



BLAKENEY PRESERVE
HOMEOWNERS ASSOCIATION, INC.

DESIGN GUIDELINES

2/1/2006

Rules & Regulations

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1.0 Introduction

1.1 Applicability

This guide to Rules and Regulations ("Guide") is adopted pursuant to the *Articles of Incorporation*, and the *Declaration of Covenants, Conditions, and Restrictions*, ("Declaration"). These documents provide for the establishment of reasonable rules and regulations concerning the use of individual lots and common areas. The Architectural Review Committee ("ARC") serves as representatives of the Board of Directors ("Board") while enforcing the Guide. Compliance with this Guide is required, but is not the sole basis for review or approval, nor does it guaranty approval of any application. In reviewing each application, 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 in nature and that opinions may vary as to the desirability and attractiveness of a proposed addition or modification.

1.2 Purpose

This document is not intended to replace the Declaration, but to clarify the process by which homeowners may customize and modify the exterior presentation of their homes and/or lots. The intent is to provide consistent guidance to owners regarding requirements for additions and modifications to property in the community, and matters of particular concern to the ARC when considering applications for approval of such conditions and modifications. Additionally, the Guide sets forth various restrictions on other matters relating to community standards and the overall appearance of property in the community.

1.3 Application and Review Process

Unless otherwise specifically exempted by the Declaration or this Guide, **each and every** proposed exterior modification/addition to residential units or lots require prior approval of the ARC. Submit three copies of the *Request for Architectural Approval* form to PO Box 11906, Charlotte NC, 28220. Each application must include a copy of the lot survey showing the size and location of the proposed modification/addition as well as a list and description of the materials to be used. Color samples may assist the ARC in rendering its decision and expedite the review process. The ARC requires submission of such additional information as may be reasonably necessary to consider any application. Review of the application, and notification to the applicants shall be conducted as described in the Declaration.

2.0 General Architectural Standards

2.1 Antennas, Satellite Dishes (DBS, MDS, DSS)

Homeowners who wish to place a satellite dish on the exterior of the residence must submit a *Request for Architectural Approval* to the ARC. Freestanding antennas/dishes are **not** permitted. If installation is required in other than the following approved locations, include a statement from the installer with the ARC application. Standard, approved placement of a satellite dish is:

- Attached to or mounted on a deck or patio in the rear of the residence and extending no higher than the eaves of that portion of the roof of the dwelling directly in front of such antenna; or,
- Attached to or mounted on the rear wall or rear roof of the residence so as to extend no higher than the ridgeline of the residence at a point directly above the position where attached or mounted to the wall.

Pursuant to FCC Section 207 of the Telecommunications Act of 1996, the Association will not require prior approval for antennas/dishes in the attic, crawl space, garage, or other interior space of the dwelling, or another approved structure so as not to be visible from the exterior of the residence.

2.2 Backyard Play Equipment, Basketball Goals

Swing sets, basketball goals, trampolines, and all other play structures are not permitted anywhere on the property

2.3 Birdbaths, Birdfeeders, Birdhouses

Birdbaths, birdfeeders and birdhouses are not permitted on the exterior of the property unless expressly approved in writing by the Board or ARC using required form.

2.4 Clotheslines, Fuel Tanks, Outside Storage

Clotheslines, aboveground fuel storage tanks, woodpiles, and similar items are not permitted. Storage of any materials (such as, but not limited to, lawnmowers, landscaping materials, and lumber) outside an enclosed structure is not permitted. Do not place furniture intended for indoor use on any outside area, including porches.

2.5 Decks, Patios, Screened Porches, Driveways

No modifications of any kind are permitted.

2.6 Dog Pens, Runs, Dog Houses

Dog pens, houses, and runs are not permitted anywhere on the property. Pets must be on a leash and restrained at all times.

2.7 Exterior Changes, Shutters, Doors

No modifications of any kind are permitted.

