

**CENTURY OAK COMMUNITY ASSOCIATION  
Revisions to Architectural Guidelines**

**APPROVED**

**Board of Directors & Covenants Committee Responsibilities**

Board of Directors' Responsibilities

The Board of Directors has delegated the responsibility for reviewing and approving homeowner requests for architectural modifications to the Covenants Committee. However, the Board of Directors retains the ultimate authority to rule on the appropriateness of any proposed architectural modification. Homeowners may appeal a decision of the Covenants Committee on the homeowner's proposed architectural modification to the Board of Directors. Such requests must be submitted in writing within sixty (60) days of the Covenants Committee's decision.

Covenants Committee Responsibilities

The Covenants Committee may act to approve, approve with modification, or disapprove the homeowner's architectural modification request. The governing factor in reaching a final determination on the architectural modification request is to ensure homeowner property values are maintained, if not enhanced. This may require the Covenants Committee to judge the aesthetics of each case independently. Consequently, applicants may be required to install visual barriers, such as landscaping or lattice, around the device to diminish any adverse visual effect which, in the sole opinion of the Covenants Committee, may be caused by the installation of the device.

**Play Sets, Swings & Fences**

Background

Advances in play set and swing designs have enabled manufacturers to create multiple purpose play sets that have more features than the traditional swing set. This has greatly increased the appeal of such devices in many households with children, despite the increased size of such devices. Coupled with this advance in play set design, is an increase in the number of children in the community.

During the May 1994 Annual Homeowners Meeting, the Chairperson of the then operational Covenants Committee stated that play sets and swings that were screened from view of the front of the house would be determined to be conforming to the Architectural Guidelines. This interpretation had not been formally adopted by the Board of Directors. Further, the written guidelines have not been updated to reflect this communication. Moreover, in the

period of time since the May 1994 Annual Homeowners Meeting, homeowners may have relied upon the implied authority of this communication, and installed play sets and swings, either with or without submitting an Architectural Modification Form. Therefore, it is appropriate to reconsider the existing Architectural Guidelines with respect to the installation of play set and swings.

### Current Provisions

The Board of Directors has determined that homeowners shall have the opportunity to express their preference for either the current provision or an alternative provision to the guidelines for play-sets, swings and fences. To assist Homeowners in distinguishing between the current and alternative provision, the Board has chosen to document its interpretation of the current provision on play-sets, swings and fences. Accordingly, the Board has determined that the following two guidelines, taken together, govern play-sets, swings and fences:

### Exterior Recreation Equipment

No Exterior Recreation Equipment (including by way of example play-sets, swings, see-saws, trampolines, hot-tubs, in-ground or above-ground pools, or other devices primarily for recreational purposes; "Recreation Equipment") shall be placed, erected or used, whether attached to a building or otherwise, on any lot or common area without the express written approval of the Covenants Committee.

The Covenants Committee may approve an application for Recreation Equipment, if the proposed Recreation Equipment:

- \* is located in the owner's yard behind the house, on the ground;
- \* is constructed within the following guidelines:
  - \* the height is limited to a maximum of 10' from the ground (including the roof of the accompanying platform or playhouse);
  - \* is located at least 10' away from all property lines;
  - \* in the case of a play/swing sets/slides, the frame is made of wood and is maintained in a natural wood finish (such devices should be treated with a clear wood preservative but may not be painted); metal parts are limited to bolts and nuts, etc., used to assemble the wood frame, swing chains, ladders and slides; plastic parts are limited to an "open" style (slides that are enclosed "chutes" are specifically prohibited);

- \* is made as unobtrusive to the visual appearance of the community as is practicable. There are two dimensions to this requirement:
- \* From the street on which the house is located - The Recreation Equipment must be "screened from view" by an acceptable visual barrier, such as with Leyland Cypress trees with a minimum height of 6' and planted no more than 6' apart, or Arbavite with a minimum height of 6' and planted no more than 5' apart (or fencing that complies with existing fence guidelines); and
- \* From adjoining lots - Visual barriers should be strategically located so as to "buffer the Recreation Equipment from view" of all adjoining lots. The objective is not to fully screen from view as with the front of the house, but rather to make the Recreation Equipment as unobtrusive as possible for neighboring lots. Acceptable visual buffers may include Leyland Cypress trees with a minimum height of 6' and planted no more than 6' apart, or Arbavite with a minimum height of 6' and planted no more than 5' apart (or fencing that complies with existing fence guidelines).

