

# Linwood Farms HOA

Architectural Control Committee Rules and Regulations hereafter referred to as  
Architectural Review Committee (“ARC”) Rules and Regulations

*Guidelines are routinely reviewed by the Board and ARC and can be modified during that review.*

## Article 1. Objective

This document is a guide for both members of the Architectural Review Committee (“ARC”) and Linwood Farms homeowners. The purpose of these Architectural Review Committee Rules and Regulations (the “Rules and Regulations”) is to assist the homeowner in complying with the Declaration of Covenants, Conditions and Restrictions (“Protective Covenants”). The rules and regulations address those exterior improvements for which homeowners most commonly submit applications and are not intended to be all inclusive. These rules and regulations are presented as "performance criteria" that outline minimum requirements necessary to meet the intent of the Protective Covenants.

**Please be advised that according to the relevant parts of the [Declaration of Covenants, Conditions and Restrictions](#), all exterior improvements and changes are subject to the approval of the ARC by way of application and should not be started until approval of said application has been granted.**

These guidelines and subsequent ARC approval do not remove the homeowner's responsibility to meet all Mooresville and Iredell counties, regulations and restrictions, and to obtain all necessary permits.

The merits of each application will be considered on a case-by-case basis wherein the homeowner has the opportunity, if need be, to express individual needs inherent to his or her particular situation or request. An example might be the extenuating circumstances of an environmental problem impacting the homeowner and no one else within the community. Simply, any application that establishes a case for a unique request based upon a unique problem that is judged to be valid, will receive special consideration. The use of these guidelines should assist the homeowner in gaining timely ARC consideration.

## 1.1 Specific Objective

The specific objective of this document is to provide uniform minimum guidelines to be used by the ARC in reviewing applications, in light of the requirements set forth in the Protective Covenants of Linwood Farms Home Owners Association, Inc.

1.1.1 To increase the homeowners' awareness and understanding in meeting the requirements of the Protective Covenants.

1.1.2 To provide basic design principles and concepts that will assist Linwood Farms homeowners in developing exterior improvements which are in harmony with the community as a whole.

1.1.3 To assist homeowners in preparing an acceptable application for submittal to the ARC.

1.1.4 To maintain and improve the quality of the living environment within Linwood Farms.

1.1.5 To protect the value and desirability of the real property.

## 1.2 Introduction

All homeowners benefit from the planning and design that are important parts of the development of our community. The design controls and rules and regulations contained herein are developed as a means to assure homeowners that a high standard of design and quality is maintained.

The maintenance of design and quality will in turn protect property values while enhancing the overall environment of the community.

These guidelines are directed to exterior alterations and additions erected or maintained upon the lot; however, the Linwood Farms must also review plans for all new construction by builders to ensure adherence to the Protective Covenants.

Every homeowner should have received a copy of the [Declaration of Covenants, Conditions and Restrictions](#) at time of settlement on his or her home. If a homeowner does not have a copy, please contact the Linwood Farms. It is imperative that they be read and understood.

The purchaser of any Lot, upon becoming the Owner, shall be personally liable for remedying any such existing violations.

## 1.3 Protective Covenants

The legal document responsible for the maintenance and control of quality of design within the community is the Protective Covenants, which are a part of every deed of home ownership. These guidelines supplement the Protective Covenants.

Each homeowner is legally bound to the rules, regulations and stipulations of these covenants. Ignorance, indifference or lack of possession does not excuse or nullify this obligation.

Among other things, the Protective Covenants establish the Linwood Farms and the ARC. The ARC is empowered by the Protective Covenants and appointed by the Board of Directors of the Linwood Farms HOA to ensure that proposed exterior alterations comply with the standards set forth in the document.

Among the duties delegated to the ARC is the principal responsibility to review all applications for exterior alterations submitted by homeowners. The ARC is also responsible for notifying the homeowners of any infractions on their property that must be rectified.

#### **1.4 Amendments to these Rules and Regulations**

These rules and regulations are subject to review by the ARC. Homeowners are invited to submit written proposed changes or recommendations. Revisions to the guidelines are approved solely by the Linwood Farms Board.

#### **1.5 What Must Homeowners Have Approved?**

All exterior alterations to a homeowner's property must have approval of the ARC before work begins. Any work contracted for should have a contingency subject to the ARC approval. Upon approval, no change can be made without the consent of the ARC. Approvals are valid for 365 days, after which re-approval is required from the ARC.

