



**Homeowner's Association, Inc.**

**DESIGN GUIDELINES**

**August 16, 2005**

## **INTRODUCTION**

### **1.1 APPLICABILITY**

This guide to Guidelines and Procedures is adopted pursuant to the Articles of Incorporation, and the Declaration of Covenants, Conditions, and Restrictions (“Declaration”) for the Stephens Grove Community (“Community”). These documents are intended to provide for the establishment of reasonable rules and regulations for additions and modifications to property, both individual and common areas, in the Community. The Modifications Committee (“MC”) under Article IX of the Declaration will serve as representatives of the Board of Directors (“Board”) while enforcing the Guide. Compliance with this Guide is required, but is not the sole basis for review or approval, nor does it guarantee approval of any application. In reviewing each application, the MC may consider any factors it deems relevant. Decisions may be based purely on aesthetic considerations. Each owner acknowledges that determinations as to such matters are purely subjective in nature and that opinions may vary as to the desirability and attractiveness of a proposed addition or modification.

This document is not intended to replace the Declaration but rather to clarify and to simplify the process by which homeowners may customize and modify the exterior presentation of their homes and lots.

### **1.2 BASIS FOR AND PURPOSE OF PROTECTIVE COVENANTS**

The legal documents for the Stephens Grove community contain covenants, including those pertaining to architectural controls. Legally, these covenants are a part of the deed for each lot and are binding upon all Owners.

The Purpose of design covenants are to:

- Maintain consistency with the overall design concept for the community;
- Promote harmonious architectural and environmental design qualities and features;
- Promote and enhance the visual and aesthetic appearance of the community.

These covenants are inseparable from owned properties and are binding on all owners. Their enforcement enhances the physical appearance of the community, and preserves property values. Enforced design covenants protect owners from actions of neighbors, which can detract from the physical appearance of the community and diminish property values.

### **1.3 ROLE OF THE MODIFICATION COMMITTEE**

The Association is responsible for the administration and enforcement of all covenants, which are applicable to property owners, including design covenants and restrictions. The Declaration for the Stephens Grove HOA Article IX provides that enforcement of design standards shall be exercised through a Modification Committee consisting of three or more members appointed by the Board of Directors of the Stephens Grove HOA.

The primary responsibility of the MC is to protect property values by ensuring that properties are well maintained and in visual harmony with the rest of the community.

#### **1.4 OBJECTIVES OF THE MODIFICATION COMMITTEE**

- Provide uniformity of application and interpretation standards set forth in the Covenants and Design Guidelines.
- Increase residents' awareness and understanding of the covenants and guidelines applicable to exterior home and property improvements.
- Describe the organization and procedures involved in the enforcement of the architectural design guidelines established by the covenants.
- Aid residents in developing exterior improvements, which promote harmony in design with the immediate neighborhood and the community as a whole.
- Assist residents in preparing and completing acceptable applications.
- Maintain and improve the quality of the living environment within the Community.

#### **1.5 MODIFICATIONS REQUIRING REVIEW AND APPROVAL BY THE MODIFICATION COMMITTEE**

All changes, permanent or temporary, to the exterior appearance of a structure or lot are subject to review and approval by the MC. Approval is not required of any item listed as "pre-approved" in the Design Guidelines as long as that item fits the criteria stated. Any deviation must require approval of the MC.

#### **1.6 COUNTY AND LOCAL APPROVALS**

In addition to obtaining MC approval, the owner is responsible for obtaining any and all applicable county and local approvals including any possible permits required, impervious approval, and or easement approvals.

#### **1.7 EASEMENTS**

Plans for proposed changes to properties should also accommodate any easements on the property. The Stephens Grove HOA is not responsible for identifying any easement held by other agencies or organizations (such as utility companies) or any restrictions placed on those easements. Property owners should consult the property deed and site plan for easements, which might affect a planned addition or alteration. Property owners bear the risk of re-installing any fencing and or landscaping that must be moved within an easement.

#### **1.8 DESIGN REVIEW CRITERIA**

Specific covenants are not in place to stifle individual creativity and beautification. They provide the requesting owner and the committee with guidelines as to what is approvable; however, latitude is allowed for those who "think outside the box" and develop unique changes, which nevertheless are consistent with aesthetics of and protect the values of the community although not specifically spelled out in the design guidelines.

