

# ***Park Crossing Owners Association (PCOA)***

## **HOMEOWNERS' GUIDE TO THE ARCHITECTURAL GUIDELINES OF PARK CROSSING**

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*The following summarizes some of the key provisions contained in the Architectural Guidelines adopted by the Board of Directors ("Board") for the administration of Article VIII of the Declaration of Covenants, Conditions and Restrictions for Park Crossing Community ("Declaration") by the Architectural Control Committee ("ACC"). For more details, see the Architectural Guidelines.*

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### **1. Prior approval is required for all structures, additions, changes, and alterations.**

All structures, and all additions, changes or alterations to structures, require the prior written approval of the ACC. This includes (but is not limited to) constructing, installing, attaching, adding or changing:

Any house; dwelling; building; foundation; chimney; room or room addition or expansion beyond the existing walls of a house; exterior window; exterior window covering (including anti-burglary bars); exterior shutter; exterior door; exterior entryway; exterior wall; exterior stairway; roof; garage; shed; storage facility; awning; canopy; column, arch; porch; deck; patio; gazebo; outside walk or driveway; parking area; car port; clothesline pole; flagpole (excluding usual and customary decorative flagpoles affixed to the exterior wall of a house); exterior radio or television antenna; satellite dish; lamp post; mailbox; mailbox post; newspaper box post; fence; sign (except signs permitted under Section 2(g) of Article VIII of the Declaration); exterior statue or sculpture; playground, sports or recreational equipment (excluding portable basketball goals) placed on any lot or common area for any extended period of time or affixed to any exterior wall or other structure; children's playhouse, swing-set, tree-house, tree-platform or other play structure; outside pond, swimming pool, hot tub or spa (including any related equipment or device); heating, cooling, air conditioning, refrigeration, ventilation, or plumbing equipment or device (whether air or water related) for any structure when such equipment or device is located outside a house.

### **2. Requesting approval.**

Any homeowner requesting approval must use an ACC Approval Request form, which can be obtained from PCOA's office. Plans and specifications must also be submitted. As provided in Section 1(a) of Article VIII of the Declaration, they must be complete final plans and specifications showing the nature, kind, shape, height, materials, basic exterior finishes and colors, location and floor plan for the work, and showing front, side and rear elevations. If construction work is not involved, it is within the discretion of the ACC to accept plans and specifications that are less formal.

Completed ACC Approval Request forms are to be returned to PCOA's office along with the required plans and specifications. When properly completed and returned (and provided that the requirements of Section 1(a) of Article VIII of the Declaration have been met), requests will be acted upon within 30 days.

(Note: approvals are for purposes of the Declaration only. Homeowners and their builders are responsible for complying with building codes, deed restrictions, setback, lot line or border restrictions, and any legal requirements.)

### **3. Automatic Disapproval.**

The following things are expressly prohibited and will not be approved:

- Storage sheds or storage facilities unattached to any house.
- Chain-linked fences or fences with any "chicken wire" or barbed wire.

- Any fence located on any Lot such that all or any portion of the fence extends forward beyond the front line of the house drawn in both directions to the Lot's borders.
- Stucco fences
- Plain plank privacy fences
- A privacy fence with the unfinished side facing the neighbor
- A privacy panel (fence which does not fully enclose yard) which is not finished on both sides (double picketed or of shadow box design).
- Satellite dishes larger than one meter in diameter.
- Above-ground swimming pools.
- Unpainted aluminum or wrought iron storm doors.
- Tree-houses or tree-platforms
- Any separate post for the mounting of any newspaper box.
- Any mailbox or mailbox post that does not meet the Old or New Standard Mailbox & Post requirements (described below).
- Vinyl siding on any exterior surface
- Conversion of any existing garage to a living area without the submission of additional plans to add a garage.

(Note: just because something does not fit these descriptions does not mean it will be approved.)

#### 4. **Terms & Conditions of Approval.**

Some approvals may be conditional, in which case the approval will set forth the terms and conditions with which the homeowner must comply, such as those described below. However, just because something meets the following terms and conditions does not mean that it will be approved.

##### **Fences.**

Any proposed fencing alteration or improvement should relate favorably to the planning, landscaping, topography, and existing character of Park Crossing. Our goal is to create an open environment for the neighborhood with emphasis on low maintenance, natural aging and continuity in appearance. Therefore the effects on neighbors should be considered. The ACC and Board will put emphasis on these areas when considering fencing requests. Approved styles are listed below; variances from these styles will be considered on a case by case basis and require the approval of two members of the Architectural Control Committee.