#### **1.6 How to Make an Application**

An ARC application form is available on the community web page at <http://www.linwoodfarms-hoa.org>. In addition, when an application is being prepared, homeowners must use copies of the homeowner's property plot plan for use in illustrating structures such as fences, patios, decks, etc. This helps the ARC to visualize the proposed request in the proper perspective of the existing property. When the application is for exterior color change of siding, roof, shutters, trim, doors, etc., samples of color chips should be included along with a description of the existing color. Color photographs are required.

#### **1.7 The Application**

Copies of final plans should be submitted to the ARC. All submitted applications and supportive information will be retained on file in the ARC records. These documents will be maintained by the ARC and will not be returned. Upon approval of an application, homeowners will receive an approval letter and a copy of the first page of the submitted application for reference. Applications need to include the following items:

1.7.1 Plot plan showing dimensions, relation to the house where it will be constructed, and relation to adjacent residences, property lines and proposed landscaping and/or screen planting.

1.7.2 Description of type of materials to be used.

1.7.3 Color samples of exterior paint, siding, roofing, trim, doors and other building materials as applicable. These are required for exterior color changes.

1.7.4. Color photographs are required. Samples of professional brochures and sketches to further illustrate design and style are strongly encouraged.

1.7.5 If applicable, sketch or photograph showing in elevation the relationship to the applicant's house and adjacent residences.

1.7.6 All information and details pertaining to railings, posts, stairs, steps, benches, current house and trim color and other such items as applicable.

1.7.7 Any other descriptive information which would assist the ARC in the approval of the submitted application.

1.7.8 Estimated starting and completion date.

## **1.8 ARC Review Criteria of an Application**

All applications submitted will be evaluated for conformance with the ARC guidelines and Protective Covenants, along with their individual merit and relevancy towards maintaining continuity and value status of the community as intended by the Protective Covenants.

### **Location and Impact on Neighbors**

The proposed application change must relate favorably to the environment of the area. Points that must be considered include view, sunlight, drainage, access ventilation and privacy. To illustrate, certain additions to the house could affect the view, access, ventilation or the sunlight of an adjacent property. In those cases, it is imperative to discuss proposed changes with the homeowner's neighbors prior to making an application.

The ARC encourages cooperation between neighbors to help ensure the continuity of community standards and values. You are encouraged to submit the homeowner's neighbors' signatures of acknowledgement of the project with the ARC application.

### **Design Compatibility**

Proposed changes must be compatible with the architectural characteristics of the applicant's house and yard, as well as adjoining homes and the entire community setting. This encompasses similarity of architectural style, quality of workmanship, similar use of materials, colors and construction details. Reference to existing or similar modifications to other homes are not a basis for approval.

### **Workmanship**

The quality of workmanship involving alterations or additions is as important as any other consideration. The work must be equal to or better than that of the existing or surrounding structures. Failure to maintain this standard would only result in shoddy construction, problems for the owner, a detrimental appearance and the possibility of creating a safety hazard.

### **Materials**

Continuity is a necessary consideration with relationship to the materials being used. Options may be limited to the design and materials of the original home. However, other properly coordinated components may be acceptable.

**Color**

Color can play an important part in the overall appearance of a home and yard. A change that is inconsistent with the color scheme of the community could have a negative impact on the value of other properties. As such, components of additions that are similar to the existing house, such as roofs and trim, should be matching in color.

**Scale**

The actual finished size of any proposed alteration or change should balance and complement adjacent structures and surroundings. The backyard is defined as the area in the back of the house and in a line from each corner of the back of the house directly to the lot side boundaries.

**Timing and Homeowner Responsibilities**

Projects that remain uncompleted for long periods of time are visually objectionable and can be both a nuisance and safety hazard for neighbors and the community. We therefore encourage expeditious completion of all projects.

All applications must include an estimated completion schedule. If unforeseeable or uncontrollable delays are incurred, please advise the ARC so that potential complaints may be properly addressed.

Approvals are valid for 90 days unless specifically requested or noted otherwise, after which re-approval is required from the ARC.

Homeowners are responsible for adhering to appropriate county safety and building codes. The Board of Directors reserves the right to take appropriate action against unsafe or unsightly conditions, during and following construction.

**ARTICLE 2. ARC Activities and Procedures****2.1 Identifying ARC Rules and Regulation Non-Compliance**

The ARC *identifies* homes as potentially in *non-compliance* with the ARC rules and regulations or the Protective Covenants in the following ways:

2.1.1 Any homeowner may report potential non-compliance of the ARC guidelines directly to the ARC. This includes side and back yards that are not viewable from the street.

2.1.2 Members of the ARC and Management Company representatives conduct random and planned walkthroughs of the community to identify non-compliance. These walkthroughs do not include entering onto the property, so noncompliance that is not visible from the street or sidewalk is not identified by a walkthrough.