The criteria listed below provide the basis for both the development of design guidelines and the evaluation of individual design proposals by the MC.

1. All owner submissions will be evaluated on the individual merits of the application. This

evaluation will include consideration of the characteristics of housing type and individual site. Applications are reviewed to confirm that the project is in conformance with the protective covenants.

2. Design decisions made in reviewing applications will not be based on the personal opinion or taste of the Board of Directors or the MC members. Judgments of acceptable design are based on the general standards of the Covenants, defined more specifically in the following Architectural Design Guidelines.
3. Design Compatibility: The basic idea must be sound and appropriate to its surroundings. The proposed improvement must be compatible with the architectural characteristics and style of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details. The three dimensional size of the proposed modification shall relate well to the adjacent structures and surroundings.
4. Scale: The scale of the proposed improvement should relate to the size of the applicant's home, the location and size of the lot, adjoining homes and surroundings. This criterion applies to both structural and landscape modifications.
5. Location and Impact on Neighbors: The proposed improvement should relate favorably to the landscape, existing structures, and the character of the neighborhood. Written comment from affected neighbors about the acceptability of a proposed project may be submitted with an application. However, final decisions will be based on the standards established for the whole community.
6. Color and Materials: Use of the same or compatible materials should be used to ensure and maintain continuity throughout the community. The color of materials must match or relate harmoniously with existing materials of the applicant's existing structure.
7. Workmanship: The quality of work shall be equal to or better than that of the surrounding area.
8. Timing: Approval by the MC is valid for a period of 90 days. If work is not completed within this time, the application is automatically disapproved and must be resubmitted for MC consideration. Extension of time to complete a project will be considered on a case-by-case basis if a written request is submitted.

## **1.9 APPLICATION AND REVIEW PROCEDURES**

Application and review procedures, which will be used by the MC, are detailed below.

1. Applications. All applications for proposed improvements must be submitted in writing using the application form authorized by the MC. A copy of this form is available on the website: [www.stephensgrovehoa.com](http://www.stephensgrovehoa.com). Copies may also be obtained from the Management Company upon request. Applications must be complete to be reviewed by the Committee.
2. General information requirements for the Design Review Application are discussed in the

following paragraphs.

- A. Location. A registered site plan (plat) must be submitted to indicate dimensions and distances from adjacent property lines and structures.
  - B. Description. All applications must contain a description. The amount of detailed description shall be consistent with the complexity of the proposal. A graphic description may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings.
    - Relationships of major architectural features such as existing and proposed rooflines, window sizes and alignment, building heights, roof slopes, etc. shall be shown as they affect the applicant's proposed project.
  - C. Material and Color samples. The materials and colors to be used and an indication of the existing color and materials should be provided with the application. In most cases a statement, for example, that "the proposed deck is to be painted to match the existing house color" is sufficient. Where materials and/or color are compatible, but different from those of the existing structure, samples or color chips shall be submitted for clarity.
3. Notice of Approval/Disapproval: Owners who have submitted design review applications will be given written notice of the decision and reasons from the MC within thirty (30) days.
  4. Appeals Procedure: An applicant homeowner may appeal a decision of the MC within fifteen (15) days after receipt of notice of an action by the MC.
  5. The Board shall make a preliminary review of the case and determine whether or not it will hear the appeal. The Board will respond in writing to the applicant within seven (7) days after the next scheduled Board meeting.

#### **1.10 IMPERVIOUS SPACE INFORMATION**

Stephens Grove homeowners must include the factor of impervious space issues when submitting applications. The MC will not be held responsible for making decisions based on impervious space unless otherwise noted. Each homeowner is responsible to account for that space remaining per their lot. The MC or the Stephens Grove HOA will not be held responsible for any fines or violations assessed a homeowner by Mecklenburg County for violations of the impervious nature. This includes any architectural requests that may have been approved at any time. The risk and accounting of impervious space rests solely upon the individual homeowner.

## ARCHITECTURAL DESIGN GUIDELINES

**2.1 ACCESSORY BUILDINGS:** Animal hutches, doghouses/dog runs, greenhouses, kennels, and any other accessory building not specifically listed in these guidelines are prohibited.

