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## Neighborhood Living Standards (NLS)

October 11, 2021

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## **APPLICATION INFORMATION**

1. The following exterior modifications, and only these modifications, do not require a Request for Modification Review Form (“Form”) to be submitted, if certain conditions are met:
  - Patios (Standard 1)
  - Exterior Lighting (Standard 2)
  - Garden Plots (Standard 3)
  - Play Equipment (Standard 4)
  - Portable Basketball Goals (Standard 5)
  - Children’s Wading Pools (Standard 6)
  - Ornamental Trees and Shrubbery (Standard 8)
  - Repainting with same color (Standard 12)
  - Portable Storage Units & Dumpsters (Standard 16)
2. A complete Form must be submitted through the Covenants Committee for all other types of modifications. **THE VERBAL APPROVAL OF ANY SALES AGENT, JOHN WIELAND HOMES AND NEIGHBORHOOD EMPLOYEES, OR ASSOCIATION REPRESENTATIVES IS NOT SUFFICIENT. ALL MODIFICATION APPROVALS MUST BE IN WRITING.** When plans are required, they must be submitted with the Form. Forms are available online at [www.brookhaven-nc.com](http://www.brookhaven-nc.com).
3. The Covenants Committee typically meets on a regular basis. By the Neighborhood Covenants, a response to a modification request must be provided within sixty (60) days.

## **COVENANT ENFORCEMENT PROCEDURES**

1. Apparent Covenant violations – as may be reported by any source – must be submitted in writing to the Covenants Committee to be referred for appropriate action.
2. If a violation cannot be resolved by the Covenants Committee (CC), the CC may refer the matter to the Board of Directors for resolution.
3. If necessary, follow-up correspondence requesting immediate action will be sent. Possible sanctions include: (A) suspension of the right to vote; (B) suspension of the privilege of using the recreational facilities; (C) recordation of notice of Covenant violation with the Superior Court; (D) imposition of a fine on a per violation and/or per day basis; (E) commencement of legal proceedings; (F) correction of the violation by the Association with all costs charged to the violator; and/or (G) filing of a lien for all fines and costs to correct the violation.

## **NEIGHBORHOOD LIVING STANDARDS**

### **Single Family Detached Homes**

#### **STANDARD NUMBER 1**

##### Patios and Walkways

1. Submission of a Form for a concrete patio is not required if:
  - a) The patio does not extend beyond the left and right sides of the house and does not extend to within ten (10) feet of the side property lines nor further than twenty (20) feet from the rear of the home, and
  - b) The patio does not exceed six (6) inches above the ground at any point.
2. Submission of a Form for a concrete walkway is not required if the walkway is located in the rear yard, and
  - a) The walkway does not extend beyond the left and right sides of the house and does not extend to within ten (10) feet of side property lines, and
  - b) The walkway does not exceed four (4) inches above the ground at any point.
3. A Form must be submitted for patio covers, awnings, trellises, permanent seating, railings, outdoor kitchens, fire pits, fireplaces, and all other items not enumerated above.

#### **STANDARD NUMBER 2**

##### Exterior Decorative Objects, Front Porch Flowerpots, Lighting, etc.

1. A Form must be submitted for all exterior decorative objects, both natural and man-made, including, but not limited to, items such as bird baths, wagon wheels, sculptures/statuary, fountains, pools, antennas, flower pots, free-standing poles of any type, flag poles, and items attached to approved structures.
2. A Form is not required to be submitted for a single attached flagpole, not to exceed six (6) feet in length, attached to the front portion of the house or attached to the house in the garage entry area.

3. Except as provided below, a Form must be submitted for all exterior lights or lighting fixtures not included as a part of the original structures. A Form is not required if lights meet the following criteria:
  - a) Lighting does not exceed twelve (12) inches in height, and
  - b) The number of lights does not exceed twelve (12), and
  - c) The total wattage does not exceed 100 watts, all lights are white or clear, non-glare, and located so as to cause minimal visual impact on adjacent properties and streets. The use of multi-colored LED lights or sequencing between different light colors is prohibited.
4. Front doors and front entry area decorations must be tasteful and in keeping with the style and colors of the house. Plants and flowers in pots must always be neat and healthy. Neatly maintained front porch flowerpots (maximum of four (4)) that blend with the exterior color of the house, containing evergreens/flowers do not require the submission of a Form.
5. Objects will be evaluated on criteria such as location, proportion, color, and appropriateness to the surrounding environment.
6. Holiday decorations and lighting may be installed in a reasonable manner for the various recognized holidays and must be placed so as to have a minimum sensory impact on neighboring properties. Holiday decorations and lighting may be in use for a period not to exceed forty-five (45) days, but in any event must be taken down within ten (10) days following the holiday.