## 2.2 Maintenance

Proper maintenance of all structures and grounds are the responsibility of the homeowner. This includes lawns, fences, landscaping, playground equipment, sporting equipment and unattached structures. Items that are observed for noncompliance during walkthroughs can include the following:

2.2.1 Each lot is observed for overall continuity and conformity with regard to the ARC Guidelines and Protective Covenants. Outdoor lighting, proper storage of landscaping and barbecue equipment, lawnmowers, grills, firewood, workmanship on existing and new structures, and storage of building/construction materials can be noted.

2.2.2 House, garage and fence items are observed for general maintenance needs such as cleaning, painting, repair and if necessary replacement of old, worn, broken or missing items. This can include siding, trim, roofing, shutters, gutters, chimneys, attic grills/vents, house doors and garage doors, windows, screens, satellite dishes, solar panels and porch/deck/patio areas as visible from the street. Paints and materials that are pre-colored do fade and streak. For these, homeowners will need to repaint or replace with the original color or request a change in color through the ARC.

2.2.3 Unattached structures can include sheds, greenhouses, mail boxes, paper boxes and posts, outdoor post lighting, playground equipment, basketball equipment and storage of refuse containers.

2.2.4 Landscaping items can include general maintenance needs on lawns, such as mowing and weeding grass areas, maintaining garden areas and retaining walls, trimming trees, shrubs and stumps as necessary, removing dead trees, shrubs, branches and stumps, and edging along sidewalk and driveway areas.

2.2.5 Vehicles on or near a homeowner's property can be cited for noncompliance. These can include commercial, non-licensed, and non-operating vehicles as well as boats, campers, trailers, motor homes and the like.

Failure of the homeowner to accept this responsibility could result in corrective action being required.

## 2.3 Notification

After the ARC has *identified* a home that is potentially in non-compliance, the ARC will continue the process by *notifying* the homeowner of the potential noncompliance. The non-compliance notification must include:

2.3.1 The homeowner's name, address.

2.3.2 A description of the items in non-compliance.

2.3.3 A reference to the Linwood Farms Architectural Guidelines and optionally a description of the pertinent section of the guideline.

2.3.4 The ARC will notify a homeowner once before making a recommendation to the Linwood Farms Board. A homeowner has ten (10) days to respond to each notice.

2.3.5 If the homeowner fails to respond or bring the home into compliance within

ten (10) days of the notice, the ARC will recommend action to the Linwood Farms Board.

## **2.4 Homeowner Response**

A homeowner may write or email the ARC to resolve the complaint. There is no rigid set of rules for a proper response and the ARC reserves the right to continue the process at its discretion. The homeowner may appeal to the Linwood Farms Board at any time during the process. Some possible responses include:

- 2.4.1 Explain that some corrective action has or will be taken by a certain date.
- 2.4.2 Justify why the home is in compliance.
- 2.4.3 Submit an ARC application for approval.
- 2.4.4 Attend an ARC or Board meeting to discuss the non-compliance.

## **2.5 Appeal**

If a homeowner disagrees with the contents of a non-compliance letter, they may request a review by the ARC. If the ARC determines that the home is in compliance, the homeowner is notified. If the ARC determines that the home is in non-compliance, the ARC will continue the process.

## **2.6 Recommendations to the Linwood Farms Board**

After the ten (10) day response period of the violation notice has elapsed, the ARC will recommend action to the Linwood Farms Board in writing with supporting material. These rules and regulations do not describe Board procedures for handling ARC non-compliance or appeals.

# **Article 3. Exterior Alterations (Major)**

Major alterations are those that substantially alter the exterior of the existing structure either by adding a new section, modifying an existing section or removing an existing portion of the structure.

## **3.1 General Guidelines**

The design of exterior alterations should be compatible in scale, material and color with the existing structure and adjacent structures.

Pitched roofs on additions should match the slope of the existing roof on the applicant's home.

New windows and doors should match the type used in the applicant's house and should be situated in such a way that they blend with the existing doors and windows.

If changes affect drainage, they must be indicated. Drainage changes which will have an adverse effect on neighboring properties generally will not be approved.



## **3.2 Garages**

Garage doors should be of the overhead type. Any ornamentation type or changes including replacements must be approved by the ARC.

## **3.3 Driveways and Parking Pads**

Only hard stabilized surfaces of concrete will be approved. Any driveway extension over five (5) square feet must have ARC approval. No vehicle will be permitted to be parked on the lawn. Vehicles must not be parked in driveways so that they block access around or to the sidewalk.

