

**Brandon Oaks Community Association**  
**Rules and Regulations**  
**Effective May 2022**

**A. Rules and Regulations (Section 4.08):** The Board shall have the right to write, amend, supplement, adopt, publish and enforce Rules and Regulations governing the Project, use and enjoyment of the Common Area, the Recreational Common Area and any facilities thereon, and the personal conduct thereon of the Owners, their guests, invitees, members of their families or households, and tenants.

**B. Compliance & Enforcement:**

1. Each Owner, resident and tenant of a Lot must follow and comply with the provisions of the Declaration, the Bylaws, Rules and Regulations (Section 3.01).
2. The Association has the right to levy fines (as outlined in Section 4.09 and 9.11) and/or suspend common area privileges for infractions of the Rules and Regulations (Sections 4.01(B) & 4.09).
3. After Notice and Opportunity for Hearing, the Board may levy a special assessment against an Owner as a remedy to reimburse the Association for costs incurred in bringing an Owner, his Lot or his resident into compliance with the provisions of the Declaration, Bylaws or the Rules and Regulations (Section 9.07).
4. Failure to enforce the provisions of the Declaration shall not be deemed a waiver of the right to do so thereafter (Section 17.05).

**C. Grand-fathering:** All improvements approved prior to the promulgation of a new guideline will be unaffected until the improvement requires replacement. Approval is required for replacements. The most current guideline will always be used as a basis for approval.

**D. Conflicts in Documents:** The Covenants, Conditions and Restrictions will prevail in any case concerning matters of conflict or inconsistency amongst the documents (Section 3.02).

**E. Landscaping and Lot Maintenance:**

1. The following items should be considered and followed at all times with regards to landscaping and lot maintenance (Section 7.09):
  - a) Grass mowing on a regular basis. No owners' lawn grass shall exceed a reasonable height of eight (8) inches when measured from dirt level.
  - b) Weed removal from lawns and landscaped areas.
  - c) Edging along roadways, driveways, sidewalks, landscaped areas and houses.
  - d) Keeping mulch or pine needles in landscaped areas fresh.
  - e) Driveway and sidewalk crevices as well as roadway edges should be free from grass or weeds.
  - f) Keeping grass, plant and flowers alive (dead plant materials replaced).
  - g) Keeping roadways, sidewalks and driveways free from grass clippings. These may not be swept down storm drains.
  - h) Seeding and fertilizing the lawn on a seasonal basis.
2. It is the responsibility of the Lot owner to maintain any easement area associated with their Lot (Section 4.05).

3. Surface (subsurface) drainage facilities are the responsibility of the Lot owner, unless the County or other Governmental Authority has assumed the responsibility (Section 6.02).
4. The Association has the right to enter any Lot when necessary in connection with the enforcement of the CCRs (Section 6.04 & 7.09).
5. The front of the dwelling shall have standard sized plantings to screen the foundation (Section 7.17).
6. Irrigation does NOT require ACC approval for installation.
7. Edging along roadways, sidewalks, driveways, landscaped areas, and houses shall consist of metal, stone, manufactured plastic, or wood. Glass and/or glass bottles are not permitted.
8. Artificial Turf is allowed only in the following circumstances:
  - a) Size of no greater than 20 ft X 20 ft
  - b) Must be raised a minimum of 8 inches and a maximum of 12 inches from the ground level. Exceptions due to the grade of the property must be approved by the Board of Directors on a case-by-case basis.
  - c) Must be edged in either stone or brick
  - d) Must be located between the sightlines of the home plus an additional 3 foot inset on each side (see Figure 1)
  - e) No more than one such area is permitted on the property
  - f) Artificial turf must be green in color. A picture of the turf color selection must be submitted with the ARC request.
  - g) Must meet requirements of the Architectural Rules & Regulations and be approved by the ARC committee prior to installation
9. Mulching the entire front or side portion of yards is not permitted.
10. Landscaping in the “hellstrip” (the narrow grass area between the sidewalk and the road) is not permitted. This area is to remain grass.

**F. Lot Use: Section 7.01 & 7.02**

1. Each Lot is for the occupancy of a residence for a single family and no other purposes: such as business, commercial, manufacturing or mercantile purposes (Section 7.01).
2. Private garages for no more than three (3) cars are permitted (Section 7.01).
3. No doorways, walkways or streets shall be obstructed in any manner, which would interfere with their use for ingress or egress in the event of emergency (Section 7.02).