2.8 Exterior Lighting, Seasonal Decorations

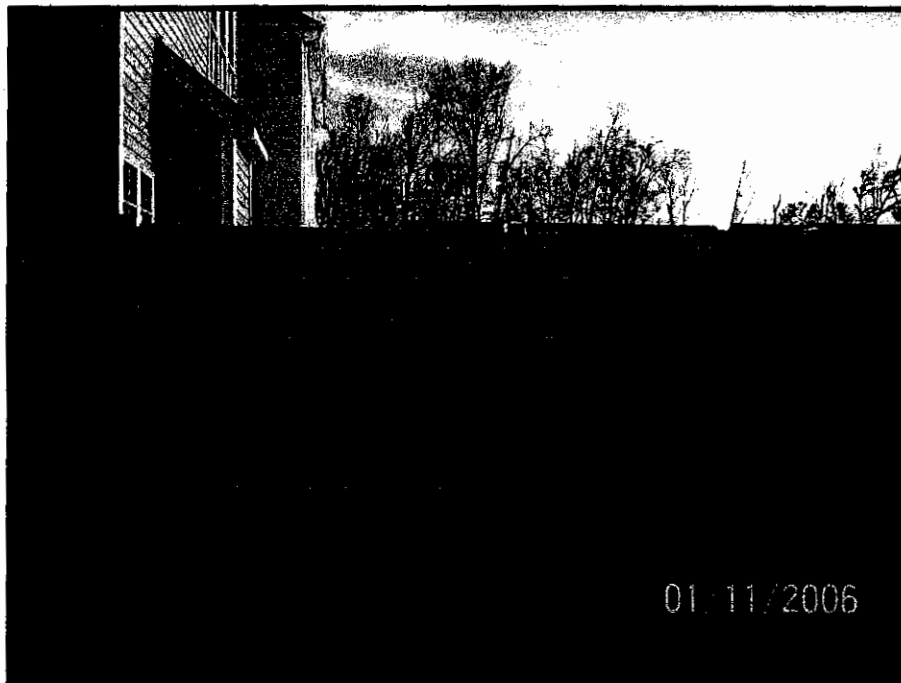
No modifications of any kind are permitted.

2.9 Fences

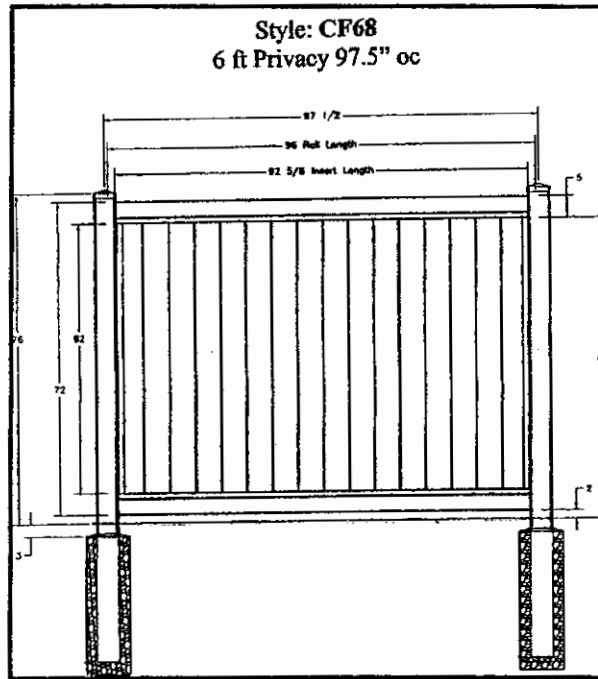
Fencing is not permitted in front yards. Fencing is permitted around patios only. Homeowner's patio area has two existing six foot tall side panels on either side of the patio installed by the builder. Homeowners who wish to fully enclose the patio of their rear yard may install **ONLY** the pre-approved fence design with the prior ARC approval, and the fence is installed in strict compliance with the requirements set forth in the description of such fence. The application must include a copy of the survey showing the proposed location of the fence and its relationship with the house. Please note that the existing fencing **may not be extended, only enclosed.** **IF YOU CHOOSE TO ENCLOSE YOUR PATIO AREA, THE YARD INSIDE THE ENCLOSURE WILL NOT BE MAINTAINED BY THE HOA.**