## **3.4 Additions**

The design of an addition should incorporate the major features of the house to include such items as vertical and horizontal lines, projections and the trim details.

## **3.5 Decks**

Since decks are an extension of the house and have much to do with its overall appearance, certain guidelines must be taken into consideration. Remember that decks affect the privacy of neighboring properties. These two factors are considered heavily in the review of all applications.

3.5.1 Any changes to existing decks should provide for continuity in regard to items such as materials, color and overall design of railings and trim.

3.5.2 The placement of decks should take into account the relation to the overall plan of the house and other exterior windows, doors, etc.

3.5.3 Decks should be in the rear yard.

3.5.4 All materials used in the construction of decks and the colors should complement the house colors. A legitimate option here would be to leave the wood in a natural state.

3.5.5 Privacy of adjacent homes should be considered when planning decks.

3.5.6 Planting should be provided at post foundation and on low decks to screen other structural elements and soften visual impacts.

## **3.6 Patios and Ground Level Decks**

Patios should be constructed in the back yard. Front and side locations will be reviewed on a case-by-case basis.

Patios and decks should be constructed of wood, synthetic wood, stone, brick or concrete. If wood is used and not left to weather naturally, then the color used should blend with the surroundings.

Care should be given to drainage so as not to adversely affect surrounding properties.



### **3.7 Porches**

Porches are also an extension of the house, but unlike decks and patios, porches may be attached to the front of the house.

3.7.1 Any changes to existing porches should provide for continuity in regard to height and such items as materials, color, and overall design for railing and trim.

3.7.2 Porches must relate according to the plan of the house and established porch plans for the homeowner's model within the community. Front porches within the community are roof covered. Additionally, roofing tile matched to existing roofing tile.

3.7.3 Plantings should be provided at post foundations to screen other structural elements and to soften visual impact.

### **3.8 Window Air Conditioner Units**

All homes in Linwood Farms have central Air Conditioning Units. Window Units are not allowed on the front or sides of the home. Rear windows of the home may be used.

## **Article 4. Fences**

### **4.1 Summary**

Generally, fencing is an area that will be of primary concern for the community, as many homeowners will build fences to effect privacy, security and physical/visual definitions.

While individual tastes are of paramount concern, the entire community can be affected by the building of a fence that creates a 'closed' atmosphere.

Please understand that the guidelines presented are general in nature and each fence will be considered on its individual merit. Approval, rejection or modification will be based in part on the individual need and desired effect of the proposed fencing.

Property line fencing should be rendered as unobtrusive as possible to minimize the visual impact on the open character of Linwood Farms. Fencing should not detrimentally limit the line of sight for vehicles that may use roads located close to properties. Planting and vegetation around the fencing must be kept in a neat and orderly state.

No fences will be allowed in the front yard. Any existing decorative split rail fences at the front corners of the property that are properly maintained will be allowed to remain. Fences should generally be restricted to the rear and must not exceed six (6) feet in height.

### **4.2 General Guidelines**

Careful consideration should be exercised when planning the fence so that the physical and visual impact on neighbors is minimal. When considering fencing for a

homeowner's property, please remember that one of the primary objectives within these overall guidelines is to maintain an open atmosphere within the community.

The ARC would like everyone to give first consideration to the alternatives for fencing, such as landscaping and plant materials. If, however a fence is chosen to satisfy a homeowner's needs, the following general criteria should be considered:

Planting may be integrated with fencing to soften any harsh effects of a long stretch of stark fence.

Gates should match the fence in design, material and color. The fence must be installed with the finished side of the fence facing out. **(See 4.6 Approved Fence Styles, for descriptions and illustrations).**

Stockade, basket-weave, chain-link, and barbed-wire fencing are not acceptable. **(See 4.7 Unacceptable Fence Styles, for descriptions and illustrations.)**

Green or brown wire or vinyl mesh attached to the inside (within the homeowner's yard) of open fence styles such as split rail is acceptable and will be considered for approval on a case-by-case basis by the ARC. Material must not be installed higher than the fence (not post).

Fence types depend primarily on the need or use required by the fence to be built. The following definitions and illustrations will assist the planner in determining the type of fence needed.

#### **4.3 Property Separation**

If the goal of the homeowner is property separation, but not privacy, then an open fence such as a split rail provides a physical and visual definition of the property without obstructing views and creating a closed situation. Fences shall be installed with finished side outwards, posts on the inside.

