

## **Mountain Brooke North Homeowners Association, Inc.**

### **Design Standards**

**Animals** - No Agricultural animals may be kept on any lot. Animals cannot be kept for commercial purposes. A maximum of four (4) pets per household shall be allowed and all pets shall be on a leash at all times when walked outside of all fenced areas of any lot. No animal shall be allowed to become a nuisance. If you walk your pet on any common area or neighboring lot, you must clean up after your pet. Dog houses and dog runs must be approved by the ACC. Considerations will include, but not limited to location in rear or side yard where least visually obtrusive to the adjoining lot.

**Antennas/Aerial/Satellite Dishes** - Television or radio antennas or satellite dishes, shall be no more than one meter in diameter. Satellite dishes must be installed so they are out of view as much as possible. If it must be placed in front of the home or in a highly visible location, the owner must provide, in writing, from the dish company why it is installed in that location. The ACC has the right to require landscaping to be installed to conceal the dish from view.

**Awnings** - Awnings on decks are allowed and should match the color of the house or be a natural color. No front yard awnings or awnings over front windows are allowed.

**Basketball Goals** - Basketball goals may be placed adjacent to your driveway (It must be as far from the street as possible.). The street is not to be a part of the field of play. No altered or homemade backboards will be allowed. Backboards must be white, clear or granite color and the post must be black. Portable goals must be stored up close to the garage as possible when not in use.

**Burning in HOA Boundaries** - No lawn surface may be burned in the community under any circumstances. A Burn Ground permit is required to burn limbs, leaves etc., from the fire department and shall only be done in the back of the residence.

**Clothes Lines** - Clothes lines for exterior drying of clothes are prohibited.

**Commercial Vehicles/Recreations Vehicles/Utility trailers** - NO commercial vehicles of any type, house trailer, mobile home, motor home, recreational vehicle camper, truck with camper top, boat or boat trailer, utility trailers or like equipment shall be permitted on any lot, unless it is kept in an enclosed garage

For the purpose of clarification of Covenants (Section 5.24 Vehicles), the following shall define “commercial vehicles” as follows:

1. Panel Trucks
2. Vehicles typically used “for hire” or any full size vans (excluding vans specifically used by handicapped persons, mini-vans or sport utility vehicle.)

3. Vehicles containing visible evidence of commercial use (such as tool racks, ladders, ladder racks or tow winches); provided, however, that vehicles with empty ladder or tool racks or standard tool boxes shall not be considered a commercial truck; and
4. Vehicles with commercial writings on their exterior, including, but not limited to, vehicles with vinyl wrap advertising businesses, services or products. Marked law enforcement vehicles used for such purpose are specifically excluded from the definition of commercial truck.

The following is listed in Section 5.24 of the Covenants:

Boats recreational vehicles, motor homes, trailers, motorcycles, minibikes, scooters, go carts, golf carts, campers or mobile homes must be parked in the garage with the garage door closed.

Garages are not intended for storage. Residents are encouraged to park the maximum number of permitted vehicles for which the garage is designed in the garage.

If a vehicle is parked on any Common Property, or otherwise creates a hazardous condition, no notice shall be required and the vehicle may be towed immediately at the owners expense.

**Decks** - Extending a deck or enclosing a deck, must be approved by the ACC. Materials must match the existing house materials and construction shall not extend past the rear corners of the residence. This also includes the stair access. A detailed plan must be submitted including materials list, dimensions, and colors. The roof pitch should match the existing roof pitch as close as possible.

**Driveways/Sidewalks** - ACC approval is required for modifications or expansion of driveways and sidewalks. At no time, is the sidewalk to be blocked by vehicles of the owner or visitors to the residence. All owners shall maintain their driveways in an acceptable manner, free of oil stains and other vehicular stains.

**Exterior Lighting** - Exterior lighting should not shine directly into a neighbor's yard or windows. Solar landscape lights are permitted along walkways and in landscape beds only. They should all be the same style and color. Landscape lights cannot be placed along the driveway.

**Exterior Painting** - Approval is not required to repaint or stain a house or object (decks, porch and steps) if it is to be the existing colors. HOWEVER, all exterior color changes must be approved by the ACC and should be of earth tone colors for continuity and the harmony of the community.

**Fences** - All fences require ACC approval. Fence portions facing the street must be of wood construction and not to exceed six (6) feet in height. Fencing along sides and back portions can be chain link, but must be black or green coated chain link. Homes located on corners, must use wood that is visible from either street. Fences can be constructed in the back yard only, with the starting point being the rear corners of the house. The finished side of the privacy fence must be facing the exterior of the yard.

**Firewood** - Firewood stored on a lot shall be kept neatly stacked, to the rear of the lot. A brown or green earth tone tarp may be used to protect the firewood. No blues, purples, etc., will be allowed. The firewood must be screened from the view of the neighbors and the street.

**Flags/Flag Pole** - American flags, M.I.A Flags, holiday and collegiate, and state flags are allowed and to be kept in good shape. (As a point of respect, only the American flag, state flag or the M.I.A flag are to be flown on the same staff.) No other nationality flag is approved for display. A flagpole must be 20 feet from the street right of way and must be located between the two front corners of the home. A slanted flag pole can be attached to the front of the home.

**Garbage/Trash Containers** - Garbage cans/trash containers must be screened or enclosed from the view of adjacent lots and kept in a clean, sanitary condition. Any screening must be approved by the ACC. Garbage cans must be removed from the street by 9 p.m. on the day of trash collection.