**2.2 ADDITIONS:** Sunrooms, screened porches, patio enclosures, bay windows, room additions, etc. will be reviewed on a case-by-case basis. The homeowner may incur an application fee for these listed additions. As stated in 1.10, homeowners should be aware of the impervious factor when requesting additions

**2.3 AIR CONDITIONING UNITS:** Individual air conditioning units or other appliances protruding from windows are prohibited. Air conditioning units or heat pumps may be relocated or added if there is no adverse impact to adjoining lots and the common area.

**2.4 ANTENNAS and SATELLITE DISHES:** In accordance with FCC Rule 47 CFR 1.4000 regarding the installation, maintenance and use of direct broadcast satellite, television broadcast, multipoint distribution service and customer end fixed wireless signal antennas, the Association's goal is to enable owners and residents to obtain the best possible signal reception while keeping the antennas as unobtrusive as possible. Owners may install a DBS, DTV or MMDS antenna that is one meter (39.37 inches) or less in diameter. Satellite dishes and other antennas that are larger than one meter are prohibited. All satellite dishes must be attached to the house. The preferred location for satellite dishes and other antennas is below the peak of the roofline on the back-plane of the house so as to have no, or minimal visibility from the front of the house, or entirely within and below the height of approved privacy fencing which fully encloses the rear yard. Antennas and satellites meeting these criteria do not require an application. Installation of antenna and satellite dishes in other areas will require the submission of a Design Review Application and will be considered on a case-by-case basis. Satellite dishes may not be installed on a pole of any nature. The Association may require owners and/or tenants to install or provide screening around the antenna if the antenna is visible from the street or from other lots. The Association may also require owners and/or tenants to paint any portion of the antenna or dish so that it matches or is reasonably compatible with the color of the structure to which it is attached.

**2.5 ARBORS:** An arbor is a decorative bar supported by vertical shafts for the purpose of supporting vines or hanging plants. Arbors shall not exceed eight feet in height from the ground or deck floor level and shall not be enclosed to create a solid barrier. Arbors as described herein are generally permitted on decks, patios, fences, gates, or can be freestanding decorative elements. If attached to a deck, the material and color must be the same as the deck. Arbors may not be erected in the front yard of any unit.

**2.6 ATTIC VENTILATORS:** Attic ventilators requiring penetration of the roof shall be as small in size and height as is functionally possible. They shall be located on the least visible side of the roof as viewed from the front of the house.

**2.7 AWNINGS:** Retractable awnings over patios or decks with suitable dimensions will be permitted on the rear of the house. Awnings must be fully retracted when not in use. The shield or cover into which the awning retracts must be permanently mounted on the house. The awning hardware must be heavy-duty hardware painted the same color as the house or trim. The awning must be of a material, which will not fade from the sun, mildew or mold, and which matches the color of the house siding.

2.7.1 Fixed awnings are prohibited.

2.7.2 Application requirements: Drawings, photographs or manufacturer's literature of proposed awning, color of proposed awning and location of awning to be installed.

## **2.8 BACKYARD PLAY EQUIPMENT, BASKETBALL GOALS:**

2.8.1 Metal swing sets are not permitted. Wood swing sets must be placed in the back yard and placed at least six feet from any property line. The overall size and scale of such equipment will have considerable bearing on approval or disapproval. Equipment of such as scale and height as to overpower the lot or the home will not be approved. Only one play set is permitted per property. The maximum size for play equipment is twelve (12) feet in height and seventeen (17) feet in length. The width should be generally no more than twelve (12) feet. Any play-set may require screening upon the MC's discretion. The MC will need to approve the color and pattern of any canvas top or covering on all play sets. They are to be well maintained and show no signs of fading or wear. No play structure of any kind may be placed on the side or front of any residence. All "backyard play equipment" will be subject to the 1.10 Impervious clause. All play-sets must have MC approval. The following are pre-approved play equipment and do not require a request form: pre-assembled playhouses, trampolines, and sand boxes. The following criteria must be met for these three items to be pre-approved:

- a) Must be in the back yard of the residence.
- b) Must be maintained in an attractive manner and not faded, broken or in a state of disrepair.
- c) Screening may be required.
- d) This equipment is also subject to the 1.10 Impervious clause.
- e) Tree -houses are prohibited.

2.8.2 Portable basketball goals are pre-approved under the following guidelines: basketball goals must be portable, and they must be stored when not in use in the half of the driveway closest to the garage door. Basketball goals are to be stored appropriately when not use.

