashion, or to make other noise in a manner so as to result in a serious interference with the reasonable use and enjoyment of neighboring premises.
- (Ord. No. 580, § 5(4-13), 6-16-2003; Ord. No. 632, 6-19-2006)

**3. Chain Link Fences:** These are prohibited (VII.3).

**4. Driveway Coatings:** The painting, tiling or changing the concrete surface of the driveway is prohibited. However, clear sealers may be applied without obtaining ACC approval (VII. 23).

**5. Excavation:** No lot owner shall excavate or extract earth for any business or commercial purpose (VII.18). For elevation change restrictions, refer to the section "Rules for Exterior Improvements and Alterations, Elevation (Ground Level) Changes".

**6. Garbage Cans, Etc.:** Garbage cans, recycling bins, lawn mowers, other equipment, and clotheslines must be screened from view from the street or any neighboring property (VII.14). Garbage and recycling cans can be placed in view, at the curb, no earlier than 7:30 p.m. the night before trash pick-up and shall be placed according to the restrictions no later than 12:00 a.m. after the trash has been picked up.

**7. Intersection Obstructions:** No structure or vegetation shall obstruct the view of stop signs, street signs, street lights, or the view of oncoming traffic at street intersections (VII.7).

**8. Mailboxes and Other Delivery Receptacles:** The mailbox and delivery receptacle assembly installed by the developer shall be the only mailbox and delivery receptacle allowed (VII.8). The mailbox shall be black metal and the post painted with Sherwin Williams paint, color: Stone Lion (*exterior flat*). The address numbers shall be 4 inch black metal of the approved style (refer to Planter's Row Mailbox Guidelines Attachment for details on approved mailbox style). Mailbox posts shall have the height of 42-46 inches from the ground level to the very top of the post.

**9. Name Signs and Property Identification Markers:** These require the approval of the ACC (VII.8). The painting of address numbers on the curb is prohibited. Such markers are neither required nor recommended by any public emergency service, i.e. police, fire companies, etc.

**10. Offensive Activities:** Offensive and noxious activities are prohibited (VII.12). Call the Mauldin Police Department 289-8900 regarding offensive noise and/or activities. The City of Mauldin noise ordinance (Mauldin City Code, Section 18-91 through -100) considers the volume, duration, source and time of day of noises. Typical noxious activities can include, but may not be limited to: prolonged display of holiday decorations, installation of window air conditioner units, and improper displaying of flags (not on a proper house mounted or manufactured free-standing flag pole).

**11. Temporary Structures and Dwellings:** No structure of a temporary nature shall be erected or allowed to remain on any lot. Also, no trailer, camper, shack, tent, garage, barn or similar structure shall be used as a residence, either temporarily or permanently (VII.9).

**12. Trash Dumping:** No lot or common area shall be used or maintained as a dumping ground for rubbish (VII.17).

**13. TV and Radio Reception Equipment:** No radio or television transmission or reception towers, satellite dishes or antennae shall be erected upon any structure or within the property without the approval of the ACC. Such structures should be screened to conceal them from the view of the street. In no event shall freestanding transmission or receiving towers, satellite dishes or disks be permitted (VII.15). However, satellite dishes that are 35 inches or less in diameter and are shielded from street view do not require ACC review.

**14. Use of Property:** Lots shall be used for single-family residential use only and not for business activities unless approved by the ACC (VII.1).

## 15. Vehicle Parking:

- A. The Board recommends that vehicles are parked in garages or in the driveway if the number of vehicles owned by the homeowner exceeds the capacity of the garage (VII.16). The streets are under the jurisdiction of Mauldin City and are subject to Mauldin City Code. Vehicles should only be parked on the street as a last resort, and should not be parked on sidewalks. Should a homeowner park in an illegal manner, they are subject to ticketing by Mauldin Police Dept, and this is outside of the control of the Association.

*The purpose of this recommendation is to promote pedestrian and vehicular traffic safety. The absence of sidewalks throughout most of the community requires pedestrians to walk in the streets. Parking your vehicle on the street or on the sidewalk puts your neighbors in harm's way by causing them to walk in the middle of the street to get around vehicles parked in the street or on the sidewalk. The safe flow of vehicular traffic is impaired by on street parking because the streets are not wide enough to accommodate parked and moving vehicles. The community was designed and built on the basis that all vehicles will be parked in either a garage or on a driveway. Almost every house in the community has a two car garage and a driveway that can accommodate at least two vehicles.*

### **PARKING ON THE GRASS IS PROHIBITED AT ALL TIMES (VII.16).**

- B. No house trailers or mobile homes, school buses, trucks or commercial vehicles over one (1) ton capacity, boats or boat trailers, motor homes, motorcycles, campers, and vans or vehicles on blocks shall be kept, stored or parked overnight either on any street or on any lot, except within an enclosed garage or screened from the streets and adjoining lots (VII.16).