### **STANDARD NUMBER 3**

#### **Garden Plots**

1. A Form must be submitted for garden plots unless all of the following conditions are met:
  - a) The plot is located behind the house in the rear yard of the Lot;
  - b) The use of raised garden beds is permitted only on the patio or deck.
  - c) The size of the plot is limited to 150 square feet or 1/4 of the rear yard, whichever is smaller; and
  - d) The maximum height of plants within the plot does not exceed four (4) feet, at any time.
2. **EXCEPTION:** Garden plots for cluster houses, houses set on lots at angles, and houses on corner lots will be considered on an individual basis when a Form is submitted.

## STANDARD NUMBER 4

### Play Equipment

1. Except for lots adjacent to a lake, the Form is not required to be submitted for play equipment if the play equipment is located:
  - a) Within the extended right and left sides of the house;
  - b) In the rear yard;
  - c) Within a screened and fenced area of the rear of the house, if yard is fenced; and
  - d) Does not exceed fifteen (15) feet in height and will have a minimum visual impact on adjacent properties.
2. All play equipment, including, but not limited to, swing sets, slides, seesaws, jungle gyms, etc., exclusive of wearing surfaces (slide poles, climbing rungs, swing seats, etc.) will generally be required to blend into the surrounding environment through the use of earthen colors comparable to dark green or brown.
3. All play equipment, including, but not limited to, soccer goals, hockey nets, lacrosse nets, pitching nets, skateboard ramps, wagons, bicycles, scooters, toys, etc., when not in use must be stored in the garage or neatly in the rear yard within the extended right and left sides of the house in a manner that does not provide unsightly or unkempt conditions. No play equipment may be left out in the front or side yards overnight.
4. A baseball backstop or similar item is not considered as play equipment and must comply with the fence Standards.
5. Nothing, including, without limitation, swings, ropes and play equipment, shall be attached to or suspended between any tree(s) in the front yard of any Lot.
6. Play Houses and Tree Houses
  - a) A Form must be submitted for all play houses and tree houses.
  - b) Play houses and tree houses must be located where they will have a minimum visual impact on adjacent properties. In most cases, material used must match existing materials of the home, and the tree house/play house may not be larger than 100 square feet.

## **STANDARD NUMBER 5**

### **Basketball Goals**

1. A Form is not required to be submitted for portable basketball goals if all the following requirements are met:
  - a) The backboard is perpendicular to the primary street on which the house is located;
  - b) The backboard is white, beige, light gray, or clear;
  - c) The backboard post is painted black; and
  - d) The homeowner obtains written approval of any neighbor who may be impacted by play.
2. A Form is required for the installation of an in-ground basketball goal. The in-ground basketball goal must meet the conditions of (a) through (d) above and submission of the Form will require the signature of any neighbor(s) who may be impacted by play.
3. One rectangle surrounding the hoop is permissible.
4. Basketball goals may not be attached to the house.
5. A Form is required for the installation of a basketball safety net. Basketball rollback nets, return nets, or similar items are not allowed to be permanently installed on the goals and must be removed when not in use.
6. Portable goals may not be maintained in the street or at the curb overnight.

## **STANDARD NUMBER 6**

### **Private Pools**

1. A Form is not required to be submitted for children's portable wading pools (those that can be emptied at night) that do not exceed eighteen (18) inches in depth and whose surface area does not exceed thirty-six (36) square feet.
2. Pools exceeding thirty-six (36) square feet located above the ground are not allowed.
3. A Form must be submitted for all in-ground pools.
  - a) Appearance, height, and detailing of all retaining walls must be consistent with the architectural character of the house. Some terracing may be acceptable.
  - b) The pool must have adequate fencing. Preferred privacy fencing for lots with pools or spas must be consistent with the attached privacy fence exhibit.

- c) The maximum allowable pool area is 1000 square feet.
  - d) Glaring light sources that have a visual impact on neighboring lots are not allowed.
  - e) Landscaping enhancement of the pool area and screening with landscaping is required and must be included with the submitted Form and plan.
4. A Form must be submitted for all exterior spas or hot tubs. Spas and hot tubs must be screened from adjacent properties and streets.

## STANDARD NUMBER 7

### Fences

1. The original design concept of a John Wieland Neighborhood promotes a feeling of open space; therefore, fencing is not generally encouraged. For any type of fencing to be considered, a Form must be submitted.
2. Chain link fences or chain link dog runs are not allowed.
3. The following types of fences may be approved for installation:
  - a) Six-foot privacy fence with scalloped tops and post detail as noted (See Exhibit “A”). Material must be cedar, cypress, or #2 or better pressure treated wood. ***Please note that privacy fencing will only be considered for approval under special circumstances.*** An example is adjacent neighbors already having a privacy fence.
  - b) Maximum five-foot wrought iron or aluminum style fence with an approved tip style (See Exhibit “B”).
4. Approved fences shall be constructed at least twelve (12) inches from the nearest Lot boundary line.
5. All approved fences which are physically connected to one another shall be constructed in the same architectural style and design.
6. All Forms must include the following information:
  - a) Picture or drawing of the fence type (see attached Exhibits for acceptable styles).
  - b) Dimensions – Maximum heights are noted above. (see Exhibits for acceptable dimensions).
  - c) Color – Wood fences must be natural or painted to match exterior house trim color. Wrought iron or aluminum fences must be black.