**G. Parking & Vehicles: Section 7.03**

1. Repairs and maintenance of any automobile or other vehicle may not be conducted on any driveway within the neighborhood - except in the case of emergency (Section 7.03). All maintenance must be performed either within the garage of the home or within an approved fully enclosed structure.
2. Unlicensed, unregistered, wrecked, or inoperable vehicles are not permitted to remain on any Lot outside of a fully enclosed structure (Section 7.03).
3. Parking on grass or any type of landscaped area is strictly prohibited, regardless of private or common areas.
4. Parking in either the clubhouse or sports pool parking lots is prohibited.
5. Vehicles shall be parked in such a way as to not block visibility at intersections or pedestrians on sidewalks. Parking shall only be done on driveways or roadways.
6. Unless otherwise permitted by the Rules and Regulations no boat, trailer, recreational vehicle, camper, camper truck, or commercial vehicle shall be parked, stored or left (a) on any undesignated part of the Common Area, (b) in any driveway, or (c) on any other part of a Lot, (d) or otherwise in the neighborhood unless the same are fully enclosed within the garage located on the Lot or otherwise properly screened in accordance with the Rules and Regulations.
  - a) Boats, trailers, recreational vehicles, campers and/or camper trucks are permitted to be parked in driveway on a temporary basis for the purpose of loading or unloading. Loading and unloading of said vehicle is limited to 48 hours.
  - b) NOTE: Continuous “loading/unloading” parking is not permitted. Once loaded or unloaded, the vehicle is required to leave Brandon Oaks for at least 24 hours.
  - c) Description of a Commercial Vehicle:
    - 1) Vehicles with a GVWR of 10,001 lbs. or more and used as part of a business (including a non-profit

organization), and/or crosses state lines are considered commercial motor vehicles. This applies to single vehicles (trucks and vans) and to combinations of vehicles (such as a truck pulling a trailer or other equipment).

- 2) Any vehicle that requires a Regular Class A or B Driver's License or a Commercial Driver's License (Class A, B, or C) to operate.
    - Pickup trucks used for personal use only are exempt.
  - 3) Vehicles that carry hazardous materials and certain passenger carrying vehicles are considered commercial regardless of GVWR.
  - 4) Any vehicle with a US DOT number
  - 5) Emergency vehicles (law enforcement, fire, rescue, EMS) are exempt and may be parked at residence.
- d) Options you have:
- 1) Park commercial vehicle on company property or offsite storage facility, outside of Brandon Oaks
  - 2) Park vehicle in the garage of the home
  - 3) Trailers or towed devices must be stored out of sight from the street at all times in the garage or may be stored behind the residence within a fully enclosed structure.
  - 4) All screening methods and/or enclosure structures must be reviewed and approved by the Board and/or the Architectural Control Committee.

#### **H. Pets and Animals: Section 7.08**

1. Animals may not be kept for commercial purposes.
2. The number of household pets, generally considered to be outdoor pets (dogs, cats, etc.) shall not exceed three (3) in number except for newborn offspring of such household pets which are under nine (9) months of age.
3. If, after Notice and Opportunity for Hearing, the Board finds that pets residing in the community constitute an unreasonable annoyance, inconvenience or nuisance, the Board may require that such animal be removed from the neighborhood.
4. When off of their own property, all animals must be kept on a leash at all times.
5. All pet owners must clean up after their pets, whether on common property, neighbors' property or your own property.
6. Animals and pets of all kinds are prohibited from the Clubhouse, Sports Club, pools, tennis courts, basketball courts and volleyball courts. This regulation excludes certified ADA service dogs' of any kind.
7. Invisible pet fencing does NOT require ACC approval for installation.
8. Dog pens or enclosures must be located behind the home and between the lines of sight of the home (see Figure 1). In addition, they must be approved by the Architectural Control Committee prior to their installation.
9. Dog pens, doghouses and dog runs are not permitted anywhere on The Garden Lots (Section 18.04b).
10. Chickens, Goats, and other livestock are not permitted within Brandon Oaks.

