

ARCHITECTURAL GUIDELINES AND RESTRICTIONS

SOUTH POINTE ESTATES

ACCESSORY BUILDINGS: Requires approval. Must be constructed with similar materials and colors of the house. All accessory buildings are limited to 8', and must be located in a place of limited visibility.

ANTENNAS OR OTHER COMMUNICATION TRANSMISSION DEVICES: **Not permitted to be visible.**

ANIMALS: No animals, livestock, or poultry shall be raised or kept on property except a reasonable amount of dogs and cats.

ARBORS: Requires approval. Arbors may be permitted on rear decks and/or patios to enhance the architectural design in addition to providing some shade for the homeowner. Arbors shall not extend beyond the side walls of the main structure.

AWNINGS: Awnings are not permitted

BASKETBALL HOOPS: Permanent basketball hoops are not allowed. Portable basketball hoops are permitted only when in use. When not in use, the basketball goal must be put in the garage or behind the home out of view.

CLOTHES LINE: Clothing lines are not permitted

COMMON AREA: Homeowners are not allowed to alter any kind of planting or building of any structure, any common area, easement of right of way located next to or close to their property. Other modifications are such things as allowing the accumulation of debris of any kind, establishment of gardens, and/or otherwise adding, removing, or modifying any trees, shrubs, or planting located in the areas referred to above. Violations of these maintenance standards are also subject to Fine and Restoration Assessment actions.

DECKS: Requires approval. The ARC must approve all decks, other than those which may be builder options. The ARC will use the following criteria in determining whether to approve an application to construct a deck:

Location: Adjacent to home in the rear only.

Materials and Color: Materials must be consistent with the style of the houses which they are attached.

Scale and Style: Decks must be of a scale and style compatible with the home and environmental surroundings.

DOG HOUSES and DOG RUNS: Dog runs are not permitted on the property. Dog houses must be out of view, behind a fence.

DRIVEWAYS: Requires approval. Driveways must be uncoated, natural concrete. Photos or brochures and a color sample are required for any proposed driveway coating. Driveway expansion may be considered on a case-by-case basis only where a large expanse of yard will be preserved.

EXTERIOR AIR CONDITIONERS: Requires approval. Individual air conditioning units extending from windows are prohibited. Exterior air conditioning units or heat pumps may be relocated or added only if there is no adverse visual impact to adjoining properties or potential noise disturbance to neighboring bedrooms. The ARC may require that permission be granted by the neighboring owner.

EXTERIOR COLORS: Requires approval. Your home may be repainted or resided in the same material and color scheme at any time. Color changes (including changes in hue, tone, value, or intensity) and siding material changes (e.g. from composite to aluminum) require submission and approval of a modification form. Applications are not required for any repainting or re-staining which does not change a home's original colors. However, homeowners must obtain approval before changing the color of any externally visible portion of any home, including siding, doors, shutters, trim or roofing. Approval is required for any addition or change of masonry product (brick, slate, stone, etc.)

EXTERIOR OBJECTS: ARC approval not required if the object or statuary does not exceed two (2) feet in height and the total number on display does not exceed five (5), providing the following conditions are met:

In any case, while ARC approval is not required for removal of exterior objects that are of a temporary nature or are displayed for seasonal holiday duration or a special occasion, residents should consider the following standards when choosing such objects. Exterior objects include but are not limited to statuary, grills, fountains, windmills, wishing wells, furniture and boxes in view.

Location: The ARC will apply a more narrow set of standards to objects located in front yards or positioned where they can be fully viewed from the street fronting the applicant's property to those objects located in backyards, or within screened locations of lesser visibility and impact.

Color: Objects must not contain colors or color combinations considered excessively bright, garish, jarring, overly reflective or luminescent. The color or colors of an object must compliment the overall appearance of the home and not distract from it in a way that draws excessive attention to the object.

Design: Items must be compatible in general style and in quality of materials and workmanship with the architectural characteristics of the applicant's home, adjoining homes, and the neighborhood setting.

Intrusiveness: Objects must not substantially intrude by sight, sound, or smell upon adjoining homes or the neighborhood setting.

Materials: Objects must be made of suitable natural or man-made materials capable of withstanding outdoor weather conditions and must be capable of maintaining an attractive appearance. An object may be allowed to become mossy, rusty, or weathered only if it is appropriate to such an object and only if it presents an attractive appearance compatible with the home, adjoining homes, and the neighborhood setting.

Relationship to the environment: Objects shall not create an adverse impact on the natural environment by their installment or location. The ARC will consider such issues as an alteration

in the rate or direction of water runoff, the removal of trees or other substantial plants, and/or the creation of attractions, which are hazardous to wildlife by their nature or location.

Safety: Objects shall not create a hazard to public safety or become an “attractive nuisance.”