**Gazebo/Arbors** - ACC approval is required and must be in the back yard only.

**Holiday Decorations** - Homeowners may display religious and holiday signs/symbols and decorations. Decorations can be installed no sooner than 45 days before the observed holiday and must be removed with two weeks after the observed holiday.

**Hot Tubs** - Hot tubs must be screened from adjacent properties and must be located in the rear of the lot, close to house as is reasonable and it should not be visible from the street.

**Landscaping** - ACC approval is not required in the following circumstances: (1) If you are replacing dead or dying landscape plants with similar plants. (2) If you are creating a flower or garden bed in area no more than 20% of your front or side yard, and as long as it does not affect drainage or cause erosion issues. (3) If you are reducing the size of existing mulch island (in front yard) by planting Bermuda sod. (4) General landscape in the back yard. (5) Professionally installed sprinkler system.

ACC approval is REQUIRED in the following circumstances. (1) Retaining walls or grading changes. (2) Hardscape borders or paving which may include, but not limited to pavers, sidewalks, patios, rock beds and stone paths (front of house). (3) Removal of any tree unless it is dead or meets the criteria stated above or if is a pine tree.

**Landscaping/Lawn Maintenance** - Lawn and landscaped areas are to be properly maintained at ALL times. Any bare soil must be grassed or mulched. Grass should be no higher than four (4) inches. Sidewalks, curbs, driveways and landscape beds should be properly edged so that the grass does not grow over the boundaries. All weeds should be removed from the grass and landscape beds, particularly those that are visible from the street. Yard waste should be properly handled for pick-up and disposal. Grass clippings from mowing, on the streets, sidewalks, and driveway should be removed. All beds must be mulched with pine straw, pine bark, or natural wood shavings. Rock is not recommended except in swales and areas where drainage control is needed. ACC approval is required for rock used in this manner. Homeowners are responsible for maintaining their entire lot from boundary of lot to the curbing of the right of way bordering the lot.

**Common Areas/Green Spaces of Mountain Brook Homeowner Association, Inc.** - No homeowner may infringe on any area of common property belonging to the Association, to include bridging streams, damming, decks at stream edges, and other violations relating to infringements. The except in the incidence where the stream area is within the boundaries of the lot. Still, approval for outside structures are required by the ACC. The lot owner must also check to see if the stream area is a protected area by the Department of Natural Resources (DNR). This MUST be accomplished before any construction can be approved.

**Mailboxes** - Mailboxes must be kept in good condition, painted high gloss black and house numbers properly displayed. If mail boxes are to be replaced due to damage, the same style and color as originally installed must be utilized. No decals, or designs are to be used. Holiday wrappings are allowed, but most conform to the guidelines outlined above under 'Holiday Decorations'.

**Playground Equipment and Toys** - Any custom-built play houses, swing/slide sets, as well as their location on the property, must be approved by the ACC. Any play houses must match the primary residence in exterior color, roof shingles and trim. All playground swings, slides and trampolines must be in the back yards out of view as much as possible. All toys are to be removed from the driveway, front porch and front yard when not in use (usually by the end of the day).

**Pools** - No above ground pools are permitted. In ground pools require the approval of the ACC prior to installation.

**Political Signs** - Residents may have up to two (2) professionally lettered political signs, each no larger than 2 ft. by 3 ft. These signs may be placed on the property sixty (60) days prior to the election date, and must be removed within forty-eight (48) hours after the polls have closed. The signs must be placed so as to not interfere with pedestrian right of ways and not block drivers visual sight lines.

**Ponds** - No ponds are allowed except as dictated by city/county standards for the purpose of a retention pond.

**Sheds** - Only one (1) shed/outdoor storage building will be permitted, with the prior approval of the ACC.

**Signage** - NO COMMERCIAL SIGNS ARE ALLOWED. Only one (1) "For Sale" sign with an information box is to be displayed in the front yard. During a construction enhancement, a job identification sign may be displayed with ACC approval.

**Solar Power Equipment** - Solar power equipment requires prior written approval from the ACC.

**Solid Waste** - No homeowner is allowed to dump rubbish, garbage and any other form of solid waste on a lot. Except for approved construction; no lumber, metals, bulk materials or solid waste of any kind

shall be kept, stored or allowed to accumulate on any lot, unless screened from view of the neighbors and the street. Roll off dumpsters will be allowed on a temporary basis with ACC approval for the purpose of construction or clean up. At no time are construction materials and/or dumpsters permitted in the public street or permitted to be stored there until used.

**Tarps** - Tarps used for any reason, must be a natural color (brown or green) and must be concealed from view of neighbors or the street.

**Tools/Yard/Building Maintenance** - All tools are to be removed from public view at the end of each work day. Such items are to be returned to their storage area, in the garage, or behind a fenced area, concealed from view. An example of such items is sawhorses, wheelbarrows, hoses, except that maintained in a hose housing unit (not in front of the residence), paint cans, brushes and car accessories.

**Vehicle Mechanical/Small Engine Work** - No vehicle repairs or oil changes are to be performed in the driveway or in public view. It must be done in an enclosed area such as a garage.

**Vehicle Parking** - Parking on the streets, grass, grass strip between sidewalk and curb line and in mulched areas is prohibited. Unlicensed vehicles must be stored in the garage or completely concealed from view of neighbors or the street, with fencing approved by the ACC.

From time to time the Architectural Control Committee may alter and/or add to these "Design Standards" as would be appropriate in working to maintain property values and harmony in the Community.