## **2.9 CLOTHESLINES:** Prohibited.

**2.10 COMPOST BINS:** Visual and odor impact on neighbors must be considered. Only tree leaves and grass clippings may be composted. Screening with landscaping may be required. Bins shall be in the rear of the lot, at least ten (10) feet from property lines. The bin shall not be over four (4) feet high and not exceed sixteen (16) square feet. Bin shall be of unpainted pressure treated, naturally weather resistant wood, or plastic with tones of black, tan or green in color. Compost must be properly covered and turned periodically to ensure odor control.

**2.11 DECKS:** Decks will be approved based on size, material, and location. The deck size shall be compatible with the house and lot size. No deck shall extend into a side yard beyond the side plane of the house. The material and location shall be in harmony with existing approved decks in the area. Lattice may be used to screen the under-deck area if painted or stained to match the color of the deck. Decks must be maintained to present a good appearance. All portions of the deck (except flooring and railings), to include band boards and posts, should be the same color. If staining or painting, stain or paint matching the trim or siding of the house is encouraged. Decks may be left to age naturally.

**2.12 DOORS, STORM AND SCREEN:** Storm doors shall be coordinated to match or be compatible with the entry doors behind them, or the trim. Consideration will depend on the design of the particular door and its relation to the design of the house. Commercial metal storm doors and windows, which coordinate with the rest of the existing house color, may receive approval upon application. Doors and screens of other material or construction require specific evaluation of the application. Proposed doors, which are full view, with or without a kick plate, must match the color of the house trim. Proposed doors, which are less than full view, must match the color of the related entry door.

2.12.1 Security Doors with Bars: Prohibited.

2.12.2 Application requirements: Drawings, photographs or manufacturer's literature of proposed door, color of proposed doors and related entry door or house trim, location of door to be installed.

**2.13 DRIVEWAYS AND SIDEWALKS:** Driveway and/or sidewalk extensions and/or modifications will require approval from the MC. The 1.10 impervious space clause will apply to these requests.

**2.14 EXTERIOR DECORATIVE OBJECTS AND GARDEN STRUCTURES:** Exterior decorative objects, garden structures and "yard art" such as sculptures, fountains, ponds, outdoor hearths, etc. may be approved upon application. The scale and location of the items must be compatible with the house, lot and adjoining lots. Birdfeeders and birdhouses are pre-approved provided they are no larger than one foot in width, one foot in depth and one foot in height. Birdfeeders and houses may not be placed in the front yard or in common areas. No exterior decorative objects, garden structures and "yard art" shall be placed or installed in the front yard without approval.

**2.15 FENCES:** General design standards for the construction and approval of fences are provided below. All fences require approval of the MC prior to the commencement of any work.

2.15.1 Fence Styles: Fences must be one of the four styles listed. All other fence styles, including chain link fences or fencing material, are prohibited.

- A. Open split rail with either two, three, or four rails
- B. Virginia/French Gothic
- C. White vinyl fencing
- D. Black aluminum/wrought iron fence

2.15.2 Dimensions: Fences must be at least forty-two (42) inches and no taller than seventy-two (72) inches. The height is measured from the ground to the uppermost rail. The vertical posts must be from forty-eight (48) to seventy-eight (78) inches measured from the ground to the top of the post. The fence must provide at least 30% visibility.

2.15.3 Wire mesh: Wire mesh may be used in conjunction with the fence. If used, the wire mesh must be 2X4 and attached to the inside area of the fence and the top of the mesh may not extend beyond the top rail of the fence. The use of chicken wire or chain-link materials is prohibited.

2.15.4 Gates: Gates may be single or double and must be of the same material as the fence, and the same height. Gates may not open to adjacent private property. Gates must be located so that people will either exit from the fenced area onto another part of the lot on which the fence is located or the common area.

2.15.5 Location: All fences must be lot-line fences and are intended to fence in the back or rear yard portion of the applicant's lot. The posts of lot-line fences must be set as closely as possible to the property line without encroaching onto the neighboring property. Setbacks from property line are prohibited. Posts should touch or be within one inch of the actual property line. Under no circumstances will fences be permitted in the front yard of the applicant's lot. Fences may be approved for the partial enclosure of side yards in situations where topography, house location, the location of exit doors or where fences will serve as a rear lot-line fence for an adjoining property.