- d) Site Plan –An exact site plan denoting the location of the fence, house, and property lines, easements and minimum building lines must accompany the Form. **Fences shall not be located closer to any street than the rear edge of the home. However, on corner lots, the fence shall not be closer to any side street than the building line of the lot.**
- 7. All fences constructed on any lot shall be of uniform style and construction, including fencing used for dog runs. A Form must be submitted for all dogruns.
- 8. Dog runs must meet all fence Standards.
- 9. All fence posts for all fences must be set in concrete.
- 10. No fence shall be allowed on any lot that borders a lake located in any neighborhood.
- 11. Interior porches – Should the house plan include an interior, corner porch, the fence may begin at the front most corner of the porch in lieu of the rear corner of the house. An interior porch is defined as a porch located on the rear corner of the house, built into the first floor of the house, and covered above by a second-floor heated living space.
- 12. An RFM is not required to install **Outdoor Safety Netting** if the following conditions are met:
  - a) May be installed over the interior side of black aluminum or wrought iron fences only.
  - b) Must be black in color.
  - c) The fence the netting is being installed on must be owned by homeowner who is installing the netting, or an approved RFM is required.
  - d) Netting must be securely and neatly attached to the fence with proper fasteners.
  - e) Netting must be substantially equal to netting shown in **EXHIBIT 'C'**.

## **STANDARD NUMBER 8**

### Exterior Landscaping, Maintenance, and Composting

1. The original grass type in Brookhaven is Tall Fescue. A form is not required for overseeding or sodding lawns with the original grass type (i.e., Tall Fescue) installed by the builder. Along with weeds, invasive creeping grasses such as Bermuda and Zoysia grasses must be eliminated from Tall Fescue lawns on a continual basis and shall not be allowed to spread. In no event shall any artificial turf installation exceed 100 square feet.
2. A Form is not required to be submitted for the addition of six (6) or fewer ornamental trees or shrubs. However, a Form must be submitted for screen plantings (row or cluster style), property line plantings, and ornamental plantings of seven (7) or more.

### 3. Property Line and Screen Plantings

- a) Property line must be professionally marked prior to planting.
- b) At a minimum, property line and screen plantings shall be setback from the property line, so that when mature the plantings do not encroach on the adjacent properties.
- c) Property line and screen plantings must be positioned in a **staggered** row and properly spaced accounting for the mature width (e.g. If the mature width of a tree is 10', space center of trunks no closer together than 8').
- d) Property line and screen plantings shall not be located closer to any street than the front edge of the home. However, on corner lots, the property line or screen plantings shall not be closer to any side street than the building line of the lot.

- 4. General maintenance of the area from the front property line to the center line of the street (also applies to the side street for a corner lot) is the responsibility of the individual homeowner. Each owner is responsible for removal of debris, clippings, etc., from this area, and should report any problems that might be noted with the asphalt or drainage. All planting areas should be properly maintained at all times, and, after the first frost, affected material should be removed. At the end of the growing season, all dead plant material should be removed. It is suggested that the bare earth be covered with pine straw, mulch, or similar covering to prevent soil erosion.
- 5. Forms must include a description of the types and anticipated mature sizes of trees or shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings.
- 6. Landscaping should relate to the existing terrain and natural features of the lot, utilizing plant materials native to the Southeastern United States. The amount and character of the landscaping must conform to the precedent set in the surrounding neighborhood.
- 7. All mulched landscape beds must be covered with natural pine straw, chopped pine bark mulch, or wood shavings. No artificial mulch or other bed covering may be used without specific approval of the Board of Directors or its designee.
- 8. The preferred landscape bed edging is a neat four to six (4" – 6") inch deep trench.
- 9. Other edging, if used, shall not exceed three (3") inches above the turf height and be of a uniform type and natural color. Any other style edging must be submitted for approval.
- 10. Each owner shall keep his lot and all improvements thereon in good order and repair, including, but not limited to, seeding, watering, mowing, the pruning and cutting of all trees and shrubs, raking as necessary, and the painting or other appropriate external care of all buildings and improvements. This should be done in a manner and with such frequency as is consistent with good property management and the precedent set in the surrounding neighborhood.

