Buckleigh

Rules & Regulations

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I. General Policy

Pursuant to its authority under the Declaration of Covenants, Conditions and Restrictions for Buckleigh the Architectural Review Committee (ARC) of the Buckleigh Homeowners Association hereby issues the following <u>Handbook of Rules and Regulations</u> for Buckleigh. This document is also referred to as Standards and Guidelines for Interpretation of the Declaration of Covenants, Conditions and Restrictions for Buckleigh.

These Standards and Guidelines are supplemental to the existing Declarations, and are not inclusive of all items upon which the Buckleigh Architectural Review Committee or the Board of Directors of the Buckleigh Homeowner's Association may act. It is intended to provide guidance to Owners regarding requirement for additions and modifications to property in Buckleigh 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 Buckleigh.

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 VII 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 purely on aesthetic considerations. Each owner acknowledges that determinations as to such matters are 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.

Unless otherwise specifically exempted by the Declaration or this guide all proposed modifications and additions to homes and lots within Buckleigh require an application prior to an approval of the ARC and must be completed within 60 days of an approval.

Where this guide specifically permits an owner to proceed without prior approval, such permission shall only be effective so long as the owner complies with the requirement of this guide.

All requests for modifications must be submitted in writing to the Buckleigh Homeowners Association.

II. Maintenance

A. Performed by the Association

- 1. The Association is responsible for maintaining all areas of the common space with Buckleigh. All such area is the property of the association.
- No resident shall cause any object to be fixed to the common property (including the planting of any plant material) or in any manner change the appearance of the common property.
- 3. All improvements, including landscaping located upon individual residents lots are the responsibility of the resident to maintain. Residents must 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 residents lots within landscape easements will be repaired and replaced as necessary by the Association.
- 5. Residents are required to keep their property maintained in such a manner as to provide a neat and attractive appearance.
 - a. This is includes but not limited to ensuring the exterior is free and clear of dirt, mold, mildew, rust stains and the like. Power washing should be a routine maintenance item for your property.

III. Improvement to Lots

A. General Guidelines

- All improvements to lots require specific prior approval by the Architectural Review Committee, and will be approved or denied based on compliance with the Declarations, these guidelines and/or the aesthetic discretion of the committee.
- 2. All projects must 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:
 - i. Size of structure
 - ii. Height
 - iii. Wall material
 - iv. Estimated length of construction
 - v. Location
 - vi. Quantity
 - vii. Detailed drawing
 - viii. Utilities

B. Outbuildings

- a. Size: no greater than ten feet by ten feet (10'x10')
- b. Height: Overall no greater than nine feet (9') with a maximum height of six feet (6').
- c. Roof Design: single pitched (shed) roofs are not permitted
- d. Roof Materials: must be constructed of shingles that match those on the home.
- e. Quantity: only one building per mot is permitted
- f. Exterior Finish: must be trimmed and painted in its entirety in the same quality materials and colors of the home. No metal or plastic structure are permitted.
- g. Utilities: any utility facilities (electric, water, sewer, etc.) providing service to an outbuilding must be underground and adhere to standard building code for such facility.
- h. Foundation: a poured concrete foundation is preferred. Concrete blocks are acceptable if screened with lattice or similar underpinning and/or landscaping.
- i. Location: must be placed in the rear yard with the following stipulations:

- i. Must be at least six feet (6') from any property boundary and must contain sufficient clearance around all sides to permit appropriate maintenance
- ii. Must be placed at least thirty feet (30') from the property line bordering the side street on corner lots.

