

Creekshire

ARCHITECTURAL GUIDELINES and HANDBOOK OF RULES AND REGULATIONS

Revised November 9, 2017

*******IMPORTANT*******

All proposed home modifications and property improvements must have specific prior approval from the Architecture Review Committee before any action can be taken.

Creekshire Homeowners Association

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Creekshire Homeowners Association

I. General Policy

Pursuant to its authority under Article 4.3 (a) of the Creekshire Declaration of Covenants/ Conditions/ and Restrictions, the Declarant (M/I Homes of Charlotte, LLC) of the Creekshire Homeowners Association hereby issues the following Architectural Guidelines and Handbook of Rules and Regulations. **These standards and guidelines are supplemental to the existing Declarations, and are not inclusive of all items upon which the Creekshire Architectural Review Committee or the Board of Directors of the Creekshire Homeowner's Association may act.** It is intended to provide guidance to Owners regarding requirements for additions and modifications to property in Creekshire and matters of particular concern to the Architectural Review Committee in considering applications for approval of such additions and modifications. In addition, it sets forth various restrictions on other matters relating to the overall appearance of property in Creekshire.

Compliance with the guidelines and requirements of this Guide is required, but does not constitute the sole basis for review of applications for approval under Article IV of the Declaration, nor does it guarantee approval of any application. In reviewing each submission, the ARC may consider any factors it deems relevant. Decisions may be based on purely aesthetic considerations. Each owner acknowledges that determinations as to such matters may be purely subjective and opinions may vary as to the desirability and/or attractiveness of proposed additions and modifications. To this end, it is important to note that decisions are made on a case-by-case basis, and although a modification or addition may have been approved in one instance, there is no guarantee that it will be approved again.

*****IMPORTANT*****

UNLESS OTHERWISE SPECIFICALLY EXEMPTED BY THE DECLARATION OR THIS GUIDE ALL PROPOSED MODIFICATIONS AND ADDITIONS TO HOMES AND LOTS WITHIN CREEKSHIRE REQUIRE APPLICATION TO AND PRIOR APPROVAL OF THE ARC. ANY HOMEOWNER WHO INITIATES ALTERATIONS, ADDITIONS, IMPROVEMENTS OR REPAINTING WITHOUT PRIOR WRITTEN APPROVAL BY THE ARCHITECTURAL REVIEW COMMITTEE RISKS HAVING TO CORRECT OR REMOVE SAID ACTION AT HIS/HER OWN EXPENSE.

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II. Maintenance

- A. Performed by the Association
 - 1. The Association is responsible for maintaining certain areas of Common Open Space ("COS") within Creekshire. All such COS area is the property of the Association.
 - 2. No resident shall cause any object to be fixed to the COS property (including the planting of any plant material) or in any manner change the appearance of the common open space property.
 - 3. All improvements, including landscaping located upon individual resident's lots are the responsibility of the resident to maintain. Residents are strongly encouraged to water new growth of grass upon their lots and to keep their lawns watered during the summer months in order to maintain an attractive appearance.
 - 4. Retaining walls located upon individual resident's lots within landscape easements will be repaired and replaced as necessary by the Association, with the board determining if repairs or replacement is necessary. Repairs required due to damage caused by a homeowner shall be the responsibility of the homeowner.
 - 5. Residents are required to keep their property maintained in such a manner as to provide a neat and attractive appearance.
 - 6. The Creekshire Homeowner's Association, at its sole discretion, reserves the right to temporarily maintain a homeowner's property if said property is deemed by the Board to be unruly or presents a health hazard due to high grass, weeds or other negligent reasons. All fees associated with this Association action will be the responsibility of the homeowner to pay.
 - 7. The planting of grass, maintaining the growth of grass, and preventing weeds in areas intended for grass located upon individual resident's lots within landscape easements is the responsibility of the homeowner, unless otherwise determined by the board. The Association will accept responsibility for mowing grass on landscape easements if requested by the homeowner. Should all or a portion of a landscape easement have a fence installed by the homeowner, the homeowner accepts responsibility for mowing the grass inside the fence.
 - 8. Love grass areas located upon individual resident's lots within landscape easements shall be maintained by the Association. The level of maintenance performed shall be determined by the board.

III. Improvements to Lots

- A. General Guidelines
 - 1. ALL improvements to lots require specific prior approval by the Architectural Review Committee, and will be approved or disapproved based on compliance with the Declarations, these Guidelines and / or the aesthetic discretion of the Committee.