The fence design is as follows:

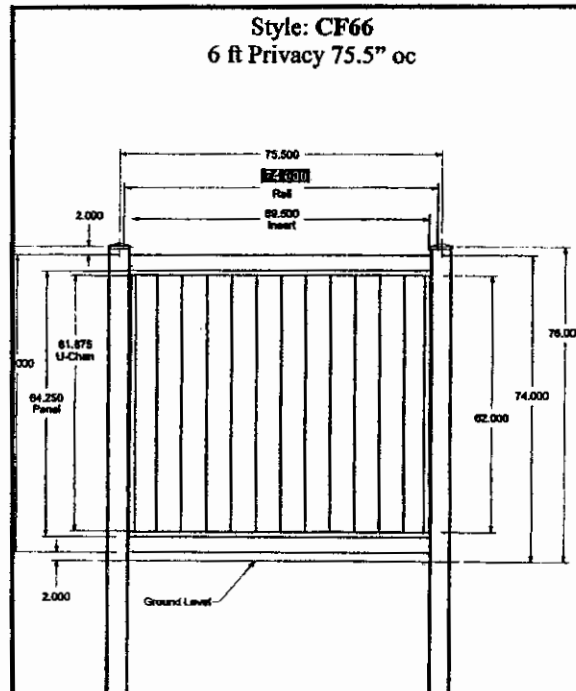
White PVC 6' tall vinyl privacy fence.



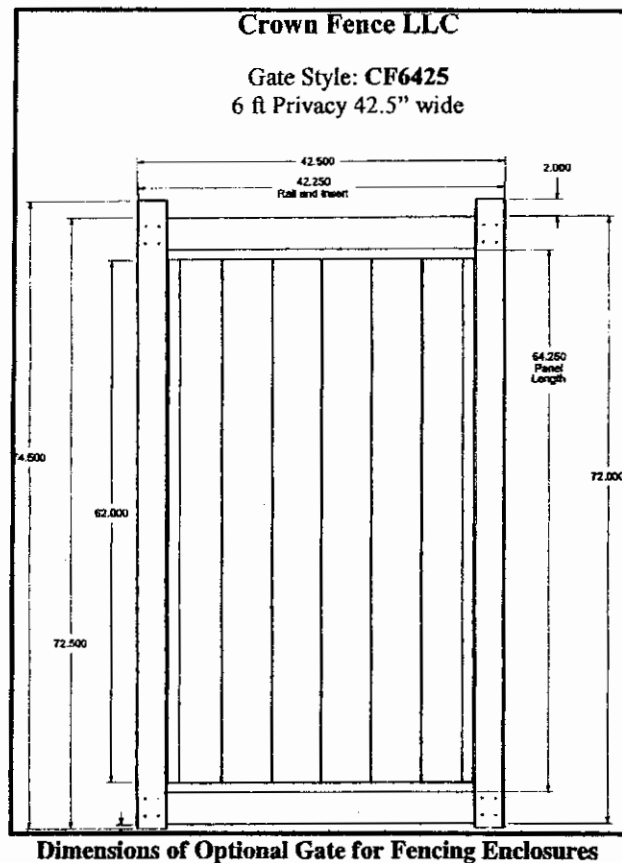
Fencing Installed by Builder



Dimensions of Builder Installed Fencing



Dimensions of Fencing for Enclosure of Patio



2.10 Flagpoles, Flags

Flags and poles may not be attached or installed.

- Freestanding flagpoles are not permitted anywhere on the property.

2.11 Garbage Containers, Recycle Containers, Garbage

Garbage containers are not permitted to be kept outdoors. Garbage containers may be delivered to the curb 24 hours prior to collection and must be retrieved 24 hours after collection.

2.12 Additional Landscaping

No modifications of any kind are permitted.

2.13 Home-Based Businesses

Home-based businesses are permitted provided the following criteria are met:

- It is not evident that home-based business is being conducted.
- No unusual traffic, other than normal residential traffic, is permitted.