1. Style: Fences may be privacy (wooden), split rail, brick, stone or wrought iron. Further specifications for each style follow; these specifications apply to all new fencing installed after May 19, 2003; fences installed prior to May 19, 2003 are grand fathered until such time that the fencing needs to be replaced at which time the guidelines below would apply.
  - a. Privacy Fences:
    - 1) Color: natural wood/transparent natural color wood stain that promotes color continuity. Painted fences must be painted the same color as the

house trim of the house on the lot where the fence is located (Specific paint and stain colors must be submitted on ACC request form).

2) Height: six (6) feet maximum height

3) Design:

a) The decorative, top portion of a wooden privacy fence may include: French gothic, Virginia gothic, convex, concave, dog eared, lattice, straight top with trim topper

b) Pickets on the fence are to be spaced no wider than the width of the picket. Panels of the wooden privacy fence may be broken with brick columns.

c) The good side must face out toward neighbors if the fence is not double picketed or of shadowbox design.

d) Fencing not fully enclosing the backyard must be of neighbor friendly construction – good both sides (double picketed or of shadowbox design).

b. Split Rail Fences:

1) Color: natural wood/transparent natural color wood stain that promotes color continuity. Painted fences must be painted the same color as the house trim of the house on the lot where the fence is located (Specific paint and stain colors must be submitted on ACC request form).

2) Height: maximum height of four and one-half (4.5) feet

3) Mesh: Standard contractor wire mesh (no chicken wire)

c. Brick or stone

1) Color: to match that of siding on home

2) Height: maximum height of six (6) feet

d. Wrought iron or decorative rolled steel/aluminum

1) Color: Back color will be approved. Other colors will be approved at the discretion of the Architectural Control Committee.

2. Landscape/screening:

a. Fences which border Park Crossing Drive: shall be accompanied by plantings such as evergreens designed to screen such fence year round from the view of such street within two growing seasons following the installation of the fence; for all fences installed after March, 2003, the landscape/plantings will be consistent (in number, type and placement) with the plantings recommended by the Park Crossing Landscape Plan. All plantings shall be installed no later than 30 days after the fence is installed unless otherwise approved in writing.

b. Fences which border other streets in the Park Crossing Community: shall be accompanied by plantings such as evergreens designed to screen such fence year round from the view of such street within two (2) growing seasons following the installation of the fence. All plantings shall be installed no later than 30 days after the fence is installed unless otherwise approved in writing.

All satellite dishes must be no larger than one meter in diameter, and all antennas, satellite dishes and masts supporting them must otherwise be approved as to color and location, provided that an acceptable quality signal is not precluded.

Above-ground hot tubs or spas, and any above-ground equipment related to any hot tub, spa or swimming pool must be screened from view with plantings such as evergreens designed to screen such above-ground tub, spa or equipment from the view of any street or adjacent house year round within two growing seasons. Such plantings must be installed within six months. When visual screening is already provided by berms or natural vegetation, the ACC may decide that such plantings will not be required.

Detached Garages may be permitted when an attached garage is not feasible due to property site.

- Structure must be attached to home via fence or wall (minimum of 4' high).

- Structure must be located with a minimum of 5' setback (10' preferred) as measured from the eave to the property line
- Veneer must match front veneer on home
- Roof pitch/materials must match roof pitch/materials on home
- Garage door must be panel or architectural

**Recreational Equipment** (including basketball goals, swing sets, etc) shall be placed located so as to be functional and aesthetically pleasing, and should not be unduly obtrusive to neighbors.

**5. When Approval is Not Needed: Maintenance, Repairs & Replacements.**

No approval is required for any maintenance, repairs or replacements of pre-existing structures (so long as they do not involve any additions, changes or alterations to or from those pre-existing structures, or the rebuilding of any house), except that builders must still be approved if construction work is involved.

The following examples are illustrative:

Repainting or restaining a surface in the same color as that of the existing surface.

Replacing shingles (or other roof covering materials), gutters, siding or other building materials with the same type and color of materials as those of the pre-existing material (except builders doing construction work require approval).

The repainting, repairing or replacement of any Old Standard Mailbox or Post so long as the Old Standard Mailbox specifications or New Standard Mailbox & Post specifications are met.

**Old Mailbox Specifications:**

**New Mailbox Specifications**

Mailbox:	Black #1 metal rural mailbox.	Manufacturer:	Carolina Mailboxes.
Pole:	Black schedule 40 steel pipe (1-5/8" outside diameter).	Approved Builder:	Carolina Mailboxes.
Finial:	Black 4" high pineapple finial (order #657).	Make/Model/Color:	Park Crossing custom black aluminum mailbox system #2 composed of the mailbox, newspaper holder and post with white reflective address numbers on both sides of the newspaper holder.
Scroll:	Black 3-piece scroll (s,c, and 1/2 of s scroll welded together) 1" X 3/16" thickness (metal).	Mailbox:	Solar #2 aluminum mailbox with red aluminum flag.

Note Guideline 3 which prohibits the use of a second pole for the mounting of any newspaper box.

