

ANSLEY PARK ARCHITECTURAL STANDARDS, CRITERIA AND DESIGN REQUIREMENTS

I. ARCHITECTURAL REVIEW BOARD

A. PURPOSE

The Declaration of Covenants, Conditions, and Restrictions for Ansley Park (the “Declaration”) provides for the establishment of the Ansley Park Homeowners Association, Inc. (the “Association”), and attempts to ensure that the quality of the Ansley Park community will be maintained. All capitalized terms used but not defined herein shall have the meanings given in the Declaration. The Association is responsible for administering the covenants of the Declaration and providing administrative support to the Architectural Review Board (the “ARB”). However, the developer retains the absolute right to approve new home construction on unbuilt lots until the end of the Declarant Control Period.

The ARB seeks to ensure that all exterior alterations and improvements in Ansley Park comply with the guidelines and rules described in the Declaration. All requests for exterior alterations and improvements must be submitted to the ARB, and no alterations may be commenced without ARB approval. The ARB shall evaluate each application on its own merits.

B. AUTHORITY

The ARB is authorized to act pursuant to the Declaration. The Declaration encumbers all of the property within Ansley Park. Lot owners may not make any modifications to the exterior of their houses and property without prior ARB approval. The ARB supports the Board of Directors of the Association (the “Board”). The Board is the ultimate authority for the Ansley Park Homeowners Association, Inc.

C. MEMBERS

The Architectural Control Committee shall consist of 3 members. The Declarant shall select the members of the ARB until control of the Ansley Park Homeowners Association is transferred to a resident-elected Board. Thereafter, the Board shall have the right, power, authority, and obligation to select members of the ARB. The Developer retains the absolute right; however, to review and approve new home construction on Lots while the Declarant owns property in Ansley Park.

Notwithstanding anything to the contrary contained herein, during the Declarant Control Period, the powers, rights, and authority of the ARB shall be exercised by the Declarant or its designee.

D. MEETINGS

The ARB shall meet as necessary to review applications and shall present its findings regarding each application within 30 days after receipt of the application.

E. RESPONSIBILITIES

The ARB shall adopt and enforce standards:

1. Governing the form and content of applications to be submitted to the ARB for approval;
2. Establishing the procedure for the review of applications; and
3. Establishing guidelines for: design features, architectural styles, exterior colors and materials, details of construction, location and size of all structures, landscaping, and all other matters that requiring ARB approval.

F. LIMITATIONS

ARB approval is based only on the aesthetic features of the approved modification. The ARB assumes no liability with regard to the structural integrity of any improvement. The ARB makes no representation or determination regarding the structural adequacy, capacity, or safety features of any proposed improvement.

G. ARB POLICIES

The ARB seeks to foster thoughtful design so that there is harmony between neighboring residences. However, ARB approval of proposed improvements on any Lot shall not be deemed to be a waiver of the ARB's of the right to object to the same or similar improvements on another Lot.

H. ARB APPROVAL REQUIRED FOR ALL IMPROVEMENTS

No building, outbuilding, garage, fence, wall, retaining wall, landscaping, pool, spa, porch, or other structure or improvement of any kind shall be erected, constructed, placed, or maintained on any Lot without written approval from the ARB. And, after construction of a dwelling or other improvement on any Lot, no additional improvements or repairs on that Lot, including without limitation landscaping, repainting, or re-roofing, shall be performed without ARB approval.

I. TIME LIMITS

After approval by the ARB, all improvements shall be completed within 120 days from commencement of the improvement. However, the ARB may establish a more specific time for completion as a condition of its approval of an application.

In the event the ARB fails to approve or disapprove an application within 30 days after receipt of an application in acceptable form, including all information necessary for their consideration and review, the ARB shall be deemed to approved the application. The ARB shall have the right to request additional information if, in its opinion, the original submission is incomplete or insufficient.

J. INSPECTIONS

The ARB may make inspections while construction is in progress to determine compliance with the approved plans and specifications and the provisions of the Declaration. The submission of an application shall be deemed to authorize the ARB or any agent of the ARB to perform such inspections.

K. JOB SITE CONDITIONS

1. All job sites shall be kept in a neat and orderly condition.
2. Construction hours are subject to rules and regulations as established by the ARB or the Association from time to time, and the local ordinances, with the more restrictive rules and regulations prevailing.
3. All construction operations must be performed in accordance with local governmental ordinances.

L. ARB APPROVAL

Upon approval by the ARB, a copy of the applicant's plans and specifications bearing such written approval shall be returned to the applicant. Approval of any application shall be final and the approval may not be thereafter reviewed or rescinded provided that there has been compliance as to all conditions of approval.