C. Fences

- 1. The styles of fencing that are acceptable are found in the Appendix to this document. Only these type fences will be approved.
- 2. Fencing must be constructed of wood or vinyl. Wood fencing may be painted white, stained or left natural. Vinyl fencing must be white.
- 3. Chain link fencing in any form is strictly prohibited (including dog pens / runs of any material).
- 4. Fencing may not exceed six fee (6') in height.
- 5. Fencing may have no more than eighty percent (80%) of it's surface dosed as viewed from a point on a line of sight perpendicular to the line formed by the line of the fence (Refer to Section 7.07 of the DCCR's.) 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") of space between boards. i.e. no perimeter fencing is allowed that completely block the view into the area being fenced.
- 6. The maximum board width allowed is six inches (6").
- 7. The "finished" side of all fencing must face outward.
- 8. Fencing may not be erected any closer to the street than the side and / or rear setback line on lots adjoining streets. Consult your property survey for your setback lines.
- 9. Fencing may NOT be erected on berm areas of lots. i.e. no fence shall extend any higher on a berm than the "toe" (base) of the berm.
- 10. Fencing may not be extended any closer to the street than the rear facade of a home, unless approved by the Committee due to the existence of a side service entrance.
- 11. Privacy fencing around decks and patios may be approved (fencing that does not comply with the eighty percent (80%) spacing requirement) but must comply with all other fencing guidelines. Similar fencing may be approved to screen HVAC units. Any such fencing may NOT connect to any perimeter fencing on the property.
- 12. Fences may not attach, connect, hook onto or place besides (not attaching) to perimeter or neighboring fences unless express written and notarized consent is provided and approved by the ARC.
- 13. Consult Section 7.07 of the Declaration for further information on fencing in Buckleigh.

14. Fence must be maintained, painted, clean, free of dirt/debris/mildew and kept in good repair.

D. Doghouses

- 1. Size: may not exceed four feet (4') wide by five feet (5') deep by four feet (4') high.
- 2. <u>Material</u>: must be constructed of the same materials as described for outbuildings (see section 3B of this document). No plastic doghouses are allowed.
- 3. Quantity: no more than two (2) doghouses are permitted on any lot.

E. Driveway Additions

- 1. Material: must be constructed of concrete (no asphalt driveway will be approved).
- 2. <u>Location</u>: a two-foot (2') minimum setback must 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. Basketball Goals

- 1. <u>Material</u>: professional metal pole with fiberglass or Plexiglas backboard. Portable basketball goals are permitted provided that they are not placed in the street (including at the end of deadends or cut-de-sacs), not placed where play would occur in the street and are stored behind the house (screened from street view) or in the garage when not in use for extended periods. Sport courts are not permitted.
- 2. Quantity: only one (1) goal per lot is permitted.
- 3. <u>Location</u>: must be located at least fifteen feet (15') from the street. Backboard may NOT be attached to the house. The goal must be oriented so that play occurs on your property. Playing in the street(s)/right-of-way is prohibited.
- 4. Storage of basketball goals when not in use must be stored out of view from front and side of home.

G. Exterior Lighting

- 1. Freestanding security lights located in front and side yards may be approved, but are limited to six feet (6') in height.
- 2. Freestanding security lights located in rear yards may be approved, but are limited to ten feet (10') in height.
- 3. Eave-mounted floodlight may be approved.
- 4. Landscape lighting may be approved.

H. Swimming Pools

- 1. In-ground swimming pools may be approved, but require the installation of an approved perimeter fence enclosing the entire rear yards or an approved privacy fence that surrounds the pool deck area.
- 2. Above ground pools, with the exception of temporary "kiddie pools" no wider a diameter than 3 feet in rear yards, are prohibited. No permanent above ground pools allowed.

I. Signage

- 1. Only the following types of signs are permitted on any lot in Buckleigh:
 - 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 and, if freestanding, stands no more than four feet (4') off of the ground.
 - 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).

J. Trampolines

1. Trampolines may be approved but must be located in the rear yard and be enclosed by approved perimeter fencing.

K. Mailboxes

- 1. No brick mailboxes will be approved.
- 2. Mailbox and stand must be free of dirt/debris/mildew and/or peeling/chipping paint. Mailbox must have address numbers, if any are missing or damaged they must be replaced.
- 3. Mailboxes must remain uniform with other mailboxes in the community.

IV. Improvements to Structures

A. General Guidelines

- 1. ALL improvement 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 must 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 codes for such utilities.

