

## **FOREST POND ARCHITECTURAL STANDARDS COMMITTEE PROCEDURES**

The specifications and general review criteria used by the ASC (Architectural Standards Committee) as the basis for their decisions are found in the documents titled “Declaration of Covenants, Conditions, and Restrictions of Forest Pond” (C&R’s) and the “Forest Pond Architectural Standards Committee Guidelines” (ASCG). Applicants should review those documents in detail and be aware of current practices for each type of application in the Forest Pond Community.

These Guidelines are intended to provide guidance to applicants in preparing and submitting proposals for consideration and shall not be construed as binding on the ASC or as approval in any particular situation. Each site is unique and therefore, each application will be reviewed individually. Prior approval of a given style or project does not constitute “automatic” approval. Each application is reviewed on its own merit on a “case-by-case” basis.

### **APPLICATION REVIEW**

Applications must be complete and submitted to the ASC either directly to the chairperson or through Cline & Co.

A complete application consists of the following items:

1. Completed application page.
2. A copy of the foundation survey or plat of survey plan which shows, to scale, the location of the proposed project, existing buildings, setbacks and the property line.
3. Blueprints if applicable.
4. All information requested for the project in the ASCG, in the C&R’s; specifically, information showing compliance with material and color specifications, and samples as necessary.
5. Other information reasonably requested by the ASC for use in its consideration of the application.

The ASC meets once a month or as needed, if there are applications to be reviewed. All deadlines are firm and must be met in order to provide each ASC member sufficient time to visit the site and review the application.

The ASC votes on each application after discussion and approval by the Committee is based on a majority vote. Homeowners are then notified in writing of the ASC decision. In no case will approval be granted at the meeting. It is the sole responsibility of the applicant to insure complete compliance with all relevant building practices, codes, permits and licensing requirements for the City of Charlotte and the County of Mecklenburg.

No project is to be started without formal ASC review and approval. Upon completion of your project, the ASC has the right to inspect the work to insure compliance. Homeowners will be notified in writing if the project is not in compliance with the previously approved plan. If the project is not brought into compliance, the ASC and the HOA Board of Directors will use all avenues to obtain compliance as outlined in the C&R’s.

## **Forest Pond Architectural Standards Committee Guidelines (ASCG)**

### **Section I      Fences**

- A.    Permitted Styles
  - 1.   Picket or modified picket with finished side facing out towards neighboring property.
  - 2.   Split Rail.
  - 3.   Invisible Wire (Animal Type)
  
- B.    Permitted Materials
  - 1.   Treated wood or wood with similar characteristics (i.e. redwood or cedar).
    - i.   Wire retaining accepted inside of fencing.
  - 2.   Vinyl Clad.
  - 3.   Wrought Iron or Decorative Aluminum.
  - 4.   NO CHAIN LINK FENCING.
  
- C.    Permitted Dimensions / Specifications
  - 1.   Maximum height of four (4) feet.
  - 2.   Maximum board width one (1) inch up to six (6) inches.
  - 3.   Maximum space between boards – 50% of board width.
  
- D.    Permitted Colors
  - 1.   Natural.
  - 2.   House trim color.
  - 3.   White.
  - 4.   Black Iron or Black Decorative Aluminum.
  
- E.    Permitted Placement
  - 1.   Fences must be attached to rear corners of the house. With approval, the fence on the garage side may extend sufficiently towards the front to enclose a side garage service door, if such a door exists. Approval of fencing placed forward of the rear corners of the house will only be granted if the ASC in its sole discretion, determines that the fence is sufficiently screened or otherwise placed so as not to negatively impact the view from adjacent homes.
  - 2.   Fences may be placed along the property line with a minimum one (1) inch setback, with the requirement that adjoining properties will be allowed to connect to any fence placed less than

fifteen (15) inches from the property line. Fence owners are to provide proper landscape maintenance around fence.

3. Corner lot homes' fencing shall not extend beyond a point six (6) feet from the side of house, or within twelve (12) feet from the back of the curb on the side street.

## **Section II      Decks and Patios**

### **A.      Permitted Materials**

1. Treated wood or wood with similar characteristics. \*
2. Concrete / Concrete Squares and/or Pavers. \*\*
3. Brick. \*\*
4. Slate / Stone. \*\*
5. Aggregate. \*\*

\* Minimum twelve (12) inch bury-depth for all wood columns and posts.