11. Outdoor storage of garden tools and hoses must be screened from view and kept behind shrubs. Any tools or items stored under a deck or porch must also be screened from view.
12. Composting may be done by individuals or communal groups. If desired, composting shall be done with strict adherence to the following Standards:
  - a) All yard waste must be containerized. Only acceptable means of composting may be used. No dumping in wooded areas, cracks or holes in the ground, or other location is allowed.
  - b) Containers cannot exceed one cubic yard in size.
  - c) The composting unit must be located behind the house and screened by hedges or similar greenery so that it does not affect the aesthetic appearance from the street or adjacent property.
  - d) Contents of composting units may consist of herein listed items only: grass clippings, leaves, shrub pruning, flowers, weeds, sawdust, small limbs, and wood ash.
  - e) Unacceptable composting items include, but are not limited to: meat, bones, dairy products, fish, greasy foods, animal feces, poultry, unchopped wood, wastes, and diseased plants.
  - f) Before installation, a Form must be completed and submitted to the Covenants Committee for approval or disapproval.

### 13. Residential Rain Barrels

- a) A request for Modification Form must be submitted for homeowners requesting the installation of Residential Rain Barrels.
- b) Rain Barrels must be tasteful and in keeping with the style and colors of the house and must not exceed 100 gallons.
- c) Rain Barrels must be Residential Grade (not commercial grade) and located at the rear of the property and screened from view from adjacent yards, lots and streets. Objects will be evaluated on criteria such as location proportion, color and appropriateness to the surrounding environment.

### 14. Trees and Tree Removal

- a) For purposes of this Section 14:
  - “Habersham Homes” shall mean and refer to the following:
    - All homes on Elsmore Drive,
    - All homes on Forbshire Drive,
    - House numbers 1002 through 3005 on Camrose

Crossing,

- 1108 Longwood Court,
  - All homes on Harrogate Lane,
  - All homes on Minden Drive,
  - All homes on Sudbury Lane EXCEPT 1005 Sudbury Lane,
  - House numbers 1000 through 2010 on Shalford Lane,
  - House numbers 3502 through 3704 on Delamere Drive, and
  - House numbers 1003 through 1009 on Stanbury Drive.
- “Signature Collection Homes” shall mean and refer to the following:
    - All homes on Ainsdale Drive,
    - All homes on Viscount Drive,
    - All homes on Lugano Court,
    - All homes on Sultana Lane,
    - All homes on Desborough Drive,
    - All homes on Arundale Lane,
    - 1005 Sudbury Lane,
    - All homes on Russet Glen Lane,
    - House numbers 2105 through 3500 on Delamere Drive,
    - All homes on Westbury Drive,
    - All homes on Lytton Lane,
    - All homes on Thistledown Court,
    - All homes on Dumont Court,
    - All homes on Doverstone Court,
    - House numbers 3006 through 7010 on Stanbury Drive,

- All homes on Longwood Court EXCEPT 1108 Longwood Court,
  - House numbers 4003 through 7018 on Camrose Crossing, and
  - All homes on Delacourt Lane.
- b) All Signature Collection Homes must have at least two (2) Approved Trees planted in the front yard of the Lot at all times. All Habersham Homes must have at least one (1) Approved Tree planted in the front yard of the Lot at all times. For purposes of this subsection (b), “Approved Trees” consist of healthy Maple, Oak, Hickory, Birch, Sycamore or Beech trees.
- c) No tree shall be removed from any Lot without the express prior consent of the Board or its designee, except under circumstances described in Article VI, Section 12 of the Declaration (“Tree Removal”), and trees which are severely damaged by storms and must be removed in order to mitigate the risk of personal injury to any person or damage to nearby property.
- d) Within ten (10) days after the removal of any tree under Article VI, Section 12(b) or (c) of the Declaration, the Lot Owner shall provide the Association with a letter from a certified arborist attesting to the need for the removal.
- e) Trees with a caliper measurement less than six (6) inches in diameter (measured at a point on the tree trunk which is four (4) feet above ground level at the base of the tree) may be removed without consent of the ARC/Board.

## **STANDARD NUMBER 9**

### **Firewood**

1. Firewood piles are to be maintained in good order and must generally be located between the right and left sides of the house and in the rear yard, in order to preserve the open space vistas.
2. Woodpile coverings are allowed only if the cover is an earthen color and the woodpile is screened from the view of the street. For example, a woodpile located under a deck may be covered with an earthen colored tarp and screened with appropriate shrubs.

## **STANDARD NUMBER 10**

### **Decks**

1. Form must be submitted for all decks. The Form must include a site plan denoting location, dimensions, materials, and color. In most cases, the deck may not extend beyond the right and left sides of the home.
2. Materials must be cedar, cypress, composite or synthetic board (e.g., Trex, Rhino Deck, etc.), or #2 or better pressure treated wood.
3. Any other decking materials must be specifically approved by the Board of
4. Directors or its designee.
5. Color must be natural, stained, or painted to match the exterior of the home.
6. Vertical supports for wood decks must be a minimum of four by six (4" X 6") inch wood posts OR painted metal poles, boxed in to give the appearance of wood columns.
7. The following, without limitation, will be reviewed: location, size, conformity with design of the house, relationship to neighboring dwellings, and proposed use.
8. Owners are advised that a building permit may be required for deck construction.
9. A Form must also be submitted to add skirting around an existing deck.