2.15.6 Side Yard Fencing: If approved, a side yard fence must be set back from the front plane of the house a distance equal to one-half the overall depth of the house. Side yard fencing may not extend beyond the setback line of the neighboring house.

2.15.7 Corner Lot Fencing: Setbacks for fences along streets and sidewalks will be determined on a case-by-case basis but generally will not be closer than four feet from the edge of the street or two feet from the edge of the sidewalk. Owners are responsible for yard maintenance on both sides of their fence. Homes on or bordering streets or sidewalks may have additional restrictions based on lot locations, lot sizes and neighbor concerns.

2.15.8 Adjoining fencing: There may be only one fence separating adjoining lots. Double fencing along common boundary lines is prohibited.

2.15.9 Color: Stains will be considered on a case-by-case basis.

2.15.10 Invisible Fences: Invisible (i.e. underground electronic fences) may be installed without application.

**2.16 FIREWOOD:** Firewood shall be stacked into piles that do not exceed eight (8) feet in length, and four (4) feet in width for aesthetic reasons. Firewood shall be stacked only in rear or back yards. Wood shall not be stacked on the driveways, the front yard or in side yard(s) of a lot. Other than a limited quantity of firewood intended for immediate use, firewood shall not be stacked on patios or decks. Screening of an approved nature may be required to screen firewood at the discretion of the MC.

## **2.17 FLAGPOLES:**

2.17.1 Permanent flagpoles are prohibited

2.17.2 Temporary: Temporary flagpole staffs, which do not exceed six (6) feet in length and are attached at an incline to the wall or pillar of a dwelling unit, do not require approval by the MC. Flags that, in the Board's judgment, tend to incite or antagonize are not permitted. Flags must be maintained in good condition and should not be displayed if mildewed, tattered, or faded.

**2.18 GARAGE DOORS:** Replacement of garage doors with an exact duplicate of the original item does not require an application. Garage doors shall match or coordinate with the house siding. Garage door designs must be approved and must be consistent with the design of the house.

**2.19 GAZEBOS:** Gazebos will require approval by the MC. The request must clearly list all materials, size, color, and specific location. The 1.10 Impervious space clause will apply to these requests.

**2.20 GUTTERS AND DOWNSPOUTS:** Replacement of gutters and downspouts with an exact duplicate of the original item does not require an application. An application is required for relocation of gutters and downspouts, or a change of color. Gutters and downspouts should be painted to match the exterior trim colors.

## **2.21 GRILLS, PERMANENT and PORTABLE:**

2.21.1 Permanent grills are permitted in the back yard or back deck subject to MC approval.

2.21.2 Portable grills, gas or charcoal, must be kept in a well-maintained condition. Grills of a rusty, broken nature or in a state of disrepair are prohibited.

## **2.22 HOT TUBS/SPAS:**

2.22.1 All hot tubs require approval of the MC. Hot tubs are a private amenity, the installation of which must consider the privacy of both the lot owner and adjacent property owners. Evaluation of application will consider not only the location of the hot tub installation but also the associated deck or patio, privacy screening and equipment concealment.

2.22.2 Hot tubs shall be located only on the deck in the backyard.

2.22.3 Hot tub and any mechanical equipment shall be screened from view by a fence or privacy screening and both will be contiguous to the house or deck.

2.22.4 Fences and gates shall conform to the fencing standards set forth elsewhere in these Guidelines.

2.22.5 Owners are required to install safety features such as locks or covers and comply with all applicable state and local codes.

2.22.6 Saunas are prohibited.

**2.23 HORSES/LIVESTOCK:** All livestock including but not limited to chickens, ducks, pigs, goats, horses, cows, sheep, are prohibited.

**2.24 HOUSE NUMBERS:** House numbers should be legible and shall be of a size and color that is appropriate for the applicant's house. All numbers that are similar to the builder installed numbers are pre-approved.

**2.25 LANDSCAPING:** Changes to existing landscaping involving more than twenty-five (25) percent of the lot size may be approved upon application. Total replacement of turf area may be approved upon application. All landscape applications will be considered on a case-by-case basis. It is strongly recommended that landscaping, particularly that which is close to property lines, be discussed during the planning stage with adjacent neighbors to provide for continuity. Landscape changes do not require approval, provided the following provisions are met. Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular and pedestrian traffic. Views from neighboring lots, shade patterns of larger trees, and possible physical damage by encroaching plantings should be considered. If plantings are found to be detrimental, owners may be required to abate the problem.