#### **I. Exercise & Play Equipment: Section 7.18**

1. Play sets, trampolines, basketball goals and similar equipment must be located within the building setback lines as indicated on the plot plan for each lot.
2. All equipment, with the exception of basketball hoops, must be located behind the home and between the lines of sight of the home (see Figure 1). Variances may be granted on a case-by-case basis when lot shape and size prohibits correct placement. In these cases, screening may be required.
3. Play sets are limited in size and appearance to typical residential play sets of wood or similar-look materials. Metal swing sets are not permitted.
4. Permanent or "in-ground" basketball goals may not extend beyond the front facade of the dwelling and may not be physically attached to the house.
5. No swing sets, basketball goals, trampolines or other play structures are permitted anywhere on The Garden Lots (Section 18.04a).
6. Movable basketball goals are not permitted to be stored in the street at any time.

#### **J. Reconstruction of Residences: (Section 14.02):**

1. In the event of damage or destruction due to fire or other casualty, an Owner must commence to

reconstruct, with due diligence, within four (4) months of said event.

2. All efforts shall be made to restore the residence to resemble the appearance in form and in color to what existed prior to the damage.
3. Damage or deterioration to any Improvements on Lots must be restored to its original condition or corrected within a reasonable time, noted by the Board of Directors.
4. Reconstruction plans of a residence are to be submitted in their entirety to the ARC Committee for a special review.

**K. Mailboxes:** (Section 7.17)

1. Mailbox & paper holder must be mounted on a 3" square steel post.
2. Mailbox shall be 1-½ size rural mailbox (21" long, 11" high and 8 ¼" wide).
3. Newspaper holder shall be 6" round and mounted under the mailbox.
4. A pineapple finial shall be on top of the post and pontalba shall be mounted under the newspaper holder.
5. Boxes and post shall be painted black and vinyl 2" x 1½" gold numbers with durable adhesive shall be either applied down the post starting at the top of the newspaper holder or applied horizontally on the newspaper holder.
6. Carolina Mailboxes, Inc. has these mailboxes and numbers available – mailbox style Hermitage (704-334-3393; 3428 Vane Ct., Charlotte, NC 28206).
7. Decorative mailbox covers are permitted, but must be in good shape with no visible cracks, breaks, or overly faded.

**L. Signs & Curtains:** (Section 7.04)

1. Metallic foils and other coatings, substance or material, which may act as a reflector of light are not permitted to be placed in any windows.
2. Signs, stained glass, flags, or any other articles are not permitted to be displayed, hung, stored or used so as to be visible from outside the lot (excluding seasonal decorations), with the exception of:
  - a. One professionally manufactured sign of not more than five (5) square feet advertising the property for sale or rent.
  - b. Signs to promote the sale of lots erected by the Declarant or its agents.
  - c. Signs approved by the Board of Directors
    - One (1) sign is allowed within the flower/bush bed within 10 feet of the home's front door.
3. Signs in common areas must be approved by the Board of Directors prior to their placement. Failure to get approval will result in the sign being removed by the Management Company.
4. Political campaign signs are permitted on a homeowner's property, and shall be placed no earlier than 30 days prior to the start of one-stop voting. The signs are to be removed no later than 10 days after the election.
  - a. The maximum dimensions of the political sign shall be no larger than 24" x 24".
  - b. No more than one (1) sign is permitted.
  - c. A "political sign" is defined as a sign that attempts to influence the outcome of an election, including supporting or opposing a candidate or an "issue on the election ballot."
5. Yard/Garage Sale signs are permitted on a homeowner's property and in the common area at the beginning of the village or subdivision. Signs shall be placed no earlier than three (3) days prior to the start of the sale. Signs are to be removed within 24 hours after the sale has concluded.
  - a. The maximum dimensions of the yard/garage sale sign shall be no larger than 24" x 24".
  - b. No more than one (1) sign is permitted.

**M. Miscellaneous:**

1. STORM DOORS: These may be installed with the advance approval from the Architectural Control Committee.
  - a) They must be full glass or glass/screen and must match the existing facade color scheme.
  - b) Door hardware must also match the existing hardware.
  - c) Examples of approved doors are:
    - i. Lowe's Larson Model #550-27/48/50
    - ii. Home Depot's Larson Model #HD-3000 Brass, 259-GB Classic View Groove Borderor  
Forever Model #HD-12000 Self-Storing.
2. AIR-CONDITIONERS & FANS: Window air-conditioners and fans are not permitted.