#### Grandfather Terms for Existing Recreation Equipment

All existing Recreation Equipment must be approved in writing by the Covenants Committee unless written approval has already been granted.

For already approved Recreation Equipment that:

- \* Do not meet the provision to screen the Recreation Equipment from view from the street on which the house is located, owners should take action within 120 days of the Board's adoption of this Guideline to conform to the requirement to screen the device from view from the street on which the house is located;
- \* Do not meet the provision to make the Recreation Equipment as unobtrusive as is practicable to adjoining lots, owners are encouraged in the spirit of being a good neighbor, to plant landscaping that meets the intent of the provision; and
- \* Do not meet the provision that (1) limit the height of the Recreation Equipment to 10', or (2) locate the device at least 10' away from all property lines, owners are granted a temporary waiver of these provisions. Further, this temporary waiver is granted only to the existing owner. Owners must bring their homes into conformance with all Architectural Guidelines, including the Guidelines for play sets and swings, when they rent or sell their homes (3).

For existing Recreation Equipment that has not yet received written approval, owners must submit an Architectural Modification Request Form (AMRF) through proscribed channels no later than June 15, 1996. Owners are expected to conform to the Guidelines in effect at the time the AMRF is submitted.

#### Owner Responsibilities & Architectural Modification Request Documentation

In addition to the requirement for adjacent property owner acknowledgment of the proposed architectural modification, an AMRF for Recreation Equipment must include:

- \* a description of the Recreation Equipment, including size, and materials and their color;
- \* a diagram illustrating the location of the Recreation Equipment on the lot (copy of the "plat" of the lot with the blueprint of the house), its relationship to the streets of the community and adjoining lot property lines, maximum height off the ground, and the location and type of mature landscaping (or fence) used to screen the Recreation Equipment from view from the street, or make it unobtrusive to adjoining lots.

#### Basketball Stands

No exterior basketball hoops, stands or related equipment (basketball stands) shall be placed, erected or used, either attached to a building or otherwise, on any lot or common area without the express written approval of the Covenants Committee.

The Covenants Committee may approve an application for such a basketball stand, if the proposed basketball stand:

- \* is installed using an in-ground sleeve to make the stand removable (permanently installed) or a portable wheeled basketball stand;
- \* is constructed within the following guidelines:
  - \* the height does not exceed regulation basketball goal height of 14 feet;
  - \* is located:
    - \* close enough to the Owner's garage to blend in with the garage, and at least 20 feet from the front property line, and at least 20 feet from the wall of an adjoining home; or
    - \* in the backyard at least 20 feet from any property line;

- \* is made as visually unobtrusive to the community as is practicable. To help achieve this requirement, the Basketball Stand should blend in the background by:
  - \* being a color that blends with the wall of the house next to which it is located;
  - \* utilizing a clear, see-through material for the backboard; and
  - \* utilizing a net made of a beige or white color material.
- \* play is limited to normal day-light hours (lighting to allow for play during night-time hours is specifically prohibited).

#### Grandfather Terms for Existing Basketball Stands

All existing Basketball Stands must be approved in writing by the Covenants Committee, unless written approval has already been granted.

For already approved basketball stands that do not meet these provision, Owners are granted a temporary waiver of these provisions. However, this temporary waiver is granted only to the existing Owner. Owners must bring their homes into conformance with all Architectural Guidelines, including the guidelines for Basketball Stands, when they rent or sell their homes.