Taste: Objects must avoid using words and designs that are, by their nature, inflammatory, offensive, or vulgar to the community.

EXTERIOR LIGHTING: ARC approval not required if the following provisions are met.

1. Such alterations or additions should be for the purpose of improving footing, navigation or security.
2. Lighting may not be so installed as to illuminate any portion of an adjoining lot or to shine into any window. The amount of light produced should not be so excessive as to create a distraction or have a negative impact on the neighborhood.
3. Proposed replacements or additions must be compatible in style and scale with the applicant’s house, and applications must include their location, number of lights, style, bulb color and wattage.
4. Recommended fixtures include low voltage ground-mounted style that may be wholly or partially concealed by plantings.
5. It is recommended that before any digging is initiated, the applicant “call before you dig” for locations of existing utility lines.

**The installation of lamp posts DOES require ARC approval in advance.

Colored bulbs designed to repel insects may be installed only in lighting fixtures located at the rear of the house. Proposed lighting shall not be approved if it will otherwise result in adverse visual impact to any other property, due to factors including but not limited to location, color or wattage. As the effects of proposed lighting may be difficult to assess prior to installation, the ARC reserves the right to require correction, including but not limited to removal, modification of lighting found to cause adverse impact after installation.

Temporary lighting for decoration, holiday and festival use, does not require a formal application provided that it complies with the rest of this document. Holiday lighting should be operative for a period not to extend six weeks. After the period of use, all temporary lighting and decorations shall be removed. If a display creates significantly increased traffic flow, the owner may be asked to remove it.

FENCES: Requires approval. Please refer to South Pointe Estates fence guidelines.

FLAGS: Freestanding flag poles will not be allowed. Flag poles that attach to the house do not require approval but no more than 2 such poles are allowed, and these poles cannot be over 6’ long. American Flags should be 3’ x 5’ in size and hung at a 45-degree angle. Flags (24” x 36” in size) for a holiday or sporting event may be installed 72 hours prior to and must be removed 48 hours following such event.

Garden flags (small flags) that are inserted in the ground do not require approval but shall be limited to one for the front side of the home, provided it complies with the rest of this document.

GARAGES: No alterations, additions or improvements are permitted to any garage that would defeat the purpose for which it was intended. Garage space may NOT be converted to a living area (i.e. family room, bedroom)

GRADING AND DRAINAGE: Changes in grading e.g. berms, mounds, etc. or channeling of any drainage and downspouts must not adversely alter the flow of water of an adjoining property.

GUTTERS AND DOWNSPOUTS: ARC approval not required if the following provisions are met. Gutters and downspouts must be white or match the color of the house or trim.

HOT TUBS/SPAS: Requires approval. Must be in the rear of the yard. Unit must have a fence for pools. Hot tubs can be installed without fences but there must be screening. Hot tubs/spas will be approved on a case by case basis.

HOUSE NUMBERS: ARC approval not required for replacement of the like kind. House numbers within the community are required for reasons of security and public safety. Written approval is not required for replacement with like kind. The ARC reserves the right to hold style and size to a community standard regulated in terms of aesthetic appearance.

LANDSCAPING:

Landscaping: Requires approval. Major landscaping must obtain ARC approval prior to the installation. No approval required if the existing mulch and/or pine needles are replaced with similar materials which are black, brown, cypress in color. All other colors and materials need approval. No approval required if existing seasonal plants are replaced with similar plants in size and height. All plantings must be a minimum of three feet from adjoining property line or the distance needed to prevent the plant(s) from impeding the property line. Landscaping must blend with existing plantings on both your lot and the adjacent lots. Proposed large shrubs and trees should be sufficiently set in from the property lines to avoid overhanging the property line or obstructing sight distance at intersections on corner lots at maturity. Side and rear yard drainage patterns shall not be adversely affected. Generally, items planted at least 3' to 5' from property lines will not affect drainage.

Shrubs or tree removal: No owner shall be entitled to cut, remove, or mutilate any trees, shrubs, bushes, or other vegetation having a trunk diameter of six (6) inches or more at a point of four and one-half (½) feet above the ground level, or other significant vegetation as designated from time to time, by the ARC, without obtaining the prior approval of the ARC, provided that dead or diseased trees which are inspected and certified as dead or diseased by the ARC or its representatives, as well as other dead or diseased shrubs, bushes, or other vegetation, shall be cut and removed promptly from any property by the Owner thereof. Owners shall not plant, replace, or remove any vegetation, including, without limitation trees and shrubs, in the front or side yards of the Unit without ARC approval.