# Attachments

## Enforcement Policy

This document is a supplement to the Planter's Row Bylaws, Article IX, Section 10 Enforcement.

**Policy:** Violations of the Covenants and ACC Guidelines will be monitored by the Property Management Company. The Property Manager will notify the Board of any violations noted during the regular inspections of the neighborhood or are confirmed as the result of a violation report from a homeowner or resident. The Management Company will notify the homeowner and resident in the case of a rental property, stating the section of the Covenants or ACC Guidelines that have been violated and the consequences for not correcting the violation.

**Notification of violations:** A "First Notice" will be sent to the homeowner (and resident if appropriate) after a violation has been noted by an onsite inspection or confirmed as the result of a violation report from a homeowner or resident. The notice will cite the Covenant or ACC Guideline being violated, details of the corrective action necessary to correct the violation and will include a statement indicating what fines will be assessed and/or legal action will be pursued if the violation is not corrected. If the violation is corrected within twenty (20) days of the date of mailing of the notice, no fine will be assessed and no further action will be taken.

A "Second Notice" will be sent if the violation is not corrected within twenty (20) days of the date of mailing of the "First Notice" informing the homeowner (and resident if appropriate) that a fine for the violation is being assessed. In the case of a non-homeowner residing in the property, the homeowner will receive the assessed fine.

**Right to a hearing:** Within ten (10) days of the date of the notice, a homeowner may request in writing (letter, email or fax) a hearing with the Board of Directors to dispute the violation or to reach an agreement for remedy of the violation. If a hearing is requested, one will be scheduled no later than thirty (30) days after the request. If the owner does not attend the hearing the assessed fine will stand.

**Fines:** A fixed fine of \$50.00 will be assessed with the issuance of the "Second Notice". In the event that the violation is not corrected within twenty (20) days after the initial fine is assessed, a subsequent fine will be imposed of \$50.00. Additional fines will be assessed at the rate of \$50.00 per twenty (20) days thereafter, up to a maximum of \$1000.00. Should a period of at least 90 days lapse between violations for the same offense, the next violation will be considered a first offense and a "First Notice" will be sent.

**Legal action:** If fines are not paid within 90 days after the date of notice, the fine may become a charge that could be attached to the homeowner's residence by way of lien and additional legal action may be taken.

**Compliance:** When the violation has been corrected, the homeowner may petition the Board for removal of the fine with a commitment of continued compliance. The Board has the authority to suspend all or a portion of a fine once the violation has been corrected.

**Other action:** In addition to fines, the Board also has the authority to suspend the member's right to vote and/or suspend a member's right (and their family and residents) to use any of the common area and facilities for an infraction of the covenants, guidelines or rules and regulations or for non-payment of annual assessments. Suspension of voting rights and/or use of the common area and facilities may be enforced until such time that the violation is remedied.

**Right of self-help:** The Board has the right to enter a homeowner's property (exterior only) to provide all maintenance and repairs that are necessary to remove a violation, including the right to tow vehicles that are parked in yards and on sidewalks, at the homeowner's cost, if a violation is left unaddressed for more than twenty (20) days after the date of the fine assessment and/or suspension.

NOTE: In this case, entry by the Association and any of its agents is not an actionable trespass, in accordance with the Declaration Article VI Exterior Maintenance.

*\*The roads in Planter's Row are owned and maintained by Mauldin City and are enforced by Mauldin Police Dept. Planter's Row HOA has no jurisdiction over enforcing any illegal parking measures on the public roads.*

**Amendment of fine schedule:** The Board shall set the initial fine schedule. The fine schedule may be amended by a majority vote of the homeowners, in good-standing, at an Annual Meeting or a Special Meeting that is called for the purpose of amending the fine schedule.



## Landscaping Guidelines

### **1. Borders for Landscaping Beds:** Materials must be of earth tone colors.

Approved materials include the following:

- ✓ Black plastic
- ✓ Brown or grey stone
- ✓ Tan or red pavers
- ✓ Solid brick
- ✓ Concrete pavers

### **2. Ground Cover Materials:** Approved materials include the following:

- ✓ Red oxide lava, white or natural stone
- ✓ Wood mulch
- ✓ Pine Needles/Bark

**(Note: all other materials must be submitted for ACC review)**

### **3. Plant Materials:**

- A. Any plant that can naturally survive in upstate South Carolina.
- B. The use of plants to make a fence in the front yard is prohibited.
- C. Vegetable gardens must be located in the rear yard of the property and be screened from the street.