\*\* Brick, concrete, slate, stone or aggregate must be set in concrete or dirt.

### **B.      Permitted Height**

1. Deck may be a maximum of forty (40) feet off of the ground.
2. Deck platforms higher than thirty (30) inches off of the ground must have a thirty-six (36) inch high guard rail.
3. Vertical balusters must be less than four (4) inches apart.
4. Horizontal dividers must be no more than six (6) inches apart.

### **C.      Permitted Color (for wood decks and patios)**

1. Natural.
2. House trim color.
3. House color.

### **D.      Permitted Location**

1. No part of deck or patio may extend beyond the side of the house.
2. Setbacks per City of Charlotte
  - i.      Twenty-five (25) feet from back property line.
  - ii.     Six (6) feet from one side of property line.

- iii. Eight (8) feet off of other side property line.

### **Section III Landscaping**

#### **A. Lighting**

##### **1. Permitted Materials**

- i. Steel.
- ii. Aluminum.
- iii. Plastic.
- iv. Fiberglass.
- v. Copper.
- vi. Brass.

##### **2. Permitted Styles**

- i. Pole Lamps.
- ii. House-mounted Floods.
- iii. Ground Floods.
- iv. Ground Patio and/or Walkway Lights.

##### **3. Permitted Dimensions**

- i. Pole Lights – Six (6) feet maximum height, inclusive of lamp with four (4) inch diameter pole.
- ii. Flood Bulbs – Maximum diameter of four (4) inches.
- iii. Ground Lights – Maximum height of eighteen (18) inches.

##### **4. Permitted Colors**

- i. Pole Lamps – White, black or to match existing exterior fixtures.
- ii. Floods – White, black or mill finish.

##### **5. Permitted Placement**

- i. A single (1) pole lamp may be placed no more than eighteen (18) inches off of walk or drive, and no more than one-half (1/2) of the distance from house to property line (i.e. must be nearer to house than to property line).

- ii. Lights must be placed so the light throw does not infringe upon neighboring houses and or lots.

B. Shrubbery (when used as screening)

1. Permitted Locations

- i. Single or groupings may be placed around decking or patio as screening and may grow to that plant's natural size, as long as it does not infringe upon neighboring property, common areas, walks or sight lines of roads in neighborhood.
- ii. Groupings may be placed to provide screening in a back or side yard. These must be placed far enough inside property line to allow for maximum growth so they do not infringe upon neither neighboring property, common areas, walks nor sight lines of roads in neighborhood.

C. Shrubbery (when used as landscape enhancement)

1. Permitted Locations

- i. Single shrubs or groups may be placed within any approved landscape plan.
- ii. All plantings should be placed so as to allow for maximum growth while not infringing upon neither neighboring property, common areas nor walks, or in sight lines of roads in neighborhood.

D. Trees

1. Permitted Location – Same as Shrubbery.

- 2. Removal of trees six (6) inches or more in diameter at a point two (2) feet above ground must be approved.

E. Trellises

- 1. All types must be approved.

F. Retainer Walls

1. Permitted Materials

- i. Treated wood.
- ii. Concrete.
- iii. Brick – to match house.
- iv. Interlock cast units.

- 2. Permitted Style – Must be consistent with house design.

3. Permitted Color – Natural material colors only.
4. Permitted Placement – Approved only by ASC.

G. Lawns must be planted or covered with sod using a grass type common to the neighborhood.

#### **Section IV     Irrigation Systems**

A. Permitted Materials

1. PVC Pipe.
2. Reinforced Hose.
3. Cast Iron.

B. Permitted Installation – Must be within property boundaries.

#### **Section V     Ponds, Fountains, Large Bird Baths, Decorative Yard Features**

A. Permitted Materials

1. Concrete, steel or terra-cotta.
2. Ponds must be lined with concrete or some type of protective lining.

B. Permitted Styles – Must be complimentary to house design.

C. Permitted Dimensions

1. Bird baths and fountains – Maximum four (4) feet high and thirty-six (36) inches in diameter.
2. Ponds – Twelve (12) inches maximum depth and six (6) feet maximum diameter. Must be enclosed by approved fencing for safety.