M. VIOLATIONS

If any alteration or modification is made without the prior written consent of the ARB, the Lot owner shall be in violation of the Declaration. The ARB, in its sole discretion, may require that all unapproved alterations or modifications be removed, repaired, or revised.

The ARB is empowered to enforce its policies, as set forth in the Declaration and this manual, by means specified in the Declaration, including an action in a court of law, to ensure compliance. The Association also has the right to levy a fine on Owners for modifications made without the written request and approval from the ARB.

N. APPLICATIONS

Applications for exterior changes may be obtained from the Property Management Company for the Ansley Park Homeowners Association, Inc.

1. Site Plan. Each application must include a copy of the site plan and property survey showing the location of existing structures and the boundaries of the property. Proposed changes or additions should be indicated, including dimensions and distances from the house and adjacent properties.

2. Materials and Color. Samples of the materials and colors to be used and an indication of existing colors and materials should be provided. In most cases, a statement that the proposed wall, for example, is to be painted to match the color of the existing house or its trim is sufficient. Where materials or colors are compatible but different from those of the existing structures, samples or color chips should be submitted for clarity.

3. Drawings and Photographs. A graphic depiction of the request should be provided. This may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal.

4. Other Approvals. After receiving approval from the ARB, a permit may be required from the County of Mecklenburg, Town of Huntersville or other governmental authorities. The applicant must determine whether this requirement applies to the requested modification.

5. Third Party Comments. Written comments from neighbors and other residents concerning proposed changes may be furnished to the ARB. These comments will be considered during the review process.

II. ARCHITECTURAL STANDARDS, CRITERIA AND DESIGN REQUIREMENTS

The following are ARB-approved standards, criteria, and design requirements. No restrictions included in the Declaration and not listed here have been waived by the Association.

A. KEY ARCHITECTURAL GUIDELINES

The ARB evaluates all submissions based on the individual merits of the application, which includes consideration of the characteristics of the individual site and Lot size. What may be an acceptable design for one Lot may not be acceptable for another. The following guidelines are general in nature and apply to all of the Lots in Ansley Park.

1. Conformance with Covenants. All applications are reviewed to ensure that the request is in conformance with all requirements of the Declaration and the requirements contained herein.

2. Validity of Concept. The basic idea of the proposed alteration requested must be sound and appropriate to its surroundings.

3. Design Compatibility. The proposed alteration must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color characteristics, and construction details.

4. Location and Impact on Neighbors. The proposed alteration should relate favorably to the landscape, the existing structure, and the neighborhood. Primary concerns are access, view, sunlight, and drainage. For example, fences or landscaping may obstruct views, or access to neighboring properties and decks or larger additions may infringe on a neighbor's privacy.

5. Scale. The size of the proposed alteration should relate well to the adjacent structures and its surroundings.

6. Color. Color may be used to soften or intensify visual impact. Parts of an addition that are similar to the existing house, such as roofs and trim, should be match. Like colors of adjacent homes should not be used. No permission or approval is required to repaint in accordance with the original approved color scheme.

7. Materials. Continuity is established by use of the same or compatible materials as were used in the original house. For example, an addition with vinyl siding may not be compatible with a stucco house.

8. Workmanship. Good workmanship is essential. The quality of work should be equal to or better than that of the existing improvements.

B. SPECIFIC ARCHITECTURAL CRITERIA AND REQUIREMENTS

The following criteria and requirements are more specific than the foregoing general guidelines and represent areas over which the ARB prefers to maintain more control.

1. Foundations

- a. Slabs on grade, crawl spaces, and basement foundations are permitted.

2. Square Footage. Must comply with the Declaration.

3. Windows and Doors

- a. Bright-finished or bright-plated (other than white) metal exterior doors, windows, window screens, louvers, exterior trim or structural members shall not be permitted. Only full view storm doors are permitted.
- b. The use of reflective tinting or mirror finishes on windows is prohibited.
- c. Security bars on windows or doors are not permitted.

4. Exterior Walls

- a. Samples of all sidings must be submitted to the ARB for approval.

The use of the following materials may be approved:

1. Stucco
2. Stone (natural or synthetic)
3. Brick
4. Wood and Cementitious Siding
5. Dryvit

The following is a (non-exclusive) list of inappropriate materials:

1. Vinyl Siding (Vinyl can be used on soffits, window trim, etc.)
2. Rough-Sawn Wood Siding
3. T-111 Siding
4. Aluminum Siding

The ARB reserves the right to evaluate and approve or disapprove new materials as they are introduced to the market.