## **STANDARD NUMBER 11**

### Exterior Building Alterations

1. A Form must be submitted for all exterior building alterations, including, but not limited to, storm doors or windows, removal or installation of shutters, construction of driveways or parking pads, garages, carports, porches, attached storage space, room additions and ADA/access ramps (or other structure to accommodate a disability) to the home. Repainting of the house or trim does not require a Form if the color(s) are not changed.
2. The original architectural character or theme of any home must be consistent for all components of the home. Once the character is established, whether it is traditional, contemporary, etc., no change may alter that character.
3. A paint color change requires that the following information be submitted along with the Form:
  - a) A paint sample or picture of the paint color used in or approved for this or another John Wieland Neighborhood in the same County. The address of the home and neighborhood where the color has been approved must be identified.
  - b) Area of home to be re-painted.
  - c) Photograph of your home and homes on either side (in most cases, adjacent homes cannot

be painted the same color).

4. Storm windows and doors must be made of anodized bronze or anodized aluminum with baked enamel finish compatible with the primary and trim colors of the house. The Form must contain the following information:
  - a) A Picture or drawing of all windows or doors on which storm windows or doors will be installed;
  - b) Picture depicting the style of storm window or door to be installed; and
  - c) The color of the window or door material.
5. If County authorities make any changes to the plans as approved by the Covenants Committee, the owner must submit changes for re-approval, prior to construction.
6. A Form must be submitted for all sports courts, including but not limited to, tennis, volleyball, handball, racquetball and basketball courts. Lighted courts (other than the neighborhood courts) are not allowed.
7. Detached buildings will be considered only for lots sized one (1) acre or more.
8. Detached buildings must be located directly behind the home and hidden from view from adjacent road rights-of-way, except as specifically approved in writing by the Association.
  - a) Detached buildings shall be limited to 400 square feet, one level, and no portion of any such building shall extend beyond the front façade of the home constructed on any Lot.
  - b) Detached buildings may not be used for any purpose that may be deemed by the Board of Directors or its designee to cause disorderly, unsightly, or unkempt conditions.
  - c) Detached buildings may not be used for living space.
  - d) Detached building exterior materials must match the architectural character of the home and be built with the same type of materials.
  - e) Plastic or metal storage sheds or other structures are not allowed.
9. Owners are advised that a building permit may be required for certain exterior building alterations.
10. A Form must be submitted for all dog houses, including a site plan denoting location, dimensions, materials, and color. All dog houses must be located where they will have a minimal visual impact on adjacent properties.
  - a) Materials must be cedar, cypress, or #2 or better pressure treated wood.
  - b) Color must be natural, stained, or painted to match the exterior of the home.

- c) No plastic or metal dog houses are allowed.

11. ADA/access ramps, or other structures to accommodate a disability:

- a) If made of wood, must be cedar, cypress, or #2 or better pressure treated wood and painted to match the trim of the home;
- b) If made of aluminum or metal must be painted black; and
- c) Requires a disability certification letter from the owner's physician.

## **STANDARD NUMBER 12**

### Vehicles, Parking, and Traffic

1. Except for passenger, non-commercial vehicles, no boat, trailer, camper, recreational vehicle, or any other type vehicle may be parked or stored in open view on residential property for longer than a twenty-four (24) hour period.
2. All vehicles parked in open view and not in a garage must be operable and may not be unsightly.
3. No vehicle may be parked on any yard. Parking of vehicles on the street is prohibited. Temporary parking (four (4) hours or less) is allowed if not a nuisance to neighbors or an impediment to traffic flow. Homeowners are responsible for guest parking and must insure that guests park in a safe manner and do not impede access to other driveways and traffic.
4. No vehicle may be parked in the street overnight.
5. All vehicle operators should observe all local, County, and State traffic regulations at all times while in the Neighborhood.
6. The operation of golf carts, motorized scooters, non-licensed mopeds or mini-bikes, and ATVs is not allowed on streets, sidewalks, paths, or common areas, except for the use of golf carts on designated paths.
7. Street parking is not permitted in the cul-de-sac next to the Camrose Crossing Lane and Forbshire Drive intersection on school days between 6:30am and 8:30am.