For existing basketball stands that have not yet been approved, Owners must submit an Architectural Modification Request Form (AMRF) through proscribed channels by June 15, 1996. Owners are expected to conform to the Guidelines in effect at the time the AMRF is submitted.

#### Owner Responsibilities and Architectural Modification Request Documentation

In addition to the requirement for adjacent property owner acknowledgment for the proposed architectural modification, an AMRF for a Basketball Stand must include:

- \* a description of the Basketball Stand, including height, pole diameter, and backboard materials and color, and the color of the pole, metal hoop, and net;
- \* a diagram illustrating the Basketball Stand location on the lot (copy of the "plat" of the lot with the blueprint of the house), its relationship to the streets of the community and adjoining lots, maximum height off the ground;
- \* a narrative summary of the impact of the Basketball Stand on your surrounding

neighbors. Indicate the visual effect of the Basketball Stand on the neighbors as well as the view from the front street. If the visual effect is displeasing to a neighbor, indicate if trees or shrubs are a part of the AMRF.

### **Exterior Antennas and Satellite Dishes**

No exterior antenna, satellite dish, or other device for the transmission or reception of radio, television, or satellite signals, or any other form of electromagnetic radiation ("Antenna") shall be placed, erected, used, whether attached to a building or otherwise, on any lot without the express written approval of the Covenants Committee.

The Covenants Committee may approve an application for an Antenna, if the proposed Antenna:

- \* is 18 inches or less in diameter (external satellite dish antennas that are larger than 18 inches in diameter, traditional radio and television antennas, and amateur radio antennas are specifically prohibited);
- \* will be adequately "screened from view" by an acceptable visual barrier
- \* for roof installations, adequate screening means the Antenna:
  - \* is not visible from any portion of the street on which the house is located';
  - \* is below the peak of the roof, and tucked behind a chimney or dormer where possible;
  - \* is of a color and material which are reasonably compatible with the colors of the home above the roof line;
  - \* is wired such that the wiring enters the living unit at the nearest soffit and is not visible from the exterior of the building
- \* for ground installments, adequate screening means the Antenna:
  - \* is installed in the rear yard, on the ground, and below a maximum height of three feet;
  - \* is not visible from any portion of the street on which the house is located through screening with mature shrubs (minimum height of three feet) that complement the surrounding landscaping (or fencing that complies with existing fence guidelines);
  - \* is wired such that the wiring enters the living unit at the nearest point and is

not visible from the exterior of the building.

- \* does not adversely interfere with the electromagnetic reception of the radios and television sets of neighbors, and
- \* is maintained in good working order and appearance.

#### Grandfather Terms for Existing Antenna

All existing Antennas must be approved in writing by the Covenants Committee. Since the Covenants Committee has not approved any such devices, owners must submit an Architectural Modification Request Form (AMRF) through proscribed channels by June 15, 1996. Owners are expected to conform to the Guidelines in effect at the time the AMRF is submitted.

#### Owner Responsibilities and Architectural Modification Request Documentation

In addition to the requirement for adjacent property owner acknowledgment for the proposed architectural modification, an AMRF for an Antenna must include:

- \* a description of the Antenna, including diameter and color;
- \* a diagram of how the Antenna will be "screened from view";
  - \* for roof installation
    - \* the color of the roof on which is to be installed, and a diagram (copy of the "plat" of the lot with the blueprint of the house) illustrating the Antenna location on the house and lot, its relationship to the streets of the community and adjoining lots, a side elevation diagram of the house showing the height of the device off the ground, and orientation;
  - \* for ground installations
    - \* a diagram illustrating the Antenna location on the lot (copy of the "plat" of the lot with the blueprint of the house), its relationship to the streets of the community and adjoining lots, height off the ground, and the location of the mature shrubs (or fence) used to ensure the Antenna is "screened from view", and orientation;