2.25.1 Vegetable Gardens: gardens should be located in rear or back yards and on land which will not cause water to run into adjacent property during periods of supplemental watering. Gardens should be properly maintained during the growing period. After the growth season, dead plants, stakes, etc. should be removed.

2.25.2 Trees and shrubs: The MC must approve all new trees and shrubs, types and location that are to be placed in the front yard. Replanting with the same tree or shrub and planting flowers in existing approved landscaping beds is also considered routine maintenance and does not require prior approval.

**2.26 LIGHTING, EXTERIOR and SEASONAL DECORATIONS:** Ground landscaping lights are pre-approved provided they are conservative in design, use white lights, are limited to 2,000 lumens and are directed towards the house or ground. Holiday decorative lights are pre-approved from Thanksgiving through 15<sup>th</sup> of January. Seasonal decorations are approved two weeks prior to the event until two weeks after the event.

**2.27 MAILBOXES:** Replacement of mailboxes with an exact duplicate of the original item does not require an application. Mailbox murals fall under the seasonal decoration guidelines. Mailboxes of any design other than the builder-installed style are prohibited.

**2.28 PAINTING:** Includes all exterior color changes, including any change in shade or hue for a given color. This requirement applies to siding, doors, shutters, trim, roofing and other appurtenant structures. Specific limitations and requirements for color changes may be addressed in design guidelines for individual clusters. An application is not required in order to repaint or re-stain an object to match the original color.

**2.29 PATIOS:** Patios will be approved on a case-by-case basis. The total amount of impervious space remaining per lot must be submitted with request. Again, the 1.10 Impervious clause will apply to all patios.

**2.30 PROPERTY MAINTENANCE STANDARDS:** Owners shall be responsible for the maintenance of all structures and grounds, which are a part of the lot. This responsibility includes, but is not limited to, items such as mowing the grass, removal of trash and structural maintenance.

2.30.1 Turf Area: All portions of a lot, which are not improved by an impervious surface or a structure, must be maintained with grass (or other vegetation installed by a builder or approved by the Covenants Committee). No bare earth may be exposed on a lot (except for flowerbeds or vegetable gardens with appropriate approvals as required), this includes the “donut” area of the driveway. All turf areas on a lot must be kept neatly mowed during the growing season. Grass shall not exceed six (6) inches in height. Turf areas and other vegetation should be maintained in good condition. Any dead plants, shrubs or trees should be removed. Turf areas should be kept as weed free as possible. At no time should weed cover exceed more than twenty-five percent (25%) of the total turf area.

2.30.2 Trash: No trash or debris may accumulate or be stored in a visible location on a lot. Construction materials required for the improvement of a home or lot should be neatly stored in as unobtrusive a location on the lot as possible when not in use.

2.30.3 Hedges, Trees, Shrubs: All hedges, trees, shrubs and tree stumps must be neatly trimmed and maintained and their size maintained in proportion to the lot and home through pruning. Owners must trim trees and shrubs sufficiently to allow unobstructed pedestrian passage on all public walkways.

2.30.4 Building Exterior: The exterior of a building must be maintained in an attractive manner. The Owners shall be responsible for maintaining the structural integrity and repair of his/her property. Significant blistering or peeling of exterior painted surfaces is prohibited. Any exterior building components (i.e., siding, gutters and downspouts, roof shingles, windows and doors), which are missing, broken or otherwise in a state of disrepair, must be repaired. All additions, improvements and structures must be properly maintained and in good repair. This includes, but is not limited to structural integrity, painting, staining and sealing.

2.30.5 Farm and Garden Items: Farm and garden implements and equipment, including without limitation, lawn mowers, tractors, bush hogs, shovels and rakes, shall be stored out of view from other lots, common area, or public or private streets and roadways.

2.30.6 Common Ground: Storage or dumping of materials on common areas is prohibited.

**2.31 RETAINING WALLS:** Retaining walls are approved on a case-by-case basis. Construction is limited to the use of railroad ties, landscaping timbers, stones, brick, and reinforced concrete with brick veneer. Walls may not divert the flow of water onto a neighboring lot. No wall shall be maintained in such a manner as to obstruct sight lines for vehicular traffic or

as to interfere with the purpose for which easements have been established as to installation, maintenance, or access.

