

CREEKSIDE WOODS GUIDELINES

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1. **Fencing Requirements:** The following types of fences will generally be approved by the Architectural Control Committee (ACC):

- A. Board on Board
- B. Wrought Iron
- C. Cape Cod
- D. Vinyl Clad Chain Link, up to four (4') feet
- E. Picket
- F. Split Rail

Fences will not be approved over six (6') feet tall.

The following **will not** be approved by the ACC:

- A. Plain chain link fence
- B. Vinyl Clad chain link above four feet
- C. Stockade style fences

All fence types must be approved by the ACC **prior** to the fence installation. The ACC reserves the right to inspect the fence anytime before during, or after construction to ensure compliance with the approved fencing plan.

Fencing Locations: All fencing locations must be approved **prior** to the installation of a given fence. The following are guidelines regarding fencing locations which generally will be approved by the ACC.

- A. No fencing will be allowed in the front set back line of the house. For corner lots this includes the side yard facing the side street of the residence.
- B. Fencing of rear yard and side yard set back easements will be discouraged by the ACC. If access to the easement is required, the fence can be removed, and the expense charged back to the owner. Replacement of the fence will be the responsibility of lot owner.

Fencing, Approved Construction Techniques: All fencing shall be constructed of quality materials such as vinyl chain link fence, treated lumber, or cedar. All fencing shall be properly braced with all posts either

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concreted into ground or placed at a depth whereby the fence will be secure and will not move.

Fencing Maintenance: All fences must be maintained in a reasonable fashion. Any warped boards shall be replaced on a timely basis. Any painted fences shall be maintained whereby the fence always has a reasonable appearance. The ACC shall provide notice of any maintenance violation. Such violations shall be corrected within 15 days of receipt of said notice. If the violation is not corrected, the ACC through the Homeowner's Association, retains the right to correct the violation and the bill the homeowner for all applicable costs including but no limited to: lien rights, attorney's fees, costs of repairs, interest at the maximum rate allowable by law, and all reasonable costs of collection.

Fencing, Bracing: All fence supports, bracing, or ribbing shall be on the inside of the fence unless otherwise approved by the ACC.

2. **Dog: Kennels and Houses:** All kennels and dog houses must be approved by the ACC prior to construction in terms of both location and materials. Chain link (vinyl or painted), will be allowed if the final location and screening as required by the ACC is approved prior to the commencement of construction. Dog kennels and houses should be placed in a location whereby they are not eyesores or nuisances to surrounding homeowners. Each kennel must be screened with either fencing or trees as approved by the ACC depending on the individual request. All dog houses must be constructed of quality materials with neutral colors, siding and trim painted to match the primary colors of the residence of the applicant.
3. **Mini-Barns and Accessory Structures:** Requests for the approval of mini-barns and detached accessory structures (except for dog kennels) generally will be approved subject to the following conditions.
 - A. Plans for each mini-barn and accessory structure must be submitted to and approved by the ACC **prior** to commencement of construction.

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- B. The location of the mini-barn or accessory structure should be included in the plans that are submitted to the ACC and must be behind the rear building line of the main structure (house) on the lot. Corner lots must locate on inside back corner. Furthermore, the location of the mini-barn or accessory structure should be in compliance with the Declaration of Covenants and Restrictions with regards to its location in relation to the lot's easements and property lines.
- C. Each lot shall not have more than one structure (e.g. mini barn, shed and pool house) for the explicit purpose of storage. This does not apply to dog kennels, doghouses and playhouses, which are addressed elsewhere in the guidelines.
- D. The architecture of the mini-barn or accessory structures should, as much as possible, match that of the main residential structure on the lot. This would include things such as matching the siding material and color to the main residence as well as matching the color of the roofing shingles. When possible other design features of the main residence such as trim and roof slope should be considered and used. Metal siding should not be used, other than to match aluminum siding of the main residence.
- E. The mini-barn or accessory structure must be a minimum of 8'L x 8'W x 8'Tall.
- F. The mini-barn or accessory structure must be no more than a maximum of 12'L x 12' W x 12' Tall.
- G. The mini-barn or accessory structure should be constructed using the highest quality material possible. Wood framing only. Generally, this will mean treated or cedar timbers and a finished exterior that will weather well. Examples of exterior material that will not weather well are pressed wood or particleboard.
- H. Once constructed, any architectural changes to the approved mini-barn or accessory structure must be re-submitted to the ACC for approval prior to construction. In general, additions such as a lean-to, carport or containment structures designed to hold trashcans or yard tools will be denied.