- 4. All applications must include a detailed description of the planned project and must contain the following information, as applicable:
- * Height * Roof material
- * Wall material * Exterior finish
- * Location * Quantity
- * 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. Patios must be constructed of concrete, stone or brick pavers.
- D. Satellite Dishes
 - 1. Direct-TV type satellite dishes no larger than eighteen inches (18") may be approved.
 - 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 Section 7.05 of the Declaration). Therefore no dishes can be mounted on the front side of the roof ridgeline.
 - 3. No other types of television or radio pole, antenna, aerial or tower can be constructed, installed, erected or maintained on any lot in Buckleigh.
- 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 flagpole 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 judgement, are intended to, or tend to, incite, antagonize or make political statement (other than a statement of citizenship or country of origin of the residence of the dwelling) cannot be displayed.
- 3. Approved flags must be maintained in good condition and cannot 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 will not be approved.
- C. Window Treatment
- 1. The following window treatment(s) are NOT allowed in Buckleigh:
 - a. aluminum foil window covers
 - b. solid black/dark/patterned/ colored window coverings. *The only permitted coverings should show white, cream or ivory from the exterior of the home.*
 - c. bed sheets
 - d. newspapers/paper
- 2. Typical window treatments such as blinds, draperies, shaded and plantation shutters are allowed provided they are white, cream or ivory. White window blinds are to be in front window view before colored curtains. Tan, brown or bamboo or the like are NOT permitted in the windows.
- 3. Window air conditioning unit or fans are not allowed.
- D. Exterior Holiday Decorations
 - 1. Seasonal house decorations must be removed within thirty (30) days of the holiday.
 - 2. Christmas lighting is not permitted before Thanksgiving.
- 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 or side of your house or in view from the street.
- 3. No garbage can or recycle bin must be placed at the curb any earlier than the night before collection and must be removed by midnight the day of collection.
- 4. All trash bags/ trash must be stored in a container for health and safety reasons as it attracts animals, pests, rodents to trash not placed in a container.

VI. Parking

- 1. What is NOT ALLOWED on common areas, in a driveway, on the grass or any other part of a Lot unless the same is fully enclosed within the garage:
- Recreational Vehicles
- Campers/ Boat/ Jet Ski
- Tractor/Trailers/ Rigs
- Vehicle(s) not permitted on common areas or any unpaved portion of a Lot
- Unlicensed vehicles
- Inoperable Vehicles
- Wrecked Vehicles
- Commercial Vehicles
- 2. Commercial Vehicles: is 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. and must adhere to the following:
 - a. Must NOT show any permanent markings, lettering and/or attachments
 - b. Any attachments, including ladders must be removed within one (1) hour from the time the vehicle is parked.
- 3. No repairs to or maintenance of any automobile or other vehicle shall be made or performed on any driveway within the Property, except in the case of emergency.
- 4. Temporary parking for deliveries and service for repairs, or the like, are permitted.
- 5. Street Parking: is NOT allowed at any time, EXCEPT between the days/hours of the following:
 - a) Starting on Friday at 5:00PM thru Sunday at 11:59PM cars may be parked in the street.
 - b) Vehicles are not allowed to park in the street from Monday 12:00AM thru Friday 4:59PM and will be towed WITHOUT notification.

- 6. Vehicle(s) are not permitted to park on Lot other than the paved driveway. No parking on the grass, side yard, back yard or other area other than a paved driveway or within the garage. Failure to park in a driveway or garage may result in daily fines up to \$100.
- 7. Parking of any kind of a vehicle, boat, vessel motorized or not on the grass, front yard, side yard, back yard, sidewalk any other part of the lot other than the paved driveway is not permitted.
- 8. Visitor Parking: alert your visitors to the risk of parking on the street. You should accommodate your guests with garage or driveway parking. There is short term parking available at Fountain Hall Rd & Buckleigh Drive. Abuse of storing vehicle(s) in these spaces are subject to be towed. Any vehicles parked in this space with expired tags or no tags are subject to be towed without notice at the owner's expense.

VII. Material Storage

- A. Visible Storage: Storage of materials of any kind that are visible from the street or neighboring yards is not allowed.
- B. Organic Materials: 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.
 - a. Firewood piles are limited to two (2) cords, must be stacked no higher than four (4) feet and must be screened from public view.
 - b. Compost piles are allowed unless the Board determines that such compost pile is unsightly or offensive.
 - c. Both compost piles and firewood piles on comer lots must be located at the farthest possible point from the intersecting street.
- C. Children's Toys: Toys must be stored out of sight when not in use.