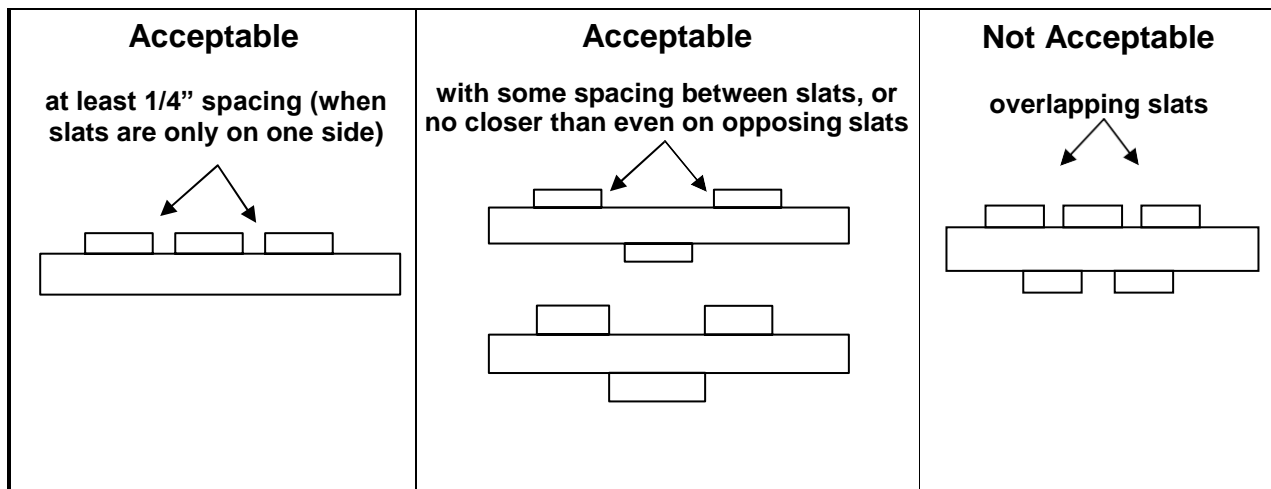
#### **4.4 Security**

Should a homeowner desire more security than can be provided by an open style fence (discussed above), then a fence using a vertical architectural style is allowed. For example, picket fences (with adequate spacing between boards), or board-on-board fences are acceptable in that they satisfy most security objectives while maintaining a degree of openness in the community.

#### **4.5 Privacy**

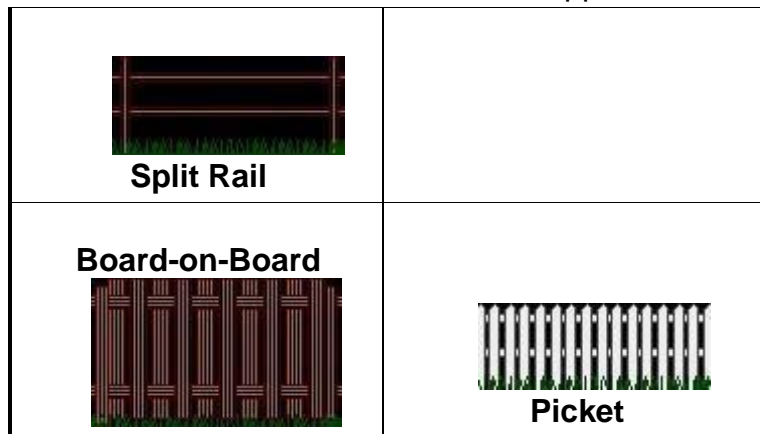
Privacy may be achieved with a semi-open fence or a board-on-board fence. Each board must not overlap.

This diagram illustrates how the relationship of the fence to the area to be 'hidden' is affected by the location of the boards on the fence.



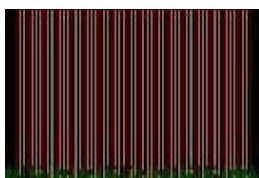
#### 4.6 Approved Fence Styles

The following illustrated fence styles are approved. Lattice, decorative and scalloped topped fences are also encouraged. Wrought iron, powder coated aluminum and PVC fenced will also be allowed with ARC approval.



#### 4.7 Unacceptable Fence Styles

Certain types of fences are inconsistent with the objective of maintaining a degree of openness and projecting a friendly community atmosphere. These include stockade, basket weave, chain-link, and barbed wire fences, as well as hedges intended for fencing.



**Stockade**



**Basket Weave**



**Chain Link**



**Barbed Wire**

## **4.8 Height**

The height of a fence should generally be reflective of the topography and purpose that the fence is being built to accomplish. A fence should be no taller than six (6) feet high.

When the fence makes a turn from the front to the rear, and the fence is four (4) feet in height at the front, and no higher than six (6) feet at the rear, it should graduate in height within the first section of fencing, which is usually eight (8) lateral feet.