## **STANDARD NUMBER 13**

### Satellite Dishes

1. No transmission antennas or satellite dishes of any kind, and no direct broadcast satellite



(DBS) antennas or multi-channel, multi-point distribution service (MMDS) antennas larger than one (1) meter in diameter, shall be placed, allowed, or maintained upon any portion of the Neighborhood, including any Lot, without the prior written consent of the Board of Directors or its designee. DBS and MMDS antennas and satellite dishes one (1) meter or less in diameter and television broadcast service antennas may be installed only if reasonably screened and located as approved by the Board of Directors or its designee and installed in accordance with the rules and regulations of the Federal Communications Commission and of the Association, both as may be amended from time to time. However, the Board and Declarant and its affiliates reserve the right to (but shall not be obligated to) erect any type and size of master antenna, satellite dish, or other similar master system for the benefit of the Neighborhood. Each Owner and Occupant acknowledges that this provision benefits all Owners and Occupants and each Owner and Occupant agrees to comply with this provision despite the fact that the erection of any individual outdoor antenna or similar device would be the most cost-effective way to receive the signals sought to be received.

2. A standard modification Form must be submitted for any installation of more than one satellite dish or antenna
3. A satellite dish or antenna may be mounted only on the ground of the owner's property, the rear exterior wall of the house, or the roof.
4. Placement should be between the right and left sides of the house and behind the center-line or peaks of the roof of the house.
5. In all cases, the satellite dish or antenna shall be located so that it is not visible from the street. Mounting at the roof ridge or on the chimney above the ridge is not allowed.
6. If a rear mounted location is not feasible due to poor quality of reception or the orientation of the house, a Form must be submitted, and is subject to approval by the Covenants Committee prior to installation. A sidewall location may be approved if the following Standards are met:
  - a) Located near existing air conditioning condensers, gas meter, and electric meter;
  - b) Mounted on the wall with the top of the device no higher than five (5) feet above grade;
  - c) Mounted on the ground within five (5) feet of air conditioning condensers, gas meter, and electric meter, and within two (2) feet of house sidewall.
  - d) Color of device shall be utility gray or similar color to match adjacent utility devices; and
  - e) Ground mounted devices shall be screened from street view by adequate and approved landscaping materials.

## **STANDARD NUMBER 14**

### **Trash and Recycling**

1. Trash and Recycling containers should be placed out for pickup no earlier than 5PM the day before trash and recycling collection and must be stored in garages or behind approved screening as early as possible the same day as the pick- up.
2. All trash and recycling must be in a city provided container or similar container designed for storing trash and recycling. Trash containers must have a lid to avoid trash spreading throughout the community. Placing trash and recycling at the curb in plastic bags, cardboard boxes and grocery bags is not permitted. Trash and recycling containers should be kept in the garage or behind approved screening and not be visible from the street or an adjacent lot.
3. Trash and recycling stored outside of a garage must be behind approved screening and be in vermin-proof containers. These are lidded containers designed for storing trash and recycling. Plastic bags, cardboard boxes and grocery bags are not considered vermin proof.

## **STANDARD NUMBER 15**

### Watersheds

Silt fencing or temporary sediment control device should be installed whenever there is risk of sediment laden storm water runoff. Examples are during landscaping or construction.

The following are **prohibited**:

1. A condition which blocks hinders or obstructs, in any way, the natural flow of branches, all weather conditions. Examples of obstructions include but are not limited to structures, rocks, logs, trash and yard waste.
2. Dumping animal feces, garbage, yard waste, chemicals, cooking oil/grease, motor oil or paint in or near any branches, streams, creeks, surface waters, ditches or drains.
3. Dumping animal feces, garbage, yard waste, chemicals, cooking oil/grease, motor oil or paint in wooded areas, cracks or holes in the ground, or other location.

## **STANDARD NUMBER 16**

### Portable Storage Units & Dumpsters

1. Portable Storage Unit shall mean a transportable unit designed and used primarily for temporary storage of building materials, household goods, or other materials which is typically delivered and removed by truck.
2. Dumpster shall mean a large container designed to receive, transport and dump waste which is typically delivered and removed by truck.
3. The following requirements shall apply to the placement of Portable Storage Units and

#### Dumpsters in Brookhaven:

- a) Portable Storage Units and Dumpsters shall not remain on a lot in excess of seven (7) days in any calendar year. Seven (7) day extensions may be granted if there is substantial evidence of need. Requests for extension shall be made in writing and set forth the reason the extension is needed. Requests shall be made via a Request For Modification (RFM) form.
- b) Portable Storage Units and Dumpsters shall only be placed upon approved parking areas such as driveways. Portable Storage Units and Dumpsters shall not be placed in the public right-of-way. Portable Storage Units and Dumpsters must be placed at the very back of driveways and in a location that hides as much of the unit as possible from the view of neighbors and from the street.
- c) Portable Storage Units and Dumpsters may only be picked up and delivered between the hours of 9AM and 5PM EST.