Roof replacement when such will involve architectural shingles in black or gray tones no approval of plans and specifications is required.

**6. Construction work must be done by qualified builders.**

As required by the Declaration, all construction work must be done only by a builder approved in advance by the ACC. Builders must meet the requirements of Section 1(d) of Article VIII of the Declaration (e.g., they must obtain their income primarily from constructing the type of structure to be built), including homeowners acting as their own builders. This applies to new construction, but also to construction work being done to repair or replace something.

(Note: approvals are for purposes of the Declaration only. PCOA does not endorse builders or their work.)

**7. Lots may be Used for Single-family Residential Use Only.**

The Declaration requires all Lots to be used for single-family residential purposes only. This means that Lots and houses cannot be used as places of business, but this will not prohibit anyone from keeping professional records in, or making or receiving professional telephone calls from, any residence.

**8. Other Restrictions: Anything Noxious, Dangerous, Unsightly, Unpleasant, Offensive, Embarrassing, Discomforting, Annoying or Constituting a Nuisance, Etc.**

The Declaration prohibits anything of this nature, and so the Board has declared the following to be prohibited:

The raising, breeding or keeping of any animals, except that dogs, cats and other usual household pets may be kept as pets only if they are not raised, kept or bred for any commercial purpose, are not dangerous and do not cause or create a nuisance or unreasonable disturbance.

All clotheslines are prohibited, and no clothes, sheets, blankets, or laundry of any kind may be hung out anywhere on any house or Lot.

Firewood, except when kept in the back yard (but with PCOA reserving the right to require its removal when it becomes noxious, dangerous, unsightly, unpleasant, etc.)

Yard waste (such as piles or bunches of grass clippings, leaves, sticks or branches), except when placed in an inconspicuous place behind the house for no longer than a week at a time, and at curbside on the street in front of the house no earlier than the day before the City of Charlotte's garbage pickup date for the neighborhood (provided it is removed on that date).

The storage or overnight parking of any:

(i) Buses, campers, recreational vehicles, trailers, boats or commercial vehicles on any Lot (including in any driveway) for more than 7 days during any 365-day period except when stored or parked completely within a garage.

(ii) Any vehicle (including, but not limited to, any car) which obviously appears to be disabled, of junkyard quality, or otherwise in poor condition, on any Lot (including in any driveway) for more than 7 days during any 365-day period except when stored or parked completely within a garage.

(iii) Any vehicle on any Common Area.

The foregoing is not intended to be an all inclusive or complete list of things or activities that the Board may find or declare to be noxious, dangerous, unsightly, unpleasant, offensive, embarrassing, discomforting, annoying or a nuisance and therefore prohibited.

**9. Maintenance & Upkeep**

Under the Declaration, homeowners are responsible for preventing unclean, unsightly or unkempt conditions of buildings or grounds that tend to substantially decrease the beauty of Park Crossing. This applies to all lawns, beds, landscaping and grounds, as well as all structures and exterior surfaces.

**10. Prohibition on removing any trees (of a certain size), any flowering trees (no matter what size) or any shrubs.**

Under the Declaration, prior approval is required to remove any trees measuring at least six inches in diameter (at a point two feet above ground level), any flowering trees (regardless of their size), and any shrubs, except approval is not needed (i) when the tree or shrub is located within ten feet of a house, or (ii) when the tree has been damaged or must be removed due to an emergency.

Before the removal of any damaged tree or tree measuring less than six inches in diameter (at the required point), it must first be inspected by the ACC to verify that it qualifies for removal, unless the tree is located within ten feet of a house.

If a tree measures at least 6 inches in diameter at a point two feet above the ground, it shall be deemed to have at least a six-inch circumference at that point.

## 11. Prohibition on Signs.

Under the Declaration, signs are not permitted on any Lot, except for one “For Sale” or “For Lease” sign that is professionally-lettered and measures no more than 36 inches by 48 inches.

For U.S. Constitutional reasons, the Board also intends to permit homeowners to maintain on their Lots during political campaigns usual and customary signs promoting political candidates seeking public office or other matters on which a vote is to be taken in a local or national election or referendum.

Also, the Board has declared that all signs on the Common Areas are prohibited except for certain signs placed by the PCOA, the Park Crossing Recreation Club or the Park Crossing Women’s Club with the approval of the ACC. Therefore, while “For Sale” signs, “For Lease” signs, and political signs are permitted on Lots, they are not permitted on the Common Areas.

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*The Board reserves the right to change this Homeowners’ Guide or the Architectural Guidelines at any time without notice. If this Homeowners’ Guide is in any way inconsistent with the Architectural Guidelines, the terms of the Architectural Guidelines will prevail.*

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Board of Directors  
Park Crossing Owners Association, Inc.  
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