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- I. The mini-barn or accessory structure, once constructed, should be maintained with the same diligence that is used with regards to the primary residence. Damaged structures, and structures that have fallen in disrepair should be fixed and maintained in a reasonable time frame. Homeowners who fail to maintain a min-barn or accessory structures are subject to the same penalties and fees assessed by the HOA in other matters of lot maintenance. In extreme cases, this can include removal of the structure from the property by court order at the homeowner's expense.
 - J. The mini-barn or accessory structure must be built within 30 days of beginning construction or delivery of materials.
 - K. All mini-barns or accessory structures must have a floor of 3/8" marine plywood or concrete. No ground or dirt floors are acceptable.
 - L. It must be set on level footers and footers must not be visible.
 - M. All applicable permits will be the responsibility of the Homeowner.
4. **Antennas, TV, Radio, Satellite:** These are restricted by Section 17, paragraph (d) of the Declaration of Covenants and Restrictions and Section 19 of the Plat Covenants. Exposed antennas must be approved by the ACC. Antennas shall be attached to the house and shall be placed in a location whereby they are not eyesores to surrounding homeowners. Height shall not exceed five feet (5') above the roof peak. Visible satellite dishes over eighteen inches (18") and apparatus are not permitted per the Covenants and will not be approved. The final location of eighteen inches (18") satellite dishes are subject to the approval of the ACC.
5. **Decks:** Generally, requests for decks will be approved subject to the following requirements:
- A. The deck shall be constructed with quality materials.
 - B. Railing on the deck shall not exceed four feet (4').
 - C. Final configuration of the deck must be approved prior to the commencement of construction.

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Decks, Maintenance: All decks must be maintained in a reasonable fashion. Any warped boards or rails shall be replaced on a timely basis. Any painted deck shall be maintained whereby the deck always has a reasonable appearance. The ACC shall provide notice of any maintenance violation. Such violations shall be corrected within 15 days of receipt of said notice. If the violation is not corrected, the ACC, through the Homeowner's Association, retains the right to correct the violation and bill the homeowner for all applicable costs including but not limited to: lien rights, attorney's fees, costs of repairs, interest at the maximum rate allowable by law, and all reasonable costs of collection.

6. **Porches, Screened in Porches, Room and Garage Additions:** These are restricted by section 9 of the Plat Covenants. Generally requests for screened in porches and room additions will be approved subject to the following guidelines:
 - A. The additions shall be constructed with quality materials.
 - B. The roof line shall follow natural roof line of the home or be approved by the ACC.
 - C. The roof, siding, and trim shall match the colors of the primary residence.
 - D. All detailed construction plans must be approved **prior** to the commencement of construction.

7. **Gazebos:** Generally, requests for installation of gazebos will be approved subject to the following guidelines:
 - A. Structure shall be built with quality materials.
 - B. Final placement of the structure must be approved by the ACC.
 - C. Height of the structure shall not exceed fifteen feet (15').

8. **Pools:** Paragraph 20 of Plat Covenants permits only in-ground pools. A detailed development plan must be provided to the ACC **prior** to the commencement of construction. NO alteration to the existing grade may be done without the approval of the ACC. Any proposed grade changes must be shown on the proposed plans.

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Pool Fencing: Generally, the following types of fencing will be acceptable around the pool area:

- A. Board on Board
- B. Cape Cod
- C. Picket
- D. Wrought Iron
- E. Vinyl Clad Chain link five feet (5') only

Fencing must be minimum of five feet (5'), but not to exceed six feet (6'). Other fencing guidelines per Paragraph 1 will also apply.

Pool Pump Houses: See Paragraph 3, Mini-Barns and accessory structures. Detached structures are not permitted per paragraph 9 of the Plat Covenants. See Paragraph 3 for guidelines concerning attached accessory structures.

9. **Basketball Goals/Game Courts:** Generally, requests for the installation of basketball goals and game courts will be approved subject to the owner representing that playing will cease after 10 p.m. and the following guidelines:

Basketball Goals:

- A. Type: Wooden backboards will not be approved. The backboard shall be made from one of the following type of materials:
 - 1. Clear Plexiglass
 - 2. Acrylic
 - 3. Graphite
- B. Logos: All basketball goal logos shall be approved as part of the initial submittal. Logos shall not cover more than eighty percent (80%) of the backboard area as determined by the ACC.
- C. Location: No basketball rim/board shall be attached to the primary residence. Final location of the goal/board shall be approved by the ACC prior to installation. Generally, basketball goals will be approved if they are

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located adjacent to driveways, but not within the public right of ways and easement areas.