- Only removable signs are permitted on vehicles and said vehicles must be parked in the garage or the signs may be required to be removed while in the community.
- Commercial vehicles too large for a garage must be parked in the driveway. No vehicle larger than a pickup truck or standard van (not to exceed 10,000 GVW) is permitted.

2.14 Hot Tubs, Spas, Saunas

Hot tubs, spas or saunas of any kind are not permitted on the property.

2.15 Mailboxes

Only the original black mailbox is permitted. If replacement or repair is required, the mailbox must be restored to the original design specification. The residence address must be clearly visible on the mailbox.

2.16 Outdoor Furniture

No furniture shall be used, stored or kept on the exterior of any residence except on porches, patios, and decks. Furniture not enclosed in a room shall be limited to such types as is designed for outdoor use. Up to two small planters are permitted on the front porch and must be tasteful and contain live plants. Board reserves the right to discretion.

2.17 Parking, Recreational Vehicles, Campers, Boats, Trailers

No vehicle, including recreational, camper, boat, trailer, car or truck, will be parked on the grass or sidewalk of any lot. Recreational vehicles, campers, boats and trailers must be kept in the garage.

2.18 Pets

Each residence is permitted a total combination of two dogs or cats, provided the owner maintains control at all times. Pets must be on a leash, or restrained at all times.

Animal nuisance of any kind will not be tolerated, including noise and improper waste disposal. While outside the confines of the owner's property, animal waste will immediately be collected by the owner and disposed of in an approved waste receptacle. For disease prevention and sanitary reasons violators will be subject to aggressive penalties, including fines, by the Board.

Other than normal household pets, no other animals, livestock or poultry of any kind shall be raised, bred or kept on the properties. Dogs, cats or other normal household pets may be kept in homes provided that such pets are not kept, bred or maintained for any commercial purpose.

2.19 Roof Accessories

No modifications of any kind are permitted.

2.20 Signs

No signs of any kind shall be erected, placed or permitted to remain on any residence, lot or common area except::

- A single "For Sale" sign which shall not exceed 2' x 3' in size.
- Such permits as required by legal/government agencies.
- Official community events as approved by the Board.
- A security system warning sign, not to exceed 6"x6" in size, may be displayed at the entrance to the residence.

2.21 Storage Sheds, Accessory Buildings

Utility buildings or and storage sheds of any are not permitted on the property.

2.22 Storm Doors

Storms doors of any kind are not permitted.

2.23 Window Air Conditioners

Window air conditioning units and window fans of any kind are not permitted.

2.24 Window Boxes, Planters

Window boxes and planters of any kind are not permitted.

2.25 Yard Maintenance

Residents are not permitted to install, maintain, or erect anything on the landscape of the property that will impede or interfere with maintenance of the landscape.

BLAKENEY PRESERVE HOMEOWNERS ASSOCIATION, INC.

3.0 Request for Architectural Review Committee Approval Form

Name _____
Address _____
Block # _____ Lot # _____ Phone _____

TYPE OF MODIFICATION:

_____ FENCE _____ SATELLITE DISH _____ OTHER

ATTACH DETAILED IMPROVEMENT DESCRIPTION, INCLUDING (if applicable):

1. Location
2. Size
3. Color
4. Material
5. Contractor
6. **Copy of Property Survey, with proposed changes/additions shown**
7. Plans/ Drawings / Photos

ESTIMATED START DATE: _____ ESTIMATED COMPLETION DATE: _____

RECEIVED BY: _____ DATE: _____
(Signature of Committee Member) (Date received)

APPROVED _____ NOT APPROVED _____ INITIALS _____

Please include three (3) complete copies of request, one to be returned to you with committee response. *Requests for multiple changes must be submitted separately.*

MAIL ALL APPLICATIONS TO:

BLAKENEY PRESERVE HOMEOWNERS ASSOCIATION, INC.
POST OFFICE BOX 11906
CHARLOTTE, NORTH CAROLINA 28220