- b. In general, exterior colors should be muted. Most paint manufacturers have “traditional” or “Williamsburg” color charts from which selections should be made. All exterior colors and materials must be approved by the ARB. Exterior colors that, in the opinion of the ARB would be inharmonious, discordant and/or incongruous to the Ansley Park community shall not be permitted. Like colors shall not be approved on adjacent or opposite houses.

5. Roofs

- a. Roof colors shall be an integral part of the exterior scheme of a building.
- b. No change in color or existing roofing material shall be permitted without the approval of the ARB. Roofing material must be either asphalt or fiberglass shingles, with a minimum 25-year warranty.
- c. Flat deck first floor patio roofs, which also serve as second floor balconies, may be approved by the ARB.

- 6. Chimneys.** Chimneys may be constructed with siding to match the house or otherwise shall be constructed with brick or stone.

- 7. Solar Panels.** Solar water heating panels shall be reviewed on an individual basis, and if approved by the ARB, must be installed so as to be as unobtrusive as possible.

8. Attic vents, Skylights, Gutters, and Downspouts

- a. Attic vents or other improvements on the roof should be as small in size as functionally possible and should be painted to match the roof color. They should be located generally

on the area of the roof least visible from the street, and not extend above the ridgeline. The ARB must approve all roof vents.

- b. Gutters and downspouts must match the trim or window finish on the house and be as inconspicuous as possible. Run-off must not adversely affect the drainage on adjacent properties. All gutters and downspouts must be approved by the ARB.

9. Patios, Patio Enclosures, and Decks

- a. Patio enclosures are an extension of a house and have a significant impact on its appearance. All enclosures should be designed to conform to the contours of the house. Color and materials should be compatible with the house to which it is attached and with surrounding houses. All patio enclosures must be approved by the ARB. Screened enclosures shall not be permitted on the front or sides of dwelling units.
- b. The roof of the patio enclosure should conform to the roof on the house as closely as possible. Insulated aluminum roofs will not be permitted. All screen enclosures must have a roof compatible with the main structure.
- c. All patios, patio slabs, and courtyards must be approved by the ARB prior to installation.
- d. All decks shall be constructed on the rear of the house. Material shall be pressure-treated lumber of grade 2 or better or approved composite decking.

10. Garages, Driveways, Walkways and Exterior Lighting

- a. Any changes to an existing garage door must be approved by the ARB.
- b. No curbside parking areas are to be created by altering existing curb or street paving. Parking is not permitted on lawns.
- c. All proposed exterior lighting should be detailed on a request for architectural modification. No exterior lighting including, without limitation, motion sensitive lighting shall be permitted that, in the opinion of the ARB, would create a nuisance to the adjoining property owners.
- d. Driveways and walkways for Lots shall be constructed of a hard-impervious material such as concrete, brick, pavers or stamped concrete and must be approved by the ARB. No asphalt drives or walkways will be permitted on Lots.
- e. Driveway aprons for Lots must be concrete and may not be widened without the approval of the ARB.
- f. Any proposed walkway must be approved by the ARB prior to installation. This includes concrete walkways, stepping stones or paver bricks.

11. Awnings and Shutters

- a. Any proposed awning must be approved by the ARB. Awnings will only be approved for the rear of the house to cover a deck or patio. Awnings should be canvas, nylon, or other fabric in the same color as either the sides or the trim of the house. Metal, fold-down awnings and canopies shall not be permitted.
- b. Permanent, fixed, operational shutters are permitted. The design, location, and color of the shutters must be approved by the ARB.

12. Permanent Barbecues and Outdoor Cooking Areas

- a. Permanent barbecues and outdoor cooking areas may be permitted but should not be a dominant feature on the landscape and should be located so they will blend as much as possible with the surrounding area. Supplemental planting should be provided to soften the visual impact of the barbecue, particularly when little or no natural background or screening is available.
- b. No permanent barbecue or cooking area may be installed without prior ARB approval.

13. Landscaping

- a. All proposed front yard landscaping must first be submitted to the ARB with a survey prior to installation. Proposed landscaping must be shown on a Lot survey, which must include the house, all impervious surfaces, and existing landscaping.
- b. No existing landscaping may be removed without ARB approval.
- c. All landscaping installed with approval by the ARB must be maintained to the standards set forth by the Association.
- d. No landscaping may be planted within any water management tract, sight easements or utility easements.
- e. Each Owner is responsible for verifying the location of all underground utilities.
- f. All plantings should be well within property lines so that, with growth, plants do not infringe on a neighbor's property.

12. Fences

- a. No fence may exist without prior ARB approval. All applications for fence approvals must include: i) the materials to be used; ii) the proposed height of the fence; iii) a survey of the subject property that clearly identifies the area where the fence is to be erected; and iv) a description of the fences on any adjoining Lots, if any.