Game Courts:

- A. Game courts will be located in the rear yard. The final location of the courts shall be approved by the ACC.
- B. Generally, courts will not be approved in excess of 25 feet by 25 feet.
- C. The court may consist of grass, sand, concrete or asphalt materials.
- D. Generally, no lighting will be permitted.

10. **Invisible Fencing:** Generally, requests for invisible fencing will be approved subject to ACC approval of proposed fence location prior to installation. All controller boxes, etc., shall be hidden from view.

11. **Lawn Ornaments:** All lawn ornaments and other items added to the lot beyond the primary residence are subject to the approval of the ACC.

Generally, ornamental bird baths will be approved as long as they do not exceed three feet (3') in height. Generally, concrete lawn ornaments which exceed 24 inches in height, such as deer, etc., will not be approved by the ACC.

12. **Landscaping**

Designs & Planting Beds: All landscape designs and planting beds are subject to review by the ACC. Any landscaping in the platted landscape easements will require formal approval. While any landscaping done in the drainage and utility easements and right of ways may be approved, it will be done at the homeowner's own risk. The ACC reserves the right to deny any request based upon a lack of conformity to the established aesthetics of the neighborhood. Written requests are not required in the following situations:

- A. An overall landscape plan has already been approved and that plan is being followed. Or,

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- B. Less than five trees are being added and none of those are between the sidewalk and street. Or,
- C. Replacement of existing trees or shrubs or adding to existing planting beds.

Sodding: Generally, all front and side yards to back edge of house must be sodded, unless specifically approved by the ACC. Generally, hydro seeding of yards will be approved during certain times of the year as established by the ACC. On all corner lots, both areas adjacent to roadway shall be treated as front yards and shall be subject to sodding requirements and fencing limitations.

Trees: Minimum tree and planting bed requirements shall be established by the ACC on a section by section basis. ACC approval is required for the removal of trees (**prior** to the removal of the tree).

13. **Signage:** Signage is subject to ACC review per Section 17, paragraph (d) of the Declaration of Covenants and Restrictions. Signage is further restricted in Section 13 of the Plat covenants and paragraph 17(h) of the Declaration of Covenants and Restrictions. Additionally, signage is subject to local and state regulations. All signage, except those of the Declarant and its builders, is subject to the approval of the ACC. Formal written request will not be required for signage that fits within the guidelines described below.

No signage shall be located in such a place whereby it restricts or obstructs traffic visibility. Entranceway signage shall be freestanding, not to exceed six (6) square feet. Identification signage will not be allowed within the right-of-way of a dedicated public street, nor in any area not specifically approved by the ACC.

Temporary Signage: Generally, signage will be approved subject to the following guidelines (signage under A, B, or C shall not exceed six (6) square feet):

- A. "For Sale": One "For Sale" sign will be allowed in the front yard of a primary residence after the initial sale of the residence by a builder. Up

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until this point, a builder and Realtor sign will be allowed subject to ACC approval of placement, size, and colors utilized.

- B. "Garage Sale": Two signs the day(s) of the Garage sale will be permitted, one at the residence and one in the entranceway.
- C. Decorative Banners/Pennants: These must be attached in a quality manner to the porch of the home, no higher than the first floor of the home. The final location is subject to ACC approval.
- D. Signs on Homes: Generally, small signs signifying the address, Welcome, No Soliciting will be approved.
- E. Other: Generally, signs such as Athletic team signs, "Welcome Home", 500 Race, Political signs will be permitted for a period not to exceed two weeks.

Permanent Signage: Generally, permanent signage will not be approved by the ACC.

Prohibited Signage: The following signage generally will not be approved by the ACC.

- A. Signs advertising goods, services, or home occupations.
- B. Pennants, banners and portable signage will not be permitted in the entranceway.
- C. Signage with blinking lights or chaser lights are not permitted.

14. **Lights and Mailboxes:** The Declarant shall dictate a standard mailbox. The cost shall be the responsibility of the purchaser or builder of the home. The title owner shall be responsible to keep the mailbox in good repair and shall not alter it without ACC approval. Each home shall have a dusk to dawn yard or coach light of similar style to be approved by the ACC. The cost shall be the responsibility of the purchaser or builder of the home. The title owner (at all times) shall keep the dusk to dawn lighting in good repair with working light bulbs and shall not alter without ACC approval. Light bulbs shall be clear or white frosted: exceptions for holidays may be approved by the ACC.