## **4.9 Additional Application Requirements for Fences (See also article 1.7 The Application)**

The application for fencing should also include the following:

4.9.1 Plot plan showing relation to adjacent property lines, houses and open space with proposed and existing fence.

4.9.2 Fence style, material and color. (photos should be included)

4.9.3 Dimensions.

4.9.4 Since fencing close to property lines affects neighboring properties, it is suggested that fencing schemes be discussed with neighboring homeowners and that their comments be included with the application.

# **Article 5. Recreation and Play Equipment**

## **5.1 Location, Materials and Color**

Children's play equipment must be placed in the rear of yards. The use of natural material for recreational and play equipment is encouraged. The proper use of wood, material and paint may be necessary to make this equipment as unobtrusive as possible.

## **5.2 Maintenance**

All recreation and play equipment should be properly maintained so as not to have a negative effect upon a homeowner's property and neighbors. Begin by making it look attractive and keep it that way. Fading/peeling and rusting must be repaired. Broken or neglected equipment must be fixed or removed.

## **5.3 Basketball Poles/Goals**

No fixed/permanently mounted basketball poles or goals will be allowed. Any portable basketball poles and goals shall be maintained in good operational condition.

In accordance with the Town of Mooresville standards, playing ball on the streets or having basketball poles near the streets is prohibited. No person shall play ball on any of the streets of the town. No person shall erect, install, or place a basketball hoop within (10) feet of the street right of way.

## **Article 6. Solar Panels**

Due to differing house styles and new advancements in solar technology resulting in new panels, designs and changes in size requirements, each request for approval will be considered individually on its own merits.

A panel which lies flat with the roof pitch would be the most readily accepted. When a flat installation is not possible, design considerations must be given to how the installation will blend in with the design of the building.

Installations which are more easily seen from the street or neighboring properties require more attention towards blending them as inconspicuously as possible with the existing structure.

### **6.1 Panel, Mounting and Color**

6.1.1 The panels should be mounted as close to flat on the roof as possible.

6.1.2 No part of the installation should be visible above the peak of the roof on which it is mounted.

6.1.3 All non-absorbing parts must be painted to match the roof or in certain circumstances, be enclosed and painted to match the background.

6.1.4 There should be minimal space between panels.

6.1.5 Piping, wiring and color devices must be hidden or minimally visible.

### **6.2 Additional Application Requirements for Solar Panels (See also article 1.7 The Application)**

The application for solar panels should also include the following:

6.2.1 Drawings and/or photos showing proposed location on the roof, with color photos taken from street.

6.2.2 Detailed information regarding size, installation details, materials and color. Manufacturers' brochure would be helpful.

## **Article 7. Storage Sheds**

Only one shed will be approved per yard. A larger shed can replace an existing shed. When a property is sold with two sheds the seller will be requested to remove one of the sheds.

No metal will be approved. Experience has shown that metal sheds are not as structurally sound as wooden sheds. They deteriorate quickly in both stability and appearance due to weather factors and rust. Also, no plastic sheds will be allowed. When a property is sold with an existing metal shed the seller will be requested to remove the metal shed.

## **7.1 Location**

Sheds must be located in rear yards and may not be attached to the house. Special care should be given to the location of the shed on the property so as to lessen any negative impact that the shed may bring to the property itself. The homeowner may be encouraged to include evergreens, landscaping, trellis forms, lattice work, etc., to soften the visual impact.

## **7.2 Materials and Color**

Materials and color should match or be compatible with the house or fence to which it is most visually related or physically attached. This includes matching major materials such as vinyl siding, roofing, dominant colors and construction details such as trim and the pitch of roof. Roofs shall be A frame style and orientation shall be with the major rooflines of the home. Windows must match each other and door(s) on the shed.

## **7.3 Construction**

Storage sheds of straightforward and non-ornamental design will be considered based upon their individual merits. Consideration will be given to how it will be shielded by landscaping and other optional methods of concealment.

The ARC has consistently preferred matching shed to house colors regardless of location. The shed will not exceed ten (10) feet in height Overall – no greater than 10 feet in height with a maximum sidewall height of 7 feet., twelve (12) feet in length, twelve (12) feet in width and a total of 144 square feet.

# **Article 8. Storm and Screen Windows and Doors**

When installing storm doors, care should be given to the general appearance of the development and surrounding properties. They should be plain without ornamentation. Preferably, the color should match the door, frame or the predominant color of the trim.

The frames of storm/screen windows should blend with the color of the trim. Full view glassed or screened storm doors are preferred.