VIII. Pets

All pets must be kept under their owner's control at all times and in compliance with applicable leash laws. Reports of dangerous, unleashed or barking dogs are to be reported to CMPD Animal Care & Control.

- 1. All dogs must be contained on the owner's lot or leashed when off of the owner's property.
- 2. Owners are responsible for cleaning up pet excrement and other messes from all common areas, private lots and generally all yards not owned by pet owner.

- 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. If an issue arises, please try discussing the situation with the animal's owner before calling Animal Control.

IX. Disturbances / Nuisances

In matters that become a problem between neighbors in Buckleigh, the Board may act 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 must be contacted. (For disturbances related to pets of residents, please see Section VIII of this document.)

X. Safety

A. Fire

- 1. Resident must 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 must be located on each level of every home near sleeping areas and must be tested twice yearly.
- 3. The local fire department may be contacted for more tips on fire safety.

B. Children

1. Observe the speed limits and be alert for children playing that may dart into your path. Keep Buckleigh safe for everyone.

C. Theft / Burglary

1. Report any suspicious activity in the community to the police department by calling 911.

XI. Dues

1. Dues in Buckleigh 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 Section 9.05 of the Declaration for more information on dues.

XII. Other Regular Maintenance Items

1. Exterior of home must be free and clear of dirt/debris/mildew and must be pressure washed on a regular basis.

2. Shutters and front door must be painted the same color on a regular basis to avoid fading.

3. Lot must be kept free of weeds, including but not limited to the driveway and sidewalk cracks.

4. Lawn must be cut and maintained at all times by mowing, edging and weed eating.

5. The exterior of the home must have all materials affixed to it as the builder intended. Some items include but not limited to; A) Missing shutters or fallen shutters B) missing fascia board C) missing roof and/or shingles D) missing or damaged siding E) damaged or dented garage doors.

F) Ripped/Torn window screen(s) – all items should be repaired by the owner as it is considered a violation.

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 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 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.

XIIII. Management Company

William Douglas Management Company manages Buckleigh. WMD 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 agent hired by the Board to oversee landscaping services and other Common Area repair or maintenance.

Key Information

William Douglas Management Company

Mail payments without a coupon slip to:

Buckleigh #223 PO Box 37109

Charlotte, NC 28237

Physical Address:

4523 Park Road, Suite 104A

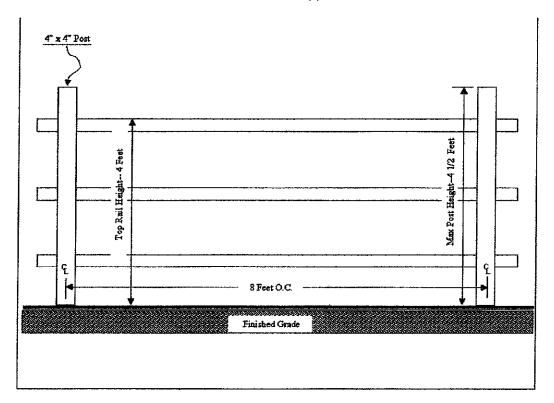
Charlotte, NC 28209

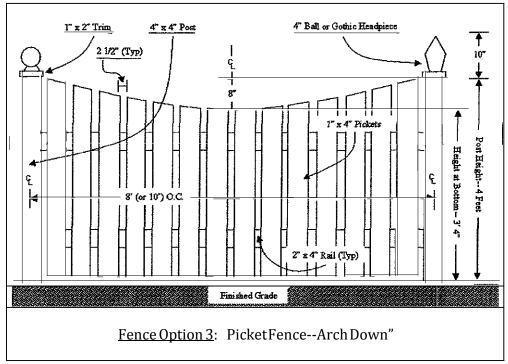
P: 704-347-8900

F: 704-377-3408

^{*}Account Number in the Memo Line

Appendix





 $Fences\,with\,pickets\,that\,arch\,upward\,or\,have\,an\,arch\,are\,also\,acceptable.$

Architectural Control Approval Application

Buckleigh HOA C/o William Douglas Management P0 Box 37109 Charlotte, NC 28237-7109