3. EXTERIOR LIGHTING: All exterior lighting or ground landscaping lights must be approved by the Architectural Control Committee prior to their installation.
4. ROOF: New and/or roof replacements on the existing home must be submitted to and approved by the ACC prior to installation. Color and style of shingle must be included in the request.
5. Gutters and downspouts are to be white, colors such as black are not permitted.
6. TRASH CAN ENCLOSURES: Trash and recycling containers are to be stored in such a manner that they are not visible from the street when not in use. If either or both are stored outside and in a location that is visible, an enclosure is required. Enclosures are to be either bushes and or trees that completely hide the containers or a wooden enclosure with siding and trim that matches the house. Privacy lattice may be used in lieu of siding and trim, however it must be painted to match the house. All trash and recycling container enclosures are to be submitted to the ARC Committee for review and approval.

**N. Seasonal Decoration Guidelines:**

1. Seasonal decorations are to be considered temporary. Some may be mounted permanently, with the following conditions:
  - a. Store purchased elements need to be designed for such use.
  - b. Elements are to be installed in such a way as to not alter the appearance of the home (i.e. colors should match)
  - c. Justification for permanent installation (i.e. high roof line) will be required to be sent to the Board for approval, prior to installation.
2. Seasonal decorations can be temporarily installed and displayed no earlier than thirty (30) days prior to the start of the major holiday season and must be completely removed no later than thirty (30) days after the holiday. Homeowners with larger displays may request an extension of up to forty five (45) days beyond the base thirty (30) days to allow for the complete setup of their display.
  - a. Note: the major holiday season is defined as October 1<sup>st</sup> through January 1<sup>st</sup>.
  - b. All other holidays outside of the major holiday season, seasonal decorations can be temporarily installed and displayed no earlier than thirty (30) days prior to the start of the holiday and must be completely removed no later than thirty (30) days after the holiday.
3. It is highly encouraged that large dynamic light displays conclude their “show element” by 10 pm nightly for the sake of the neighbors. All homeowners should consider switching off some or all of their lights at this time to reduce traffic to your display.
4. Seasonal decorations must be for non-commercial gain.
5. Large light displays that include audio are required to have the primary communications through the radio and must include notifications to viewers of no loud radios. Outdoor speakers are permitted, but must meet the local sound ordinances. Outdoor audio should be turned off by 10 pm.
6. Homeowners are responsible for traffic control (vehicle or foot traffic) should their display require it. Neighbors should be able to get to their homes and driveways with minimal delay. It is also the display owner’s responsibility to keep traffic off neighbor’s property and is to be limited to sidewalks and paved streets. Care should be taken by the display owner to make sure this is considered and followed by visitors. If you need to perform your own traffic control, your actions need to be coordinated and approved by local law enforcement.
7. Should a complaint be filed, the Board of Directors will use the above listed guidelines to mitigate the complaint.

## **Architectural Rules & Regulations**

The Architectural Control Committee (ACC) of the Brandon Oaks Community Association has established these Architectural Rules and Regulations (ARRs) in accordance with the "Declaration of Covenants, Conditions and Restrictions for Brandon Oaks" (CCRs) to provide a basis for architectural review and approval of improvements for properties within the community. These guidelines shall provide additional clarification and definition to Articles 7 and 14 of the CCRs, and, as such, shall be used together as the basis for improvements. The homeowner should review both documents prior to submitting an application to the ACC.

The Board of Directors reserves the right to create, modify or delete Rules and Regulations as necessary.