## **8.1 Replacement of Windows and Doors**

If windows and doors are replaced by the same color and style anywhere on the house, they do not have to be approved by the ARC. Keep in mind that all windows in the front shall be the same style. This should also apply to side windows that are readily visible from the street. Front and side windows that are visible from the street that are going to be replaced with a different color or style need to be approved by the ARC. An exception to this requirement is that replacement windows may be white-trimmed.

## **Article 9. Swimming Pools**

This section of the guidelines is oriented toward all pools. The impact of required security fencing on open space is significant and must be carefully related to adjacent property. In addition, the homeowner should consider safety within the pool area as well as the impact of increased noise levels on adjacent property. Proposed swimming pools should be discussed with adjacent homeowners. No above ground pool will be allowed.

It is the homeowner's responsibility to ensure that the pool conform to applicable local and county codes. Careful attention must be taken to ensure the proper flow and routing of natural drainage. Contours maps will be required to ensure water flows properly.

### **9.1 Pool Location**

Pools should be located in rear yards, although consideration will be given to property of unusual configuration or unusual topographic features. Generally, the wall of a swimming pool should be kept an adequate distance away from adjacent property. Removal or disturbance of existing trees should be avoided or minimized.

### **9.2 Pool Fencing**

A fence must protect the pool and any mechanical equipment. Fences and gates should conform to that portion of these guidelines pertaining to fencing. **(See Article 4. Fences)**. Approval of the fence will be considered a part of the swimming pool application and must be contingent upon completion of the pool.

## **Article 10. Miscellaneous**

### **10.1 Dog Houses and Runs, Pets, Nuisances**

Dog houses should be compatible with the applicant's house in color and material, and should be located where they will be visually unobtrusive. No Chain link fences for dog runs will be considered. No dog run or pen may be constructed or maintained on any lot unless such dog run has been approved in writing by the ARC.

No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No animals, livestock, or poultry of any kind shall be kept or maintained on any lot or in any dwelling except that dogs, cats or other household pets may be kept or maintained provided that they are not kept or maintained for commercial purposes. The number of household pets generally considered to be outdoor pets such as dogs or cats shall not exceed three (3) in number except for newborn offspring of such household pets which are under nine (9) months of age. Pitbulls are expressly prohibited, and the Association shall have the right to prohibit, or require the removal, of any dog or animal, which after consideration of factors such as size, breed and disposition of the animal, interference by the animal with the peaceful enjoyment by the Owners of their lots and the security measures taken by the owner with respect to such animal, the Association, in its sole discretion, deems to be undesirable, a nuisance or safety hazard.



## **10.2 Exterior Lighting**

Additional or changed exterior lighting fixtures should be compatible with each other and match the style and scale of the house.

Flood lighting is not permissible on the front of the house.

## **10.3 Exterior Painting**

Matching of existing colors during the process of repainting or re-staining does not require application approval. However, when a color change is anticipated and involves the exterior appearance of a home (doors, windows, shutters, roof, trim, garage door, etc.), it will require an application approval. A color photograph of the homeowner's house is encouraged. Any change should be considerate to the color continuity and theme of other homes in the general area. The front door of the home must match the color of the shutters on the home. All must be properly maintained from fading, peeling or chipping.

## **10.4 Firewood**

Preferably, firewood should be located in rear yards. If it is placed on the side of the house, it should not be visible from the street. This can be achieved by landscaping or fencing, but must not exceed the top of the homeowner's fence.

## **10.5 Commercial Vehicles**

Commercial vehicles are not permitted within the community as well as any vehicle that displays material in the back that can be construed as commercial in nature. Having said that, we are allowing pickup trucks and vans with or without signage on the side of the vehicle. Racks are included as long as no ladders or other materials are on them. Pickup trucks should not have any commercial tools, whether powered or not visible.

## **10.6 Inoperable Vehicles**

Inoperable vehicles are not permitted to be parked overnight within the community.

"Inoperable vehicles" include but are not limited to:

10.6.1 Any vehicle, trailer not in operating condition, or without a current license plate. This also includes vehicles tagged.

10.6.2 Any vehicle, trailer which has been partially or totally disassembled by the removal of tires, wheels, or other essential parts required for operation of the vehicle.

Any of the above vehicles may be garaged. Vehicles will not be allowed to be stored in yards behind fences.

### **10.10 Motor homes, Campers, Boats and Trailers**

Motor homes, campers, boats and trailers are not permitted to be parked regularly overnight within the community. Infrequent or occasional occurrences may be allowed with Board approval in advance.