MAINTENANCE OF PROPERTY: The appearance of each and every home in the community affects not only the overall look of the community but the individual property values within it. Property ownership in the community includes the responsibility for continued maintenance of all structures and grounds. This includes, but is not limited to, keeping buildings and structures in good condition and repair, removing all debris, pet excrements, and unsightly materials and keeping all shrubs, trees, grass, and other plantings neatly trimmed, properly cultivated and free of weeds.

All homeowners are responsible for inspecting their own property periodically to ensure that there is no faded or peeling paint, rotting wood, warped or loose siding, loose mortar or spalled masonry.

It is necessary that all wood surfaces such as door and window trim, bay windows, dormers, and garage doors be caulked, sanded and painted periodically to keep them in good condition.

All decks, fences and children's recreation/play equipment must be kept in good repair. The homeowner must replace rotting or warped wood. It is strongly suggested that all wood (decks, fences and other structures) be treated periodically with transparent wood preservative to maintain and enhance their condition.

Maintenance of Grounds: Homeowners are also responsible for the continued maintenance of all grounds and landscaping within their lots. The homeowner must keep grass, shrubs, and trees neatly trimmed, properly cultivated and free of weeds and pet excrements and other debris. Homeowners may not allow trees, shrubs, or plantings of any kind to overhang or otherwise encroach upon any sidewalk, street, pedestrian walkway, HOA common area or another homeowner's property.

Maintenance Summary: It is impossible to list and describe each and every component of a homeowner's lot that must be maintained and how it should be maintained. Suffice it to say that all exterior finishes, whether brick, metal, wood, or any other material, should be maintained in a state of good repair. A state of good repair consists of ensuring that the unit and its entire component parts look as good as it did when it was new. Siding must be clean and free of mold or soft areas must be sanded, caulked, and repainted. Homeowners must replace or, if possible, repair any rotted wood components. Windows, doors, garage doors, exterior roof and gable trim all need to be caulked and repainted on an average every few years. Costly repairs may be avoided if these areas are inspected and routine upkeep is performed every year. These standards are designed to ensure not only that all units look their best but also that costly repairs are not necessary because routine maintenance is performed in a timely fashion.

HOA Inspections and Fines: The HOA ARC has the right to inspect all properties within the community. Violations of these maintenance standards are violations of the community Master Deed Restrictions and may result in a Violation Notice. If a violation is not corrected within the specified time period, it can result in a Fine for non-compliance and additional costs if the community must take action to have the work performed to bring the unit into compliance. Fines will be placed as a lien against the offending property, which must be satisfied before the property is sold

Residential Parking: No on-street parking.

PARKING OF BOATS TRAILERS CAMPERS MOBILE HOMES AND RECREATIONAL VEHICLES: Parking of vehicles with equipment, ladders, racks, construction materials, storage used for commercial purposes or equipment, mobile homes, recreational vehicles, golf carts, boats or other watercrafts, trailers, stored vehicles or inoperable vehicles are permitted ONLY in garages. NOT on lawns, driveways, or streets. An inoperable vehicle is defined as any vehicle unable to be driven legally on a public roadway. Any vehicle such as a boat or camper, which is used for vacation purposes, may be visibly stored in the neighborhood for ONE (1) night ONLY at any given time in a row. This allows sufficient time for packing, unpacking, and/or cleaning of said vehicle.

ATV's. DIRT BIKES. ETC.: Not permitted to be used on property

PATIOS: Requires Approval. Patios that are not builder options require prior approval of the ARC.

Colors and Materials: Visible portions of patios must be constructed only of concrete, brick, slate, stone, or concrete interlocking pavers. Colors should coordinate with the existing materials and colors of the home and typically be neutral earth tones. Samples must be provided.

Drainage: Any impact to existing drainage requirements, which might result from the construction of a patio must be considered, addressed in the application and architecturally and environmentally sound mitigation proposed. All discharge must be contained on the homeowner's property. No portion of existing drainage systems shall be removed, nor their functioning be impeded.

PERGOLAS: Requires approval.

POOLS: No above-ground swimming pools are permitted.

PONDS/REFLECTING POOLS: Requires approval. Depth, appearance and size will be taken into consideration.

PROPANE/FUEL STORAGE TANKS: Requires approval. All propane or other fuel storage tanks shall be installed underground. Screening by panels or landscaping is required.

RECREATIONAL EQUIPMENT: Requires approval. All recreational structures are subject to approval, with special emphasis on the restraints of size accommodation, visibility, fencing, lighting, placement and shielding of mechanical equipment, and potential effect on neighboring property. Semi-permanent play equipment, which constitutes a structure or is appurtenant to an existing structure, requires approval.

Examples include sandboxes, playhouses, swing sets, etc. The following factors will govern approval of such equipment:

Location: All equipment must be placed in rear yards. All elements of the equipment must be within the homeowner's lot boundaries. Equipment should not be placed within 10 feet of the nearest structure, fence or wall and reasonably distanced from any public property such as greenways and streets. Equipment shall be maintained and positioned in accordance with manufacturer suggestions.