## Process for Review and Approval of Improvements

1. Download an "Architectural Control Committee Application" from the Brandon Oaks community website at [www.cusickcompany.com](http://www.cusickcompany.com).
2. Submit the completed application to the Management Company, being careful to include all of the required documents with the application to avoid unnecessary delays.
  - a) All applications must be submitted with a property survey identifying setbacks, easements and exact location of the requested change(s) on the survey. Note: a property survey will only show your house, include all easements and setbacks, the GPS coordinates of your property pins, and be stamped by a registered land surveyor. All other "surveys" including but not limited to hand drawn maps, Google Earth, Zillow, Bing Maps, and Tax Surveys showing entire streets do not qualify as property surveys.
  - b) Detailed plans and specifications should be submitted, including all color choices and building materials to be used.
  - c) Any additional information, which may be necessary in assisting the committee's review process.
3. The Management Company will then forward the application to the ACC for review.
4. Notification and communications pertaining to the approval, denial, or need for additional information will be conducted with the Management Company.
5. The ACC has 30 days from the date the Management Company forwards your request to them to review, approve, disapprove, or request additional information on your request. Please factor this into your project schedule.
6. If the ACC fails to approve or disapprove an application within thirty (30) days following the receipt of the initial application, then a homeowner may submit in writing, a notice of failure to act. The ACC then has ten (10) days to respond to such notice or the application shall be deemed approved (Section 14.01). In this case, the homeowner is still obligated to follow all Covenants, Conditions & Restrictions as well as Rules & Regulations.

## **Guidelines for Improvements Requiring Prior Approval:**

### **5. Home Additions:**

1. Design and construction of home additions must be consistent with the architecture of the lot, village, and subdivision (Section 7.17).
2. A detailed plan and elevation view of the proposed structure must be submitted citing all materials to be used for construction (Section 7.17 & 14.01).
3. All materials used must match closely to those of the existing home, (ex. wall framing, roof framing, windows, doors, siding, roof shingles, and brick) (Section 7.17). A statement reflecting this information must be provided in the application (Section 14.01).
4. No building shall be located nearer than five (5) feet to any side lot line or ten (10) feet to any rear lot line (Section 7.11).
5. No building will be permitted to remain within any utility, cable television or public storm drainage easement (Section 4.05).
6. If converting the Lot garage into a livable space, the overhead garage door is required to remain on the exterior façade. Garage door is not required to remain functional.

### **6. Utility Buildings/ Accessory Structures:** (Section 7.14)

1. These items must be approved prior to their installation.
2. All utility buildings must be constructed of wood. Metal or plastic buildings are not permitted.
3. No more than one utility building or noncommercial greenhouse is permitted.
4. All materials used must match the color(s) of the existing home. The building should be similar in color to the siding color of the home. The trim should match the trim color of the home. The roof shingles should match as closely as possible to those used on the home. A statement reflecting this information must be provided in the application (Section 14.01).

5. Utility buildings must be located within the rear ¼ of the lot, at a minimum of 10' from the rear property line (Section 7.11), and within the side setback lines (Section 7.11). Please note all dimensions on the survey (distance from rear and side property lines as well as dimensions of the utility building itself).
6. Utility buildings must be placed between the lines of sight of the home (see Figure 1).
7. Accessory structures may not exceed a total of 400 square feet. Accessory structures may not exceed 14' in height at its highest point and may not include more than one (1) floor.
8. Utility buildings are not permitted on The Garden Lots.
9. New and/or roof replacements on the Utility Building/Accessory Structure must be submitted to the ACC prior to installation. Color and style of shingle must be included in the request.

7. **Fences:** (Section 7.07)

1. All fences must be submitted for review by the Architectural Control Committee prior to their installation.
2. Like materials must be used for the entire fence.
3. When applicable, fences may not extend beyond the top of a berm erected by the Developer.
4. On corner lots, fencing may not be placed any closer to the street than the side street setback as indicated on the plot plan.
5. Chain link or any other type of metal fencing (excluding the decorative metal fencing noted below) is strictly prohibited; with the exception that metal wire mesh fencing attached to the interior side of a split rail fence may be used to contain animals within the yard.
6. Fences may not be installed closer to the street than the front of the building facade.
7. Dog pens or enclosures must be located behind the home and between the lines of sight of the home (see Figure 1). In addition, they must be approved by the Architectural Control Committee prior to their installation.
8. Fences may not cross driveways