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15. **Playgrounds:** All requests for playground structures must be approved by the ACC **prior** to installation. Generally, requests for playgrounds will be approved subject to the following guidelines:
- A. Approved location
 - B. Construction with quality materials
 - C. Height not to exceed fifteen feet (15') unless specifically approved by the ACC.

Playground, Maintenance: All playgrounds must be maintained in a reasonable fashion. Any warped boards or rails shall be replaced on a timely basis. Any painted playground shall be maintained whereby the playground always has a reasonable appearance. The ACC shall provide notice of any maintenance violation. Such violations shall be corrected within 15 days of receipt of said notice. If the violation is not corrected, the ACC, through the Homeowner's Association, retains the right to correct the violation and bill the homeowner for all applicable costs including but not limited to: lien rights, attorney's fees, costs of repairs, interest at the maximum rate allowable by law, and all reasonable costs of collection.

16. **Playhouses:** All requests for playground structures must be approved by the ACC **prior** to installation. Detailed construction plans must accompany the requests. Generally, requests for installation of playhouses will be approved subject to the following guidelines:
- A. Structure shall be built with quality materials. No metal structures will be approved.
 - B. The roof color shall match the color of the primary residence.
 - C. The structure shall not be used for storage per Section 9 of the Plat Covenants.
 - D. The structure shall have all the appearances of a playhouse with features such as a door or door opening, windows or window openings, etc.
 - E. Size shall not exceed forty- eight (48) square feet. Height of the structure shall not exceed eight feet (8') at roof peak.
 - F. Final placement of the playhouse must be approved by the ACC.

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Playhouse, Maintenance: All playhouses must be maintained in a reasonable fashion. Any warped boards or rails or loose shingles shall be replaced on a timely basis. Any painted playhouse shall be maintained whereby the playhouse always has a reasonable appearance. The ACC shall provide notice of any maintenance violation. Such violations shall be corrected within 15 days of receipt of said notice. If the violation is not corrected, the ACC, through the Homeowner's Association, retains the right to correct the violation and bill the homeowner for all applicable costs including but not limited to: lien rights, attorney's fees, costs of repairs, interest at the maximum rate allowable by law, and all reasonable costs of collection.

17. **Exterior Painting:** No change to any exterior color (base or trim) shall be made without the consent of the ACC. The ACC reserves the right to restrict the colors that are utilized in repainting the exterior.
18. **Bug Zappers:** Generally, requests for electric bug zappers will be approved subject to the owner requesting this device representing that it will be turned off no later than 10 p.m.
19. **Flag Poles:** Generally, requests for flag poles will be approved subject to the pole being made of quality materials firmly secured into the ground and not exceeding twenty feet (20') in height.
20. **Bird Houses:** Generally, requests for birdhouses will be approved subject to the following criteria:
 - A. All pole mounted bird houses shall be located in the rear yard of a residence secured firmly into the ground in an approved location.
 - B. Quality materials shall be utilized in the construction of the bird house.
 - C. All colors shall be approved by the ACC.
21. **Awnings, Canopies, Carports:** Generally, requests for installation of awnings or canopies over windows or patios will be approved subject to the following guidelines:
 - A. They shall be built with quality materials.

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- B. Final placement must be approved by the ACC.
- C. Colors shall coordinate with the exterior colors of the residence.

Carports or garage canopies will not be approved.

- 22. **Drainage/Utility Easements:** It shall be the responsibility of every owner of every lot in the development on which any part of an open storm drainage ditch or swale is situated to keep such portion thereof as may be situated upon his lot continuously unobstructed and in good repair. Owners of lots in this Subdivision subject to a Drainage Easement shall be required to keep the portion of said Drainage Easement on his lot free from obstructions so that the surface water drainage will be unimpeded.
- 23. **Temporary Residences Prohibit/limitation on Vehicles:** No trailer, snack, tent, boat, basement, garage or other outbuilding may be used at any time as a residence, temporary or permanent; nor may any structure of a temporary character be used as a residence.
- 24. **Limitations Regarding Trash:** No lot shall be used or maintained as a dumping ground for rubbish, trash or garbage. Other waste must be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition. Garbage and trash shall be kept in approved containers which are not visible from the street, except on collection day.
- 25. **Animals:** No, animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided they are not kept, bred or maintained for any commercial purposes. Any animal so kept shall not be permitted to roam at large within the subdivision and shall be confined to the owner's premises.