**2.32 ROOFS:** All roofing materials and colors must be pre-approved by the MC. Permitted roof materials are asphalt shingles and or copper, or a combination thereof or similar materials. Replacement of existing roofing with identical material and color does not require an application to be submitted.

**2.33 SIDING REPLACEMENT:** Sample of proposed siding is required to be submitted with the application. Replacement of existing siding with identical material and color does not require an application to be submitted.

**2.34 SIGNS:** The Stephens Grove Social & Pool Committees may post community events signs as needed, where needed. Any and all prohibited signs will be removed and disposed of without prior notification.

2.34.1 Security Signs: A single security sign may be posted.

2.34.2 Advertising Signs: Signs advertising privately owned vehicles or other equipment might not be placed in front of the house.

2.34.3 Invisible Fence Signs: A single invisible fence sign may be posted.

2.34.4 Contractor Sign: A contractor that is working on a residential lot, such as building a deck or fence, may post a single sign. The sign may be posted only during the period of the actual construction. The sign must be posted on the lot and must not exceed nine(9) square feet in size.

2.34.5 House Signs: Signs advertising a house for sale must meet applicable County regulations with respect to size, content, and removal. Signs may only be placed in the front yard of available properties. "Open House" signs may be posted in the common area. They can only be posted during the actual "Open House" event.

2.34.6 Political Signs: Signs may be displayed thirty (30) days prior to election day and no longer than ten (10) days after election day.

2.34.7 Garage sale: Garage sale signs may be posted no more than two days prior to the garage sale date and must be removed by the evening of the last day of the garage sale. A maximum of three(3) signs may be posted of which a maximum of two(2) of these signs may be placed in the common area during the allotted time.

2.34.8 Common Area Signs: Unless otherwise specifically listed above, signs may not be posted on the Association's common area.

**2.35 SOLAR PANELS and SKYLIGHTS:** Solar panels are prohibited. Skylights are subject to MC approval.

**2.36 SWIMMING POOLS:** Above ground pools are prohibited. Small temporary "kiddie" pools less than 10 feet in diameter are allowed upon the basis they are kept clean when in use and stored away when not in use. In-ground pools will need to meet city and county code requirements and pool surface should follow impervious guidelines. These requests must be submitted to the MC (ARC) for review and approval.

**2.37 TRASH CONTAINERS:** Trash and yard debris containers must be stored in a manner that they may not be seen from the street side of the house. Trash containers may be stored outside at the rear of the house or to the side when enclosed by a trash enclosure as described below in Section 55. Homes on corner lots must store trash containers either in the garage, behind the house, or behind approved screening on the side of the house opposite the intersecting street. Empty trash and recycling containers shall be removed from sight within 24 hours of them being emptied.

**2.38 TRASH ENCLOSURES:** Trash enclosures are permitted to allow the outside storage of no more than two (2) trash containers. Only one (1) trash enclosure per lot is permitted. Only covered trash containers are permitted in the trash enclosure. Enclosures shall be in the rear or side of the home. For enclosures on the side of the home, screening with landscaping (Buford Holly, Wax Myrtles, or other approved shrubs) or approved fencing/lattice will be required. Placement and size will be considered on a case-by-case basis.

**2.39 STORAGE SHEDS:** All storage sheds will require approval from the MC. Storage sheds will be approved provided the following guidelines are met:

- One shed may be constructed per site and must meet all applicable building codes.
- The shed must be located behind the house and be set a minimum of 6 feet inside all property lines.
- The shed must not exceed a maximum of 10' X 10' in size nor have an eave height greater than 8'.
- The external color must match the façade of the dwelling on the lot. Aluminum, metal, plastic, or vinyl sheds will not be approved.
- The roof must be comprised of shingles that match those of the dwelling on the lot.
- The shed must be landscaped with 3 gallon evergreen trees(wax myrtles or Leyland cypress) around three sides of the perimeter of the shed.
- The 1.10 Impervious space clause will apply to all shed requests. Please include remaining impervious space square footage when applying for a shed request approval.