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2. All projects should be completed within thirty (30) days of start date, unless not feasible due to the magnitude of the project. All projects will be inspected upon completion to ensure that all work was done in accordance with what was approved. Any work completed that is not in compliance with what was approved may result in a violation until modifications have been completed.
3. Any utility additions must be underground and adhere to applicable code for such utilities.
4. All applications must include a detailed description of the planned project and must contain the following information, as applicable:
 - * Size of structure
 - * Height
 - * Wall material
 - * Estimated length of construction
 - * Quantity
 - * Detailed drawing
 - * Utilities
 - * Location

B. Outbuildings

NO outbuildings of any design are permitted on any lot in Creekshire.

C. Fences

1. White vinyl fencing from 4' to 6' in height or black wrought iron or aluminum powder coated picket fencing 4' to 5' in height is allowed. Examples of the fencing styles permitted are described and pictured in the Appendix. Vinyl fencing is not allowed on the Estates side of Creekshire.
2. Chain link fencing in any form is strictly prohibited (including dog pens / runs of any material).
3. Fencing may not exceed six feet (6') in height.

Types of white vinyl fencing allowed in Creekshire Village will be:

 - White Vinyl 80% privacy fence, Eighty percent (80%) of a fence surface shall be defined as follows: for every one inch (1") of board there must be 0.2" of space (for example a five inch (5") wide board would require one inch (1") space between boards, may have no more than eighty percent (80%) of its surface closed as viewed from a point on a line of sight perpendicular to the line formed by the line of the fence. The maximum board width allowed is six inches (6").
 - White Vinyl full privacy fence
4. The "finished" side of all fencing must face outward.
5. Fencing may not be erected any closer to the street than the side and / or rear building setback line on lots adjoining streets. Consult your property survey for your setback lines.
6. Fences are not permitted in the front or side yards and must tie into the home at the furthest back corners of the dwelling, not to extend beyond the back foundation line. Under no circumstances may an applicant erect a fence outside of their property lines. In the event of an obstacle, the homeowner must shift the fence inside the boundary line of the lot.

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7. A single-fence is preferred between adjacent lots sharing a common property line. If a single-fence is not feasible, applicant must ensure a distance no fewer than four (4') feet between parallel fencing to allow for maintenance between fences. It is the responsibility of each property owner to maintain above referenced area consistent with community standards.
8. Privacy fencing may be approved to screen HVAC units or approved trash bins. Any such fencing may NOT connect to any perimeter fencing on the property.

D. Doghouses

NO doghouses of any kind are permitted on any lot in Creekshire.

E. Driveway Additions

1. Material: must be constructed of concrete (no asphalt driveway will be approved).
2. Location: a two-foot (2') minimum setback should be maintained from all property lines. Situations not permitting this setback will be reviewed by the Committee on a case-by-case basis. No circular driveways will be approved.

F. Landscape Modifications

1. Plant Materials: ANY significant changes or additions from builder installed plant materials require architectural approval. Exceptions are annuals in existing plant beds, which may be planted without approval.
2. Plant Beds: additional plant beds or expansions of existing plant beds may be approved but require architectural approval.
3. Mulch: **ONLY** pine needles, natural or black colored mulch or natural or black colored engineered rubber mulch are allowed in plant beds. **All types of small landscape rocks, pebbles and gravel are prohibited.**
4. Edging / Borders: edging and/or borders around plant beds **MUST** be approved. No wire or plastic edging will be approved.
5. Vegetable Gardens: vegetable gardens are prohibited in front and side yards. Small gardens (no greater than twenty-four (24) square feet) may be approved in rear yards, but require architectural approval and must not be visible from the front street.

G. Basketball Goals

1. Free-standing permanent basketball goals, mounted on black or dark green poles may be permitted as long as the backboard is installed perpendicular to the street. The goal must be mounted on the lot a minimum of 15' from the back of the curb and set at least 6' inside the property line. All basketball goals must be approved by the ARC.
2. Portable basketball goals are NOT permitted on any portion of a lot in Creekshire.
3. Light attachments are not permitted on any basketball goals in Creekshire.

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H. Exterior Lighting

1. Freestanding security lights located in rear yards may be approved, but are limited to ten feet (10') in height.
2. Eave-mounted floodlights may be approved.
3. Landscape lighting requires architectural approval.

I. Swimming Pools

1. In-ground swimming pools **MAY** be approved, but require the installation of an approved perimeter fence enclosing the entire rear yard or an approved privacy fence that surrounds the pool deck area.
2. Above-ground (or partially submerged), pools defined as any pool that requires, for its normal course of operation, inflation, a ladder, steps, a water filtration system, a pump or any combination of these items **are NOT permitted in Creekshire.**
3. Temporary "kiddie pools" in rear yards may be permitted. "Kiddie pools" are defined as hard plastic, no more than 18" in height and designed for removal of water immediately after use.