Scale and Design: The equipment must be compatible with the lot size. The design and any individual screening are additional considerations in evaluating whether or not there will be an adverse visual impact.

Height: The equipment must not be readily visible from adjacent roadways and common elements. Natural colors are encouraged.

Swing Sets: Swing sets may be metal, vinyl, or constructed of wood. Slides must not exit towards adjacent property.

Tree houses: Tree houses are not permitted

Play Areas: Play areas may include sandboxes and large mulched areas around play sets. Play areas must conform to the same side setbacks as fences, being 1 foot from the property line. The areas may be edged with timbers or other suitable edging material. To avoid the use of sandboxes by animals, you are encouraged to cover them when not in use.

Trampolines: Trampolines must be placed at least 3 feet from the property line and not visible from the street. They must be kept rust-free with no torn canvas or missing springs.

RENTALS: An owner may lease or sublet his Unit; provided, however that any lease or sublease must be for at least six (6) months. No unit shall be used as a timeshare or multiple ownership vacation plans.

RETENTION PONDS: No swimming, boating and bathing in water retention ponds

ROOF REPLACEMENT: ARC approval not required if the following provisions are met. New roofing of the same shape, color scheme and material as the originally installed roof can be installed without ARC approval. Any exception must be submitted for ARC approval, with samples and photos provided.

ROOF VENTS: Roof venting is permitted provided that such vents are mounted on the rear roof plane. Vent-types shall be limited to passive and/or mechanical exhaust styles.

SATELLITE DISHES: Does not require approval if it's installed based on the following:

-The dish is installed in the rear of the home or lot.

-If installed on the roof it must be below the ridge or peak of the roof.

An application must be submitted if a satellite dish is not installed in these locations. Screening will be encouraged and recommended for any visible dish. Satellite dishes are not permitted to be installed on fences or forward of the roof's ridge.

SECURITY BARS: The use of security bars or grates on windows and doors is discouraged. Homeowners concerned about the security of their homes are advised to consider alternatives, including alarms and sophisticated lock systems.

SIDING: ARC approval required for changes in color or material.

SIGNS: No signs shall be displayed on any unit with the exception of one "For Sale" or "For Rent" sign not to exceed 36" x 24" in size.

Political: One temporary political sign advertising a candidate or issue may be erected 30 days before the election, run off, primary or referendum. The maximum size of any such political sign shall be set forth in the Architectural Guidelines, from time to time existing, but in the absence of any such guidelines, shall not exceed more than ten (10) square feet. The Association may develop uniform sign standards and specifications in which all owners must adhere.

Property for Sale: Signs are not permitted for vehicles or merchandise for sale by owner.

Public event announcement signs: One small "house is alarmed" sign does not need approval. One garage sale sign, no larger than 18 inches by 25 inches may be permitted in the community with approval from the Board or ARC

SKYLIGHTS: Requires approval. Skylights should match the roof color and blend with architecture.

SOLAR PANELS/SCREENS: Requires approval. Solar panels/screens must be the same color as the main color of the house, the trim or accent.

SCREEN/STORM DOORS: Approval not required if the screen/storm door trim matches the trim of the house color of the door. Only clear view storm doors are acceptable.

SWINGSETS/PLAY STRUCTURES: Requires approval. See recreational Equipment.

SWIMMING POOLS: No above ground swimming pools are permitted.

TRASH CONTAINERS: Containers must be kept out of view at all times, except when placed at curbside, no earlier than the morning to the regularly scheduled trash or newspaper pick-up. Containers must be retrieved and placed out of view as soon as possible the same day as regularly scheduled pick-up.

TREES: Requires approval. Any tree desired for planting in the rear or side yard of the property requires ARC approval. It is suggested that tree be planted no closer than three (3) feet from the closest structure and consideration be given to the development of the tree to maturity.

TREE MAINTENANCE: Homeowners are responsible for continued maintenance of the grounds, which are part of a homeowner's lot, including trees and plantings.

TREE REMOVAL: see "LANDSCAPING".

WALKWAYS: Requires approval. The installation of any new walkways (concrete or other material) needs prior ARC approval.

WINDOWS AND DOORS: ARC approval not required if the following provisions are met. Replacement windows and doors that fit pre-existing openings and comply with the existing color scheme and style are permissible.

WIRES AND CABLES: ARC approval not required if the following provisions are met. Wires and cable, including those installed to convey radio or television signals, shall be hidden, buried or secured flush with the side of each house and painted the same color as the background, so as to minimize their visibility.

YARD FURNITURE: Requires approval. Lawn furniture to be utilized anywhere other than in the rear yards requires ARC approval.