- b. 5' aluminum picket (black or bronze) and 6' wood privacy fencing are allowed. All fencing, aluminum and wood, requires a top rail and should match the standard identified in Exhibit A. Stain for wood privacy fencing should be consistent for the community, the approved color shall be Sherwin Williams – SW3522 “Banyan Brown”. Wood fences shall be stained within 6 months of installation.
- c. Each Owner is responsible for obtaining permission of installing a fence located in any utility easements with the appropriate utility companies.
- d. Fencing is only permitted in the rear yard of a Lot and must be setback at least 15' from the front of the home..
- e. Dog runs and pens are not permitted.

12. Basketball Goals

- a. Basketball goals must be approved by the ARB. Approval shall be based on how the placement and use of the hoops would impact neighboring houses.
- b. Lights for night basketball play shall not be permitted. Basketball goals shall be used during daylight hours only.

13. Swimming Pools

- a. Each application must include the proposed pool, decking, fencing enclosure and landscaping plans shown on a survey.
- b. Only in-ground pools are approvable. No above-ground pools are permitted.
- c. Swimming pools shall not be permitted on the street side of a Lot without the approval of the ARB.
- d. Pools may not create a drainage problem to neighbors.
- e. All pool equipment and heaters must be screened from view with landscaping from adjacent properties and roadways.
- f. Spas or hot tubs will be permitted only when their placement does not interfere with the neighboring homes and will not create a nuisance. It is recommended that with the application for approval to the ARB, comments from neighbors be included. Any spa or hot tub that is permitted must also conform to all local zoning ordinances regarding this type of installation.
- g. The pool owner is solely responsible for the safe operation of his pool including, but not limited to, fencing to restrict access and diving boards.

- h. All pools must comply with all zoning and building ordinances.
- i. Portable kiddie pools, not to exceed a diameter of 6 feet and a height of 18 inches, are permitted but must be emptied and removed from the yard daily.

14. Trash and Recycling Containers

- a. All trash and recycling containers shall be placed in an enclosed or landscaped area approved by the ARB so as not to be seen from the street except on days of garbage pick-up. Open storage of refuse is prohibited.
- b. On the days of scheduled trash and recycling pick-up, refuse shall be placed near the roadway in trash and recycling receptacles.

15. Antennas, Flagpoles, and Mailboxes

- a. Exterior television and radio masts, towers, poles, antennas, aerials and satellite dishes may not be erected without ARB approval. Placement and landscape buffering requirements must be determined by the ARB. If at any time the ARB rules regarding the foregoing are more stringent than allowed by the Federal Communication Guidelines, then the more relaxed guidelines of the Federal Communication Commission shall prevail.
- b. A flagpole for display of the United States and South Carolina flags only shall be permitted, subject to ARB approval of placement and design. The prohibition of model homes and sales flags does not apply to the Declarant or its assigns. No flagpole shall be used as an antenna unless approved by the ARB.
- c. Satellite dishes may be no larger than 39 inches in diameter. If mounted on a roof, the dish must be painted to match the roof color. No wires may be exposed.

16. Accessory Structures, Play Equipment, and Decorative Objects

- a. Storage sheds may not be installed without ARB approval.
- b. No clotheslines or similar structures shall be permitted on any portion of an Owner's property.
- c. Above-ground fuel tanks are not permitted.
- d. All playground equipment or playhouses shall be subject to the approval of the ARB and shall be placed to the rear of the Lot. Location on the Lot and screening requirements may be a condition of ARB approval.
- e. No decorative objects such as sculptures, birdbaths, fountains and the like shall be placed or installed on the street side of any Lot without the approval of the ARB.

- f. Firewood may be stored in rear yard only.

17. Major Exterior Alterations

- a. The design of major alterations should be compatible in scale, materials, and color with the applicant's house and adjacent houses.
- b. The location of major alterations should not impair the views or amount of sunlight and natural ventilation on adjacent properties.
- c. Roof pitch of additions should match the type used in the applicant's house.
- d. New windows and doors should match the type used in the applicant's house and should be located so that they relate well with the location of exterior openings in the existing house.
- e. If changes in grade or other conditions that will affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage. Notwithstanding the foregoing, the ARB assumes no liability whatsoever for any erosion, even if due to improvements that were approved by it.
- f. Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material and debris should be immediately removed after completion of construction.

THIS DOCUMENT MAY BE REVISED
FROM TIME TO TIME – LAST UPDATED AUGUST 2020

EXHIBIT “A”



6' WOOD PRIVACY FENCE



5' ALUMINUM PICKET