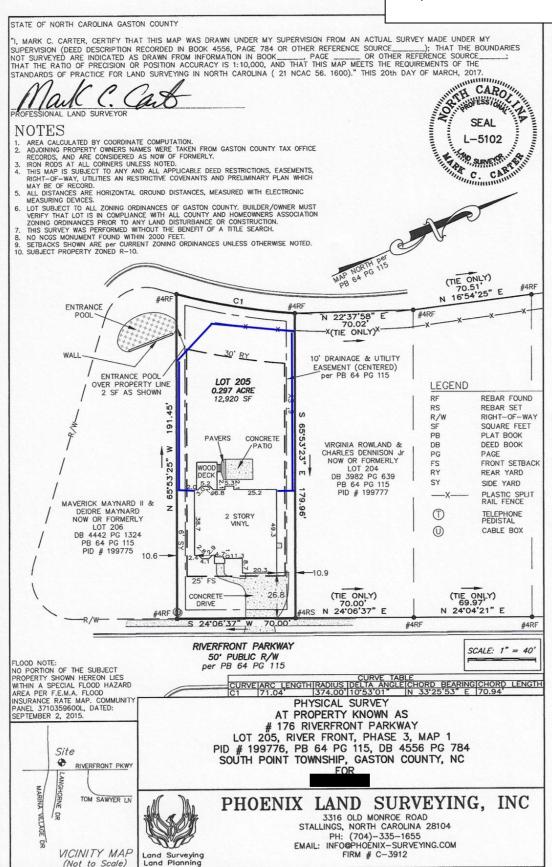
REQUIREMENTS

- 1. Photo(s) of product sample
- 2. Plot map (for backyard exterior additions)
- **Color/ Material Composition Details**

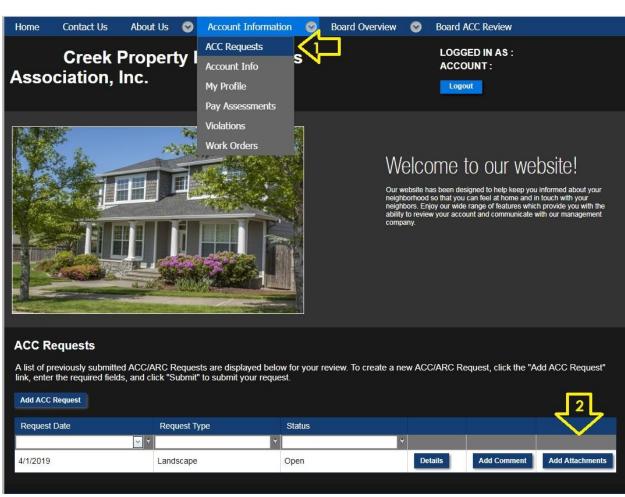
Phone 704-347-8900 x 112 Fax	704-377-3408	4. Dimensions	
Name/Owner		Phone (Work)	
Address:		Phone (Home)	
		E-Mail	
Type of Improvement (Please	check one – each improv	ement requires a separate application)	
☐ Fence/Divider ☐ Satellite		☐ Sign/Flag	
☐ Landscape	Storm Door	☐ Addition/Alteration	
will need to resubmit.		your application will be automatically denied, and you	
		Estimated Completion Date:	
Applicants Signature:		Date:	
Disclaimer Owner assumes all installation of any improveme	responsibility for future nt.	repairs to building/structure needed due to	
	~~~~~For Official <u>U</u>	<u> </u>	
Date Received:		Received By:	
	Approved	☐ Disapproved/Reason	
Signature of Chairperson/Boa	rd Member:		

A copy of this form will be returned as soon as possible. There is no automatic approval – DO NOT begin any work until written approval is received!

This is an example of a plot map also known as a survey map that is required when submitting an ARC request for a fence. The fence footprint must be outlined as shown.







# Buckleigh Website: <a href="http://buckleighcommunity.weebly.com/">http://buckleighcommunity.weebly.com/</a>

**We also encourage you to register for the William Douglas website to see your account balance, pay your dues online, respond to violation letters, and review the latest edition of the Rules & Regulations.**