J. Signage

1. Only the following types of signs are permitted on any lot in Creekshire:
 - a. One temporary sign advertising the home for sale, provided the sign has a maximum face area of five (5) square feet on each side.
 - b. One security service sign located in the front yard and one located in the rear yard, provided the signs have a maximum face area of two (2) square feet.
 - c. Notification signage as may be required by legal proceedings or a governmental entity (such as a building permit).
 - d. **No signage advertising home rentals are allowed.**
 - e. Contractor advertising signs are not allowed at any time.
 - f. One political sign is allowed per lot. The sign may not exceed 24" x 24" in size and is only allowed to be displayed no more than 45 days prior to an election and no more than 7 days following an election.

K. Trampolines

1. Trampolines **MAY** be approved but must be located in the rear yard, installed on level ground **AND** be enclosed by an approved perimeter fence. In addition, trampoline must be kept in good repair and condition. The ARC reserves the right to require removal if the above-mentioned conditions are not followed.

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L. Mailboxes

1. Only uniform neighborhood mailboxes will be approved (the same type mailbox the builder provided at initial construction).
2. No decorative mailboxes are allowed.

M. Outside Storage Units

1. One small outside storage unit **MAY** be approved per lot, but must meet the following requirements.
 - a. Must be vinyl or similar plastic prefabricated construction.
 - b. The exterior dimensions shall not exceed 6' in width, 4' in depth, or 4'6" in height. Examples of allowed styles are shown in the Appendix.
 - c. Must be placed against the back exterior wall of the house and must not be visible from the street.
2. Examples of the outside storage units permitted are described and pictured in the Appendix.

IV. Improvements to Structures

A. General Guidelines

1. ALL improvements to structures require specific prior approval by the Architectural Review Committee, and will be approved or disapproved based on compliance with the Declarations, these Guidelines and / or the aesthetic discretion of the Committee.
2. All projects should be completed within thirty (30) days of start date, unless not feasible due to the magnitude of the project.
3. Any utility additions must be underground and adhere to applicable code for such utilities.
4. All applications must include a detailed description of the planned project and must contain the following information, as applicable:

* Size of structure	* Roof design
* Height	* Roof material
* Wall material	* Exterior finish
* Location	* Quantity
* Utilities (water, electric)	* Detailed drawing
* Estimated length of construction	

B. Additions

1. Must adhere to all applicable building codes.
2. Exterior surfaces must match those on existing structure.

C. Decks / Patios

1. Must adhere to all applicable building codes.
2. Decks cannot extend into a side yard beyond the side plane of the home.
3. Decks must be waterproofed, sealed or stained a natural wood color.
4. Ground-level patios must be constructed of concrete, stone or brick pavers.

D. Satellite Dishes

1. Direct TV-type satellite dishes no larger than twenty-four inches (24") may be approved. If dish is to exceed 24" a letter from the satellite company must be submitted along with the request stating that there are no other options available from the satellite company.

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2. Approved dishes must be mounted to the house in a position not visible from the street (unless approved by the Committee due to reception issues as detailed in Exhibit "C (u)" of the Declaration) OR placed within three (3) feet of the exterior rear wall of the home AND not visible from the front street.
 3. No other types of television or radio pole, antenna, aerial or tower may be constructed, installed, erected or maintained on any lot in Creekshire.
- E. Exterior Painting
1. Painting of exterior house surfaces any color that is different than the color that is already on the house will only be approved on a case-by-case basis due to lack of color availability.

V. Aesthetics

- A. Flags
1. One (1) flag up to four feet by six feet (4'x6') in size attached to a display pole mounted to the home may be approved. The pole may not exceed four inches (4") in diameter and sixty inches (60") in length.
 2. Only official flags of countries, states or universities and seasonal decorative flags may be displayed. Flags which display trademarks or advertising, battle flags and similar flags which, in the Board's judgment, are intended to, or tend to, incite, antagonize or make political statements (other than a statement of citizenship or country of origin of the residence of the dwelling) **shall NOT be displayed**.
 3. Approved flags shall be maintained in good condition and shall not be displayed if mildewed, tattered or faded beyond recognition.
- B. Lawn Ornamentation
1. Statues, fountains and figurines (including planter figurines) in front or side yards require architectural approval and **MUST** conform to community standards. No lawn ornamentation will be permitted that, in the Board's sole discretion, could incite or antagonize a reasonable person.
- C. Window Treatments
1. The following window treatments are NOT allowed in Creekshire:
 - a. aluminum foil window covers
 - b. solid black window coverings
 - c. bed sheets
 - d. newspapers
 - e. other material other than curtains, blinds, etc.
 2. Typical window treatments such as blinds, draperies, shades and plantation shutters are allowed.
 3. Window air conditioning units or fans are not allowed.