9. **PERIMETER FENCING:**

- a) Perimeter fencing may not exceed four (4) feet in height.
- b) Perimeter fencing must be of the following types:
  - i. **Picket** - Pickets shall be installed only on the exterior side of the fence and shall be placed with a minimum of one-and-one-half (1½) inches between them. Picket fences may be of wood or vinyl material. These fences should be natural wood, wood-toned stain, or white in color. A statement reflecting this information must be provided in the application. Pictures of the desired picket fence type shall be submitted with the application for review. Please note the spacing between pickets on the picture.
  - ii. **Decorative Metal** - Decorative metal fences may be wrought iron or aluminum and must be black in color. Pictures of the desired decorative metal fence type shall be submitted with the application for review. This is the ONLY style fence permitted in The Gardens section of Brandon Oaks. Please see The Gardens Section for additional information pertaining to fences.
  - iii. **Split Rail**- Split-rail fencing shall consist of posts and no more than three (3) horizontal rails that are rough-cut and square in shape. These fences may be natural wood or wood-toned stain in color. These fences may be installed with or without wire mesh backing. A statement reflecting this information must be provided in the application.
  - iv. **Paddock Fencing** – Paddock fencing shall consist of posts and no more than three (3) horizontal rails that are between 4” and 6” flat boards, and will have a vertical board on the outside of the post covering the horizontal boards. Paddock fencing with diagonal boards are not permitted. Paddock fences may be of wood or vinyl material. These fences may be natural wood, wood-toned stain, or white in color. These fences may be installed with or without wire mesh backing. A statement reflecting this information must be provided in the application.

10. **PRIVACY FENCING:**

Privacy fencing is only permitted in the following cases:

- a) Around the exterior boundary of the subdivision and is subject to the discretion of the ACC. This fencing may not exceed six (6) feet in height.
- b) Immediately surrounding but no more than 12” from the perimeter of patios, decks, and pools. This fencing may not exceed six (6) feet in height.

8. **Swimming Pools:** (Section 7.16)

1. In-ground swimming pools must be approved prior to its installation.
2. No above ground pools are permitted.
3. Children's blow-up pools, which can/should be drained and stored daily, are not considered above ground pools.
4. In-ground pools and the surrounding concrete pool decking must be located behind the home and between the lines of sight of the home (see Figure 1).
5. All in-ground swimming pools must also have a barrier in accordance with Appendix V of the current North Carolina residential building codes.
  - New in-ground pool ACC requests must indicate if the property has an existing barrier or will be installing a new barrier. New barriers are to be submitted to the ACC with the new in-ground pool request.
6. Construction access for installation of in-ground pools is not permitted from a common areas without the prior written approval from the Board of Directors. A common area landscaping repair plan must also be presented to the Board at the time of request. Failure to acquire written approval from the Board will result in the homeowner being responsible for any and all repairs to the common area.
7. Construction equipment and materials are not permitted to be stored in or on common areas.

9. **Driveways, Sidewalks, & Roadways:** (Section 7.17):

1. These items must be approved prior to their installation.
2. Driveways and sidewalks shall be constructed of concrete.
3. Stamped concrete or decorative driveways or sidewalks requires advanced approval. Concrete sidewalks within lot, excluding public walkways, can be stained with a color closely matching the dominant color of the foundation brick or the home's fascia brick. All other colors are excluded.
4. Painting street numbers on the roadway or curb is strictly prohibited.

10. **Antennas and Satellite Dishes:** (Section 7.05):

1. The Antenna Placement Notification Form, located on the community website, must be submitted together with the ACC application.
2. The antenna/dish must be placed in a location that is least visible from the street.
3. Screening with appropriate landscaping should be considered and may be required.

11. **Decks, Patios, Screen Porches, & Retaining Walls:**

1. These items must be approved prior to their installation.
2. All retaining walls regardless of height, require advance approval
3. Design and construction must be consistent with the architecture of the lot, village and subdivision.
4. A detailed plan and elevation view of the proposed structure must be submitted citing all materials to be used for construction (Section 7.17 & 14.01).
5. All materials used must match closely to those of the existing home (Section 7.17). A statement reflecting this information must be provided in the application (Section 14.01).
6. Decks, patios & screen porches must be located behind the home and between the lines of sight of the home (see Figure 1).

12. **The Gardens:**

1. FENCES (Section 18.02): Decorative metal fences may be wrought iron or aluminum and must be black in color. This is the only style offence permitted in The Gardens.
  - a) No lawn maintenance by The Gardens Homeowners Association will be provided inside of the fenced



area and this will not affect the amount of any assessment levied on the Lot.