### **10.11 Landscaping**

ARC approval is needed when shrubbery is planted in place of a fence. **(See Article 4. Fences)** The mature height and width of the plants or trees should be considered along with possible damage to the surrounding areas. Care should be taken not to obstruct street corners, sidewalks or the homeowner's neighbor's view. Be considerate of the potential height of trees in regard to neighbors' dish antennae. Trees, shrubbery and vines must not hang over the sidewalk less than seven (7) feet, even when raining, for the entire width of sidewalk. All landscaping must be trimmed back so it does not protrude onto the sidewalk. All shrubs and bushes should be trimmed back and maintained on the front of the home such that it does not block any of the windows.

## 10.12 Mail and Paper Boxes

There are three options available:

The original wooden mailboxes installed by Ryland which must be maintained in a presentable manner. The color can be the original dark hunter green, black or can match the color of the homes front door/shutters. No bare wood posts are allowed. House numbers must be posted clearly visible on at least one side of the mailbox and/or the front of the mailbox. Mailboxes must be properly maintained. They should be free of rust, paint well covered with no bare metal or wood spots, no bent metal or severely warped or sagging wood pieces. Maintenance can and will be cited by ARC review.

No plastic mailboxes or posts will be allowed.

A Wendover model mailbox available from Carolina Mailboxes in Charlotte. Price is \$137.00 and if you choose to have it installed they will do it for \$60.00. It's not as heavy duty as the one from Watson Steel, but has a very similar style and more reasonable in cost.

<http://www.carolinamailboxes.com/store/mailbox-systems/wendover.html>



Watson Steel and Iron is the final option. To contact Watson Steel and Iron about a new mailbox, call (704) 821-7140. Tell them you are in Linwood Farms Subdivision in Mooresville, and they have (and will install) the approved mail boxes for our neighborhood. The cost for this one is a bit over \$300.



As always, please make sure to file an ARC request before making any changes including changing your mailbox to an approved style.

### **10.13 Permanent Barbecues**

Permanent barbecues should be landscaped so that they blend into the background rather than become the dominant feature of the backyard. Portable barbecues must not be left in the front or side yards or be visible from the street.

### **10.14 Refuse Containers**

10.14.1 Trash cans, refuse containers and bags of garbage should be placed on the curb no earlier than the night before the scheduled pick-up day. They must also be returned to the proper storage place within 24 hours of pickup.

10.14.2 Trash cans, refuse containers and bags of garbage must not be visible from the street or sidewalk at other times.

### **10.15 Retaining Walls and Landscaping Stones**

Retaining walls may be used as a landscaping feature as well as to improve drainage patterns. Any walls installed should be minimal in height.

Wood, rock and masonry are acceptable materials as long as the walls installed are appropriately landscaped. Retaining walls and landscaping must be approved by the ARC in advance and must be properly maintained at all times.

### **10.16 Television Antennas and Satellite Dishes**

All external television antennas and satellite dishes require that an application be submitted to the ARC. The ARC recognizes the authority of the FCC's Over the Air Reception Devices (OTARD) Guidelines and the Telecommunications Act of 1996.

10.16.1 Television antennas (old style with cross bars) must first be tried in the attic before mounting outside.

10.16.2 Satellite dishes may not exceed one (1) meter in diameter and placement will be dictated by signal reception. All other things being equal, the community asks homeowners to consider the aesthetics impact when placing the dish on the home.

10.16.3 The primary location of any satellite dish is to be on the back side of the house, not visible from the street. If located close to the ground and visible from the street, use

evergreen landscaping to make the dish as obscured as possible from the street and sidewalk.

### **10.17 Rain Barrels**

Rain barrels are encouraged to promote water conservation. They are to be placed in the rear of the property out of sight from the roadway if at all possible. ARC approval is required in advance for installation.

### **10.18 Signs**

Signs on a lot are limited to two (2) square feet pursuant to the Protective Covenants. Temporary political advertising and real estate transaction signs are permitted, but must be removed once the election or transaction is completed. Permanent signs are in general not permitted.

### **10.19 Vegetable Gardens**

Care should be given to storage of garden equipment and reasonable care given to the upkeep of the garden. If a compost heap is kept, care should be given to the placement of the pile and to any offensive odors resulting from it. Vegetable gardens should be placed in the back yard. Possible drainage problems and runoffs should be considered. After the growing season, dead vegetation should be removed and the area generally cleaned up.

### **10.20 Lawn Ornaments**

Lawn ornaments that are above 2 feet in height are subject to ARC approval.

### **10.21 Holiday Decorations**

Decorating for the Holidays is highly encouraged and builds community spirit. Please be sure to have all holiday decorations removed from the exterior of the home by February 1. Mailbox can be decorated with seasonal wraps or small flags. No permanent decorations are allowable.