**4. Decorative Items:** Sculptures, statues, bird feeders, windmills and *similar* items are restricted in front yard areas in the respect that only items with neutral colors that blend with the landscape will be allowed. Other such items should be located in the rear yard and must be screened from the street.

## Fencing Guidelines

### **1. Fence Placement & Orientation:**

- A. Structural support side of the fence shall face the enclosed area of the fence with the decorative or “pretty” side of the fence facing the street.
- B. Fencing shall not be forward of the back corner of the main house structure unless approved in writing by the ACC.
- C. Fencing should be installed as close to and parallel to the property line as possible. When installing a fence on a lot bordered by an existing fence, the Association encourages connecting to the existing with the cooperation of that homeowner. Deviations from this principle should be approved by the ACC and/or the HOA Board.
- D. Fencing must not encroach on any drainage or utility easement (Refer to Article VIII, Section 1 of the Planter’s Row Covenants and Restrictions). Any fencing erected on such an easement which obstructs necessary maintenance or emergency repair will be removed by the utility company at the owner’s expense.
- E. No fence, wall or other structure shall be erected or placed on any lot closer than 7 and 1/2 feet from the street or said minimum setback line as defined on the lot survey (whichever is greater).

### **2. Fence Dimensions/Composition:**

- A. Wood and Composite Wood are the only approved fencing materials. No split rail or chain-link fences are acceptable under any circumstances. Perimeter fences using cross-hatched wood lattice or chicken wire in their composition are not acceptable. Any other material, natural or man-made must be submitted on an individual basis for consideration by the ACC and/or the HOA Board.
- B. Fence heights for the same property should be the same except when conditions of lot topography or aesthetics are involved. Requests for fences of different heights must clearly justify the deviation from this policy.
- C. Fence heights cannot exceed six (6) feet under any circumstances.

- D. All fences that border Ashmore Bridge Road must be of the type currently used by all other properties along that border. Homeowners are responsible for maintenance (excluding periodic cleaning and staining of the side facing the road) and repair of any damages to fences bordering Ashmore Bridge Road.
- E. ACC request forms must include a clear illustration or photograph of the style and type of fence that is to be installed, the materials that are to be used, and (as best as possible) the placement of the fence on the property. It is the responsibility of the homeowner to notify contractors that installation cannot begin until ACC approval has been received by the homeowner.
- F. Please note that approval for erection of fencing does not permit the property owner to erect structures or partake in activities that are not allowed or are restricted by the property covenants and restrictions or by these guidelines. Keep in mind that your close neighbors can easily view your property. Consideration for the aesthetics of the neighborhood should be a top priority.

### **3. Painting or Staining of New or Existing Wood Decks or Fences**

- A. New or existing decks or fences should be painted or stained with materials that will allow the structure to blend with the existing house and property. When installing fences made of natural wood products the use of natural stain colors or clear sealants is encouraged. When installing fences made of man-made material the color must be submitted for approval by the ACC and/or HOA Board.
- B. Composite wood type material designed for decking is approved.

## Mailbox Guidelines

1. Board approved mailbox numbers: 4 inch die cast black in the following style

0 1 2 3 4  
5 6 7 8 9

2. Board approved mailbox paint: Sherwin Williams SW 7507 Stone Lion (Exterior flat)

3. Board approved mailbox style: Black metal (available from Home Depot/Lowes).



4. Board approved mailbox post style:



# Amendments

## 1. Solar Panels:

Solar collection panels are permitted at the rear of the property only. Panels mounted on the front aspect of the home are not permitted, under any circumstance. Panels may be roof mounted or ground mounted only.

Roof mounted panels must be installed flush to the slope of the dwelling roof, and shall not be installed above the roof ridge line. Panels may be installed on the rear facing garage roof, and sunroom or screened room roofs, providing they are not visible from the street.

Homes on corner lots are required to install panels on the rear roofs even though they may be visible from the street.

Ground mounted panels may only be used to add sufficient power collection if roof mounted panels do not meet the average power usage over the past 12 months.

Ground mounted panels may not be the primary location for the power generation.

Panel installation is not to exceed 6ft in total height and may only be placed in a rear yard, which must be enclosed by a 6ft privacy fence.

A combination of roof mounted and ground mounted panels is permitted, as long as the above placement criteria is followed.

Piping, equipment, and accessories should not be visible from the street, and should be painted the same (or similar) color to match the aesthetics of the roof shingles/home siding.

ACC approval must be given before any work is started. You are advised not to sign a contract or pay a deposit until approval has been granted. (V.1).