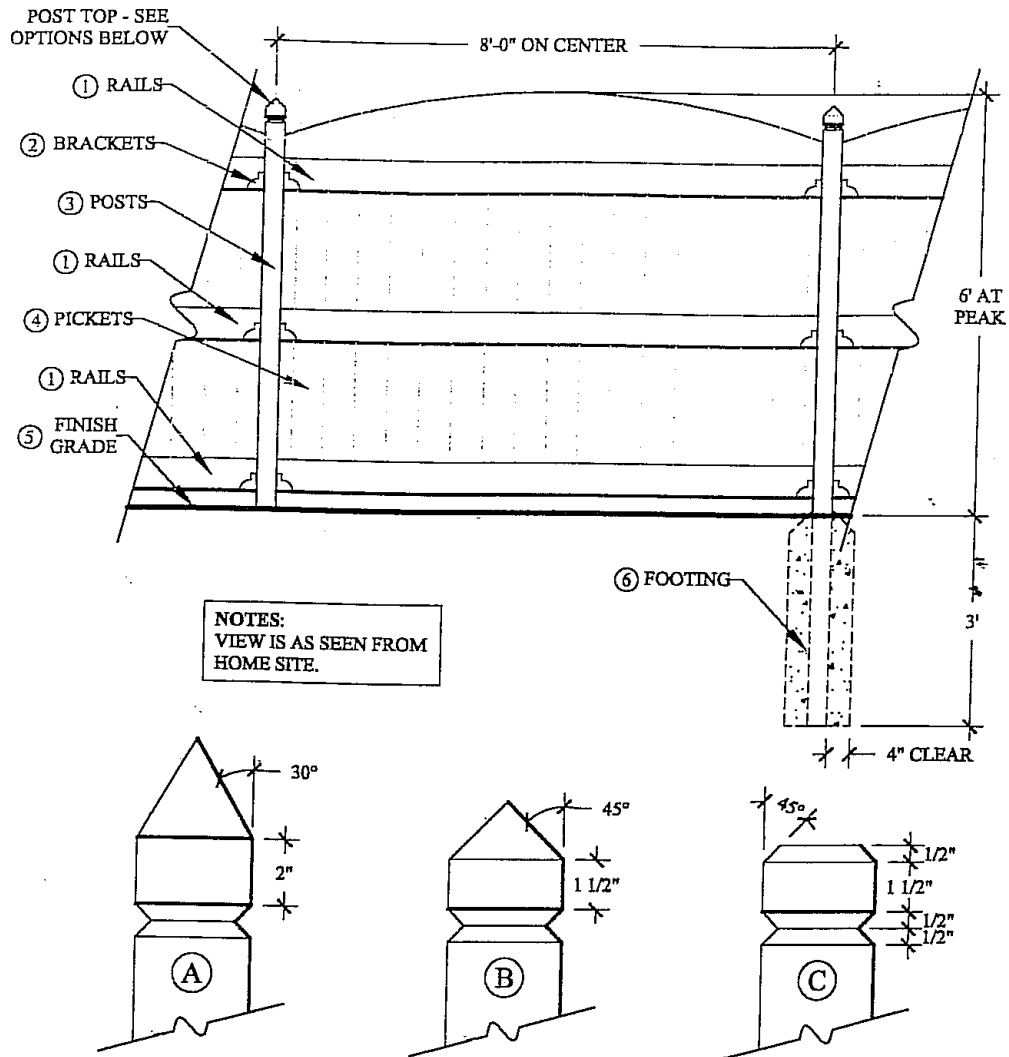
### **STANDARD NUMBER 17**

#### Yard Sales, Moving Sales, Estate Sales and Signage on Lots

1. The Association will endeavor to schedule a Neighborhood Yard Sale each Spring and Fall but will be subject to the availability of volunteers to coordinate the event.
2. Individual yard sales are strictly prohibited.
3. A Form must be submitted to conduct a moving sale, estate sale or any similar type of event. No sign of any kind shall be erected or displayed to advertise such event.
4. In addition to signs which are permitted under Article VI, Section 3 of the Declaration ("Signs"), a Lot Owner may display a maximum of one (1) "School Sign" in the front yard of his/her Lot, provided that the permitted School Sign is no larger than 216 square inches (i.e., 12" x 18") in size. For purposes of this Standard, "School Sign" shall mean and refer to a sign promoting the name, mascot or seal of any school, college or university, or which celebrates a resident's affiliation with any such educational institution (e.g., signs related to high school graduations or promoting a school sports team). The determination as to whether or not a particular sign qualifies as a School Sign within the meaning of this Standard shall rest solely with the Board of Directors, and the decision of the Board in that regard shall be final and unappealable in all respects.