- b) The gates are to be left unlocked at all times.
  - c) The maintenance of the fence will be the homeowner's responsibility.
  - d) The fence may not be installed closer to the side property line than 3' - the drainage swales between the homes must be accessible for maintenance at all times.
  - e) Fences may not cross driveways
2. PLAY EQUIPMENT (Section 18.04): No swing sets, basketball goals, trampolines or other play structures are permitted anywhere on The Garden Lots.
3. EXTERIOR CHANGES (Section 18.04): All changes to the exterior of the home must be approved in writing by the Architectural Control Committee prior to their commencement.
- a) Colors must conform to the original scheme designed by the Builder of the original construction.
  - b) Shutters and doors must complement the exterior of the home and maintain the original colors intended.
  - c) When submitting a request for color change, color chips or siding samples should be attached to the request form to help the review process. In addition, pictures of the existing exterior are recommended.
4. EXTERIOR LIGHTING (Section 18.04): All exterior lighting or ground landscaping lights must be approved in writing by the Architectural Control Committee prior to their installation.
5. UTILITY BUILDINGS AND SHEDS (Section 18.04): These are not permitted on The Garden Lots.
6. STORM DOORS (Section 18.04): These may be installed with the advance approval from the Architectural Control Committee.
- a) They must be full glass or glass/screen and must match the existing facade color scheme.
  - b) Door hardware must also match the existing hardware.
  - c) Examples of approved doors are:
    - i. Lowe's Larson Model #550-27/48/50
    - ii. Home Depot's Larson Model #I-ID-3000 Brass, 259-GB Classic View Groove Border or Forever Model #HD-12000 Self-Storing.
7. AIR-CONDITIONERS & FANS (Section 18.04): Window air-conditioners and fans are not permitted.
8. LANDSCAPING and LAWN MAINTENANCE (Section 18.02 & 18.04):
- a) The Association will maintain the grassed areas located on The Garden Lots.
  - b) This maintenance is limited to mowing, fertilizing, edging, weeding, and pine straw the lawns with such frequency as the association shall reasonable determine is necessary to provide an appearance consistent with a first class residential subdivision.
  - c) Owners are not permitted to install, maintain or erect anything, which may impede or interfere with the maintenance of the lawn.
  - d) If an Owner wishes to make alterations to the landscaping of their lawn, they may do so upon the advanced written approval of the Architectural Control Committee. The Owner will be responsible for maintaining those changes.
  - e) Statues and figurines are not permitted in the front yard.
  - f) Window boxes and planters must be approved by the Architectural Control Committee and must be of a color and material complementary to the residence exterior and be neat and attractive at all times.

### **13. Solar Panels (Section 14.01)**

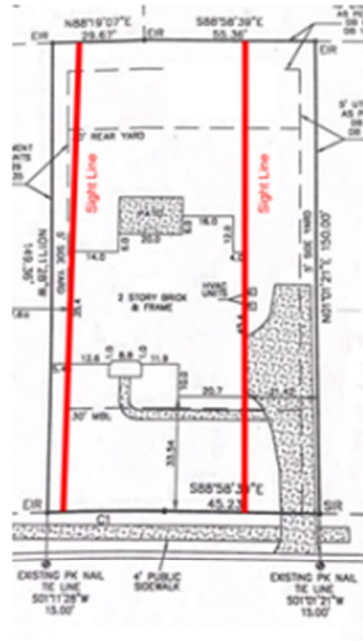
1. Article 14.01 of the Declaration of Covenants, Conditions and Restrictions for Brandon Oaks permit the installation of Solar Panels and requires that the homeowner submit and receive approval for such installation. It is required that the homeowner follow the Process for Review and Approval of Improvements, as stated in Brandon Oaks Homeowners Association Rules and Regulations.
2. The homeowner will also be bound by the restrictions permitted by law (N.C.G.S. 22B-20 Deed Restrictions and other prohibiting solar collectors).
3. The Homeowner will be responsible for damages caused by the installation, existence or removal of solar collectors

and will hold the Association harmless for any such damages.

4. Solar panels will be prohibited, as permitted by law (22B-20(d)), that would be visible by a person on the ground in three specific places:
  - a) On the façade of a structure that faces common or public areas
  - b) On a roof surface that slopes downward toward the same areas open to common or public access that the façade of the structure faces
  - c) Within the area set off by a line running across the façade of the structure extending to the property boundaries on either side of the façade, and those areas of common or public access faced by the structure.

### **Figure 1: Line of Sight Definition**

Typical House Examples



Cul-de-sac House Examples