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- D. Exterior Holiday Decorations
 - 1. Seasonal house decorations may not be installed earlier than thirty (30) prior to the holiday and must be removed within thirty (30) days after the holiday.
- E. Trash Removal
 - 1. Garbage cans and recycle bins must be stored in one of the following locations (stated in order of preference):
 - a. inside your garage
 - b. behind your house (screened from street view by your house)
 - c. behind an approved screening fence on the side of your house
 - 2. No refuse containers (of any type) may be stored in the front of your house.
 - 3. No garbage can or recycle bin should be placed at the curb any earlier than the night before collection and should be removed by midnight the day of collection.
- F. Garage Sales
 - 1. Each lot may conduct one garage sale annually.

VI. Parking

- A. Street Parking
 - 1. Except to accommodate overflow **guest** parking for **short** periods, on-street parking is prohibited. **Residents are never allowed to park on streets.**
 - 2. Personal vehicles parked in driveways may not extend into the sidewalk area.
- B. Parking of Commercial Vehicles
 - 1. A commercial vehicle is defined by the association as any vehicle with permanent markings and/or attachments, such as ladders on roofs. Vehicles with removable signs must remove said items within one (1) hour from the time the vehicle is parked. Law enforcement vehicles are exempt from this regulation. Vehicles with markings only on the windows and not on the body are also exempt.
 - 2. Tractor trailer "rigs" (also referred to as transfer trucks, etc.) are prohibited.
 - 3. No commercial vehicles may be parked in Creekshire, with the exception of temporary parking for deliveries, repairs, etc. and for vehicles that are fully enclosed in the attached garage of a dwelling.
- C. Recreational Vehicles
 - 1. Recreational vehicles are **NOT** permitted anywhere within Creekshire. A recreational vehicle as defined by the Association is any vehicle commonly referred to as or considered a recreational vehicle, including but not limited to campers, RV's, full-size conversion vans, etc. A recreational vehicle may be parked within Creekshire for up to 24 hours for the purpose of loading and unloading.

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2. Boats and other water sports equipment, all-terrain vehicles, motorcycles and other off-road vehicles cannot be stored in Creekshire unless fully enclosed in an attached garage. Offroad vehicles cannot be operated within Creekshire.
- D. Vehicle Registrations
1. Vehicles without a current registration cannot be stored in Creekshire unless fully enclosed in an attached garage.
- E. Parking Enforcement
1. Violations may be generated by the community inspector
 2. Violations may be reported, with supporting evidence, by any member
 3. The community inspector may not "clear" previous violations during inspections
 4. Warnings and Fines
 - A. First violations will receive a warning and will not receive a fine
 - B. Second and subsequent violations within 90 days of the first violation shall be fined at \$25 per day per occurrence
 - C. Resolutions Committee shall:
 - 1.) Have the authority to conduct hearings for parking violations in the same manner as any other violation.
 - 2.) Have the authority to wave or modify fines at their discretion.
 - 3.) Have the authority to grant grace periods of up to 30 days to allow members to make other parking arrangements.
 - 4.) Not have the authority to wave the rules for any member.
 - D. As with any other violation, any member may appeal a Resolutions Committee violation to the board.

VII. Material Storage

- A. Storage of materials of any kind that are visible from the street or neighboring yards is not allowed.
- B. Weeds, vegetation, rubbish, debris, garbage or waste materials are not allowed to be accumulated on any lot or Common Area with the exception of one (1) compost pile and/or one (1) firewood pile per lot.
 1. Firewood piles are limited to two (2) cords, should be stacked no higher than four (4) feet and should be screened from public view.
 2. Compost piles are allowed unless the Board determines that such compost pile is unsightly or offensive.
 3. Both compost piles and firewood piles on corner lots must be located at the farthest possible point from the intersecting street.
- C. Toys must be stored out of sight when not in use.

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VIII. Pets

Generally, all pets should be kept under their owner's control at all times and in compliance with applicable leash laws.