## ARCHITECTURAL DESIGN GUIDELINES

### APPENDIX I

#### *Parking Policy*

### **RESTRICTIONS ON THE PARKING AND STORAGE OF VEHICLES**

#### **GENERAL**

The types of vehicles listed in subsections (a) through (n) below may not be parked or stored in open view on residential lots, common area parking spaces, or the public streets of the Stephens Grove community. Junk or derelict vehicles may not be parked or stored in open view on residential lots. Common area parking spaces, streets, or on common area open space within the boundaries of the Stephens Grove community. A vehicle shall be deemed to be a derelict vehicle if it is missing any necessary parts, such as, but not limited to tires, wheels, engine, etc., that are necessary for the operation of the vehicle on public streets.

- a. Any vehicle with commercial signs, advertising or visible commercial equipment;
- b. Exception: Police and sheriff's office vehicles are not considered commercial vehicles and are not subject to commercial vehicle prohibitions;
- c. Any boat or trailer;
- d. Any motor home or self-contained camper;
- e. Any camper slip-ons where camper back is higher than the roof line of the cab of the truck;
- f. Any mobile home, trailer or fifth wheel vehicle;
- g. Any pop-up camp/tent trailer or similar recreation oriented portable or transportable facility or conveyance to include utility trailers;
- h. Any other vehicle not defined above which is not normally or regularly used for daily transportation, including dune buggies, non-operational automobile collections or other automotive equipment not licensed for use on the highways of North Carolina;
- i. Any vehicle defined as a commercial vehicle by the code of North Carolina;
- j. Any private, school, church or public bus; or limousine.
- k. Any vehicle larger than a 3/4 ton pickup, including one ton and larger trucks and tractor trailers; with a gross vehicle weight of 10,000 pounds or more.
- l. Any vehicle designed to carry sixteen (16) or more passengers including the driver;
- m. Any vehicle or trailer designed to sell food or merchandise directly from the vehicle or trailer,
- n. Vehicles with automobile covers shall not be stored outside on streets, drive-ways or yards. They must be placed out of sight in garages.
- o. Vehicles including but not limited to cars and motorcycles, without current registration plates, tags, county stickers and state inspection permits.

### **COMMON AREA STREETS and PARKING SPACES**

- a. Except for occasional overflow parking, curbside parking on the street is not permitted.
- b. Vehicles may not be parked in the grass or dirt area of any lot or common area at any time.
- c. Vehicles must be parked so as not to obstruct other parking spaces, or ingress and egress areas.
- d. No vehicles other than those clearly indicated as operated by or for a handicapped person shall be parked in spaces reserved for handicapped parking.
- e. The performance of major repairs to vehicles is not permitted anywhere in open view on residential lots or common areas within the boundary of the Community.
- f. Vehicles may not be parked or stored unattended in a hazardous condition, including, but not limited to vehicles on jacks or blocks.

### **ASSOCIATION NOT RESPONSIBLE**

Nothing in this resolution shall be construed to hold the Association or the Board of Directors responsible for damage to vehicles or the loss of property from vehicles parked on the common areas.

### **ENFORCEMENT**

The Managing Agent and authorized towing company shall have the authority to issue a warning notice or tow vehicles that are in violation of this parking policy.

Vehicles illegally parked in no parking areas or handicapped reserved spaces and vehicles blocking other parked vehicles, or ingress and egress will be towed without notice.

All other vehicles parked in violation of this parking policy will be given a warning of seventy-two (72) hours prior to towing except for vehicles in repetitive violation of this parking policy shall be subject to towing without notice for repetition of said violation.

All vehicles towed will be done so at the owner's risk and expense.

Violation of this resolution may also result in the matter being referred to the Board of Directors.

**THIS DOCUMENT MAY BE AMENDED FROM TIME TO TIME BY A MAJORITY VOTE OF THE STEPHEN'S GROVE BOARD OF DIRECTORS.**

**Signatures on file with Hawthorne Management and HOA  
President and Secretary**

**BOARD OF DIRECTORS:**

<u>Todd Harwood - President</u>	(704) 948-0259
<u>Sara Lay – Committee Coordinator</u>	(704) 947-2280
<u>David McAlexander – Finance/Treasurer</u>	(704) 875-1942
<u>Gay Thorne – Secretary</u>	(704) 947-2727