D. Permitted Colors

1. Natural.
2. White.
3. Black.

E. Permitted Location – Must not be in view from street in front of house.

## **Section VI    Sheds, Outbuildings, Doghouses, Playhouses, and Gazebos (subject to C&R's)**

- A.    Permitted Materials.
  - 1.    Wood.
  - 2.    Siding to match house.
  - 3.    Shingles to match house.

### **NO METAL BUILDINGS OR ROOFS**

- B.    Permitted Styles – Must be consistent with house design.
- C.    Permitted Dimensions
  - 1.    Varies by lot – proposal must show size and location on lot to scale.
  - 2.    Maximum width – Six (6) feet front to rear.
  - 3.    Maximum length – Eight (8) feet on each side.
  - 4.    Maximum wall height – Six (6) feet.
- D.    Permitted Color
  - 1.    House color with trim to match.
  - 2.    Natural.
  - 3.    White.
- E.    Permitted Placement
  - 1.    Within the backyard of the lot.
  - 2.    Outbuildings and doghouses must not be visible from street, except for unusually shaped lots or corner lots; in which case the outbuilding or doghouse must be screened or its visibility from the street must be as limited as practical.

## **Section VII    Swing-sets and Play Equipment**

- A.    Permitted Materials
  - 1.    Treated wood.
  - 2.    Finished metal.

- 3. Vinyl coated.
- B. Permitted Styles – Must be consistent with house and residential scale of the neighborhood.
- C. Permitted Dimensions – By approved design.
- D. Permitted Placement – Backyard only and screened from view of street or side streets.
- E. Permitted Colors
  - 1. Natural wood.
  - 2. White.
  - 3. House color.
  - 4. Metal sets – per store selection.
- F. The ASC will take no action with respect to Swing-sets and Play Equipment provided they meet these guidelines.

## **Section VIII Flag Poles**

- A. Permitted Materials
  - 1. Metal.
  - 2. Aluminum.
  - 3. Wood.
- B. Permitted Dimensions
  - 1. Maximum height is fifteen (16) feet above ground.
  - 2. Maximum pole diameter is four (4) inches.
  - 3. Maximum Flag size is three (3) feet by five (5) feet.
- C. Permitted Placement – Not to exceed one-half (1/2) the distance from house to property line (i.e. must be nearer the house than property line).
- D. Permitted Colors (pole)



1. Mill finish.
2. Black.

E. The ASC will take no action with respect to Flag Poles provided they meet the stated guidelines.

## **Section IX Satellite Dishes**

- A. Dishes one (1) meter (39.97 inches) or smaller in diameter may be placed, if an acceptable signal quality can be achieved, using the following preferred placements: Rear of house, Side of house not facing a street, Side of house facing a street (screening required), Front of house (screening required). Homeowner should ensure that dish is screened from view using architectural elements (shrubbery or trees).

## **Section X Solar Panels**

- A. Permitted Materials – Standard commercially available units.
- B. Permitted Type – Standard rectangular design as “skylight” on roof.
- C. Permitted Dimensions – Maximum two (2) feet by four (4) feet units.
- D. Permitted Color
1. Black.
  2. Mill finish.
  3. House shingle color.
- E. Permitted Placement – Rear of house roof.

## **Section XI Basketball Goals**

- A. Permitted Materials
1. Pole – Metal.
  2. Backboard – Approved Materials.

- B. Permitted Dimensions – Should be consistent with commercially available retail units.
- C. Permitted Color – Should be consistent with commercially available retail units.
- D. Permitted Placement
  - 1. Must be on finished, paved surfaces (i.e. driveway).
  - 2. Not to exceed one-half (1/2) the distance from house to property line (i.e. must be nearer to the house than the property line).
  - 3. No goals allowed in rear of house.

## **Section XII Mailboxes**

Only standard Forest Pond approved, with the post painted white or off-white with black box. This means that only the box installed by home builder at the time of construction or reasonable recreation thereof is approved.

## **Section XIII House Painting and Siding Materials**

- A. Any changes in color of house, trim, shutters, doors, etc. must be harmonious with other colors used elsewhere on the structure and must be harmonious and consistent with other colors in the neighborhood. **ALL CHANGES IN COLOR REQUIRE ASC APPROVAL.**
- B. Colors may not be the same as colors of homes immediately adjacent to it.
- C. Any changes in siding material require approval.