# EXHIBIT 'A'

## 6 FOOT WOOD PRIVACY FENCE DETAILS

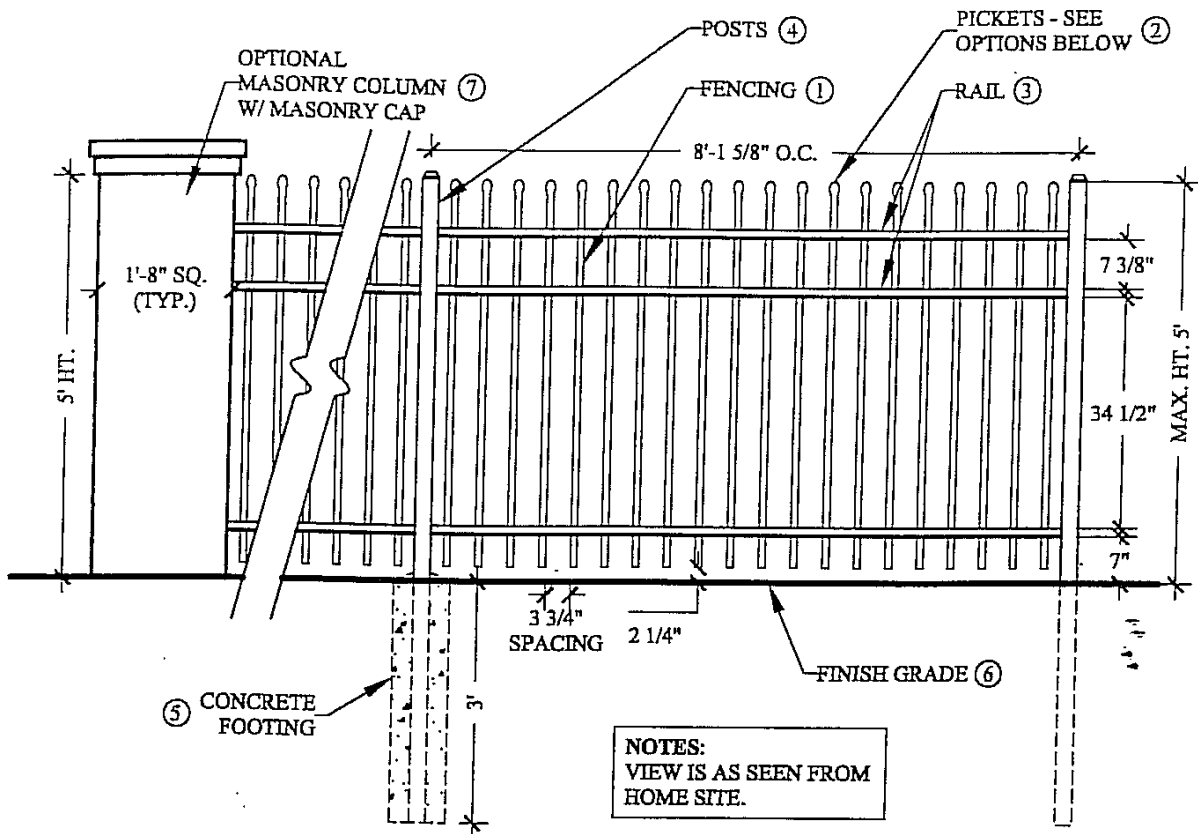


### POST TOP OPTIONS

#### NOTES:

1. 2x4 or 2x6 cedar, cypress or pressure treated rail.
2. Fence rail bracket centered on post.
3. 4x4 or 4x6 or 6x6 pressure treated post.
4. 1x6 smooth cedar, cypress, or pressure treated pickets with smooth side facing out. Pickets may be placed with no gap or with inch overlap shadowbox style.
5. Finished grade with 3-inch clearance between grade and bottom rail. Maintain 12-inch wide pine straw bed (6 inches either side)

**EXHIBIT 'B'**  
**BLACK WROUGHT IRON/ALUMINUM/STEEL FENCE DETAILS**



**NOTES:**

1. 1/2" pickets minimum. Pickets shall be straight up and down with no curves at top and/or bottom. No add-on picket tips allowed.
2. Standard post caps only.
3. All fencing shall be black wrought iron, steel or aluminum.
4. Minimum 2" Posts.
5. Minimum of 3" concrete around post.
6. Minimum clearance between grade and bottom picket shall be 1".
7. Masonry columns may be added to the corners of the fencing. No lighting or other ornamental fixtures may be added to columns. Column masonry must match masonry on residence. Fencing shall be centered on the column.

**EXHIBIT 'B'**  
**BLACK WROUGHT IRON/ALUMINUM/STEEL FENCE DETAILS**  
**APPROVED STYLES**



**Style 1** The pressed point pickets are even across the top.



**Style 2** Smooth top, not exposing any pickets.



**Style 3** A variation of styles (1 & 2).



**Style 4** Similar to style 2 except with closer spaced pickets.

**EXHIBIT 'C'**  
**OUTDOOR SAFETY NETTING**



Product Shown: Cardinal Gates Outdoor Safety Netting Available at: PETCO, Sears.com,  
Cardinal Gates.com, Amazon.com & Buy.com