1. All dogs should be contained on the owner's lot or leashed when off of the owner's property.
2. Owners are responsible for cleaning up any mess that a pet creates in any Common Area, as well as on any private property each occurrence.
3. Owners are responsible for their animal's actions and are liable for any provable damages.
4. Each home is limited to three (3) pets.
5. Animals being a nuisance to residents will not be tolerated - this includes issues with noise. Should an issue arise, please try discussing the situation with the animal's owner before calling Animal Control.
6. Other than normal household pets, no other animal, livestock, or poultry of any kind shall be raised, bred or kept in Creekshire.
7. No animals, including dogs and cats, shall be kept, bred or maintained for commercial purposes.

IX. Disturbances / Nuisances

In matters that become a problem between neighbors in Creekshire, the Board may act upon some under the general powers conferred by the Declaration. In the rare event that a resident causes unreasonable noise or other disturbances that cannot be resolved by speaking with the neighbor, the appropriate public law enforcement agency should be contacted. (For disturbances related to pets of residents, please see Section VIII, subsection 5 of this document.)

X. Safety

A. Fire

1. Residents should use extreme caution when using grills on wood decks or in close proximity to structures or flammable landscape materials such as pine bark mulch or pine needles.
2. Smoke detectors should be located on each level of every home near sleeping areas and should be tested twice yearly.
3. The local fire department may be contacted for more tips on fire safety.

B. Children

1. Please observe speed limits and be alert for children playing that may dart into your path. Keep Creekshire safe for everyone.

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- C. Theft / Burglary
 - 1. Please report any suspicious activity in the community to the police department.

XI. Dues and Assessments

Dues in Creekshire are set yearly by the Board and are billed quarterly (subject to change yearly upon vote of the Board). Changes to yearly dues amounts are set sixty (60) days in advance of any assessment year. See Article VIII of the Declaration for more information on dues and assessments.

XII. Management Company

Creekshire Homeowners Association, Inc. is Professionally Managed by CAMS Their duties include accounting services (collecting Association dues, mailing late notices, paying bills on behalf of the Association, etc.), handling homeowner complaints and inquiries and managing agents hired by the Board to perform landscaping services and other Common Area repair or maintenance. CAMS Community Management should be contacted in the event of any emergency or to answer any questions related to the Homeowner's Association. A 24-hour answering service is provided for absolute emergencies.

Key Information:

CAMS Management Company
1515 Mockingbird Ln Ste 600,
Charlotte, NC 28209
(704) 731-5560 Office
(877) 672-2267 Emergencies
www.camsmgt.com

XIII. Property Boundary Information

Road right-of-ways span 40 to 60 feet. Your property begins where road right-of-way ends. The right-of-way/your property line is located approximately 8 to 11 feet behind the back of curb. The strip of land between the right-of-way and the back curb is generally considered part of your yard that you maintain, but it is not part of your property.

In addition, your lot has front, side, and rear yard restrictions that limit usage of these areas as specifically discussed in these guidelines and the Declaration.

NOTE: Refer to your survey for your front, rear and side setbacks.

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APPENDIX

Fencing Styles



White Vinyl Semi-Privacy Fence

(This style fence is allowed in Creekshire Village, but not in Creekshire Estates)

The photo above represents an acceptable style of fence,
but does not limit anyone to only this style.

Please refer to Section III-C on page 5 for allowable board width and spacing.
Fencing must be constructed of white vinyl or black wrought iron or
aluminum powder coated.

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APPENDIX

Fencing Styles (continued)



Vinyl Picket Style Fence

(This style fence is allowed in Creekshire Village, but not in Creekshire Estates)

The photo above represents an acceptable style of fence,
but does not limit anyone to only this style.

Please refer to Section III-C on page 5 for allowable board width and spacing.
Fencing must be constructed of white vinyl or black wrought iron or
aluminum powder coated.

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APPENDIX

Fencing Styles (continued)



White Vinyl Full Privacy Fence

(This style fence is allowed in Creekshire Village, but not in Creekshire Estates)

The photo above represents an acceptable style of fence,
but does not limit anyone to only this style.

Please refer to Section III-C on page 5 for allowable board width and spacing.
Fencing must be constructed of white vinyl or black wrought iron or
aluminum powder coated.

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APPENDIX

Fencing Styles (continued)



Black Powder Coated Aluminum Fence

(This style fence is allowed in Creekshire Village and in Creekshire Estates)

The photo above represents an acceptable style of fence,
but does not limit anyone to only this style.

Please refer to Section III-C on page 5 for allowable board width and spacing.
Fencing must be constructed of white vinyl or black wrought iron or
aluminum powder coated.

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APPENDIX

Outside Storage Units



The photo above represents acceptable styles of styles of outside storage units, but does not limit anyone to only these specific styles