## **Section XIV Awnings**

- A. Permitted Material – Cloth only with framing.
- B. Each window or door must be covered by a separate awning.
- C. Awnings must be color coordinated with house colors.
- D. Permitted Placement is only on rear of house.

## **Section XV Pools**

- A. In-ground pools may be given approval located in backyard only.
- B. Proper approved safety fencing is required.
- C. **NO ABOVE GROUND POOLS PERMITTED.**

## **Section XVI Jacuzzi / Hot Tubs**

- A. Styles approved must be in-ground or in-deck or as integral part of deck or patio.
- B. Permitted Placement – Must be in back of house.
- C. Proper safety fencing, railing and or cover are required.

## **Section XVII Tinted Windows – These should not give any mirrored reflection**

## **Section XVIII Signs**

- A. One regular size realty sign is allowed while house is listed for sale.
- B. One special event sign (i.e. garage sale, birthday, birth and like events) may be placed the day of or days on either side of event for a maximum of seven (7) days.
- C. No job (including house painting and/or landscaping) or hobby signs should be placed at anytime as a form of advertising.
- D. No political campaign signs are allowed to be displayed except during the ten (10) days prior to and three (3) days following the election/vote day.

## **Section XIX Other related requirements of the Forest Pond C&R's**

- A. Garbage receptacles and recycling containers must be stored so as to conceal their view from the street or adjacent lots.
- B. It is the responsibility of each homeowner to maintain their property in a condition so that it does not decrease the beauty, safety and value of Forest Pond as a neighborhood or of specific homes within Forest Pond.

## **Section XX Time Restraints**

- A. Approval of submissions.
  - 1. The ASC, through the C&R's, has up to thirty (30) days to respond to a homeowner's submission.
- B. Completion of approved work.
  - 1. Given the varying nature of submitted project's size and who will be doing the work on them, a time limit will be established with the homeowner at the time of approval. It is expected that projects will be completed as quickly as possible.
  - 2. If an approved project is not completed within the specified time limit the homeowner may submit to the ASC in writing a request for additional time to complete the project giving the reasons for the delay and an estimated completion date. This request will be reviewed by the ASC and a decision will be returned to the homeowner within five days.

## **Sections XXI Variances**

The ASC shall have the power to, and may allow reasonable variances and adjustments of these guidelines in order to overcome practical difficulties and prevent unnecessary hardships in the application of the regulations contained herein; provided that such is done in conformity to the intent and purposes hereof; and also provided that in every instance such variance or adjustment will not be materially detrimental or injurious to other property or improvements in the neighborhood.

## APPLICATION

### Forest Pond Architectural Standards Committee

Homeowner \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Phone H \_\_\_\_\_ W \_\_\_\_\_

Type of Request: Landscape \_\_\_\_\_ Paint \_\_\_\_\_ Shed \_\_\_\_\_

Fence \_\_\_\_\_ Deck \_\_\_\_\_ Play-set \_\_\_\_\_

Other / Describe: \_\_\_\_\_

Items Attached: Plat Plan \_\_\_\_\_ Brochure \_\_\_\_\_ Paint Sample \_\_\_\_\_

Blueprints \_\_\_\_\_ Photos \_\_\_\_\_ Other \_\_\_\_\_

Please give a brief description of this request:

Estimated Start Date:

Estimated Completion Date:

Please read and sign to complete this application.

I have received and read a copy of the Forest Pond ASCG and understand my obligations as outlined in the Forest Pond C&R's. Permission may be requested for ASC members to enter my property to complete the process. The ASC also reserves the right to contact my effected neighbors, if any.

Homeowner Signature: \_\_\_\_\_

Please mail this completed application with any attachments to Cline & Co., 1711 East Blvd, Charlotte, NC 28203, or you may hand deliver to any ASC member.

### ASC RESPONSE AS FOLLOWS:

\_\_\_\_\_ APPROVED

\_\_\_\_\_ APPROVED WITH CONDITIONS, AS STATED:

\_\_\_\_\_ INCOMPLETE, PLEASE PROVIDE AS REQUESTED:

\_\_\_\_\_ DENIED

AS DECIDED AND INITIALED BY THE COMMITTEE:

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_

Revised: August 18, 2007

### Office Use

Received \_\_\_\_\_

Meet \_\_\_\_\_

Call \_\_\_\_\_

Respond \_\_\_\_\_