



BROOKHAVEN

Architectural Guidelines

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2020

over

- Together we can keep our neighborhood a great place to call home

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www.ourbrookhavenhoa.com



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BROOKHAVEN HOMEOWNERS' ASSOCIATION ARCHITECTURAL GUIDELINES

Introduction

The following rules and guidelines have been prepared from the Declaration of Covenants, Conditions and Regulations (DCCR's) of the Brookhaven Homeowners Association (BHOA), from previous Architectural Review Rules, and from the experience of the Architectural Review since its inception. Nothing in these rules and guidelines shall be constructed to alter or change the meaning or intent of the Brookhaven Homeowners Association Declaration of Covenants, Conditions & Regulations, hereinafter referred to as the DCCR's.

I. The Architectural Review Philosophy

Brookhaven is a planned community with a variety of residences and other urban elements designed with unifying continuity in mind. The desire to encourage freedom and individual expression in construction improvements must be limited by protection of the covenants, which are for the benefit of all property owners within Brookhaven Homeowners Association. Administration of these covenants has been assigned to the Architectural Review. A primary purpose of the Architectural Review is to insure harmonious aesthetic relationships. The Architectural Review interprets the covenants with flexibility and will approve designs and materials that, in its opinion, will enhance rather than detract from the community. The review is aware that matters of taste and personal preference are subjective. It also recognizes that plans and specifications do not always convey the true appearance of a particular design. Furthermore, the Design Review recognizes new and different designs. Therefore, it will attempt to be equitable, consistent in application of criteria, and timely in judgment with regard to new trends in design and materials. The Review will not approve self-conscious designs or materials that are faddish and of short-lived stylishness. The Architectural Review is continually striving to upgrade the quality of improvements in Brookhaven. Therefore, those designs that may have been previously approved shall not necessarily be a precedent for approval of similar designs. Each case shall be judged on its own merits.

II. Architectural Review Duties

The Architectural Review role is to protect the visual character of Brookhaven and, by inference, the economic values. The Review is concerned with all exterior house and garden designs and materials visible from the street and neighboring properties. The Architectural Review shall act in accordance with the DCCR's and these guidelines.

III. Authority

The DCCR's of Brookhaven Homeowners Association contain standards and regulations affecting each owner in the use of his lot. Whenever an owner proposes to make any improvement to or build on his lot or to reconstruct, alter, or refinish the exterior of any improvement already constructed, he must follow the procedures outlined in the DCCR's or amendments. Any substantial structural addition or alteration visible from the street and/or neighboring properties must have prior approval of the Architectural Review.

IV. Limits of Liability

Approval of plans by the Architectural Review is solely for architectural design and for conformance with the requirements of the DCCR's and these rules and guidelines. No representations are made, nor is any responsibility assumed by the Brookhaven Homeowners Association, or the Architectural Review, regarding the structural quality or soundness of the work proposed or approved. It shall be the responsibility of the owner to examine the premises and to undertake adequate design for all improvements or changes to be constructed on the owner's property. Neither the Architectural Review nor any member thereof shall be liable to any Owner or to any other person for any damage, loss or prejudice suffered or claimed on account of (a) the approval of any plans, drawings and specifications, whether or not defective, (b) the construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications, (c) the development or manner of development of any property within Brookhaven, or (d) the execution and filing of an estoppels certificate, whether or not the facts therein are correct, provided, however, that such member has, with the actual knowledge possessed by him, acted in good faith.

V. Other Codes, Laws, Rules and Ordinances

Approval of plans does not eliminate the owner's obligation to comply with all existing laws, ordinances, rules and regulations made by any governmental authorities or with any terms and conditions required under the DCCR's of Brookhaven, or any deed, lease, or mortgage.

- You must obtain all required permits
- You must be in compliance with all applicable City, County or State regulations set forth and all fire codes that may apply
- You must also get the approval of and/or meet any specifications for access set forth by any utility company or other entity for which there has been provided an easement effected by the Structure(s) addressed herein

VI. Definitions

Some of the following definitions are extracted from the DCCR's; others were developed by the Architectural Review (ARC), Board of Directors (BOD) to guide its deliberations.

Architectural Guidelines: Shall mean and refer to the set of policies, rules and procedures which may be promulgated and/or amended by the Developer or the Architectural Control Authority. When empowered, from time to time, which shall set as a guide for the architectural control and review process and for the maintenance, construction or renovation of structures within the community.

Architectural Review: The review created pursuant to Article(s) of the DCCR's and By-Laws

Architectural Review Rules: These rules adopted by the Architectural Review pursuant to the DCCR's and ratified by the Brookhaven Owners Association.

Association: Shall mean and refer to the Brookhaven Homeowners Association Inc., its successors and assigns.

Board of Directors: Shall mean and refer to the members of the Board of Directors of the Association whether elected or appointed.

By-Laws: The By-Laws of the Association Recorded concurrently with this Declaration, as amended from time to time.

Community: Shall refer to Brookhaven development, consisting of buildings, landscaping, improvements and structures thereon and all easements, rights and appurtenances belonging thereto.

Common Area: Includes, but need not be limited to:

1. Any landscaping and other flora, structures and all other improvements located upon and within any Common Area
2. Roadways and medians and rights of way along or within the Roadways, including trees and other landscaping and/or irrigation facilities located therein or thereon
3. Any private emergency, access or service roads owned by Declarant or are required to be maintained and which provide ingress and egress to and from the Property and adjacent lands
4. The Roadway Landscaped Easement Area
5. All Community perimeter walls designated in Supplemental Declarations as Common Area, entry monuments.

Dwelling: Shall mean and refer to a single-family home, patio home, garden home, townhouse, condominium unit, or apartment, if constructed in the community.

Excavation: Any disturbance of the surface of the land (except temporarily for planting), which results in removal of earth or rock to a depth of more than 18 inches.

Fill: Any addition of rock or earth materials to the surface of the land, which increases the previous elevation of such surface by more than 18 inches.

Garage: A garage can be used for parking vehicles other than automobiles as well as boats and trailers.

Improvements: Includes buildings, outbuildings, roads, driveways, parking areas, fences, retaining walls, stairs, decks, hedges, windbreaks, planted trash surrounds, poles, signs, dog runs, and other structures of any type or kind.

Lot: Shall mean and refer to any parcel of land with such improvements, structures, or dwellings as may be erected thereon, shown and described as a "Lot" on any recorded subdivision plat of the Property, but shall not include the Common Area or the streets or road rights-of-way in the Community, except when clearly contrary to the context, includes all improvements thereon.

Master Plan: Shall mean and refer to the drawing, sketch, map, or Planned Unit Development plan that represents the conceptual land plan for the future development of the Community

Owner: Shall mean and refer to the record owner or owners, whether one (1) or more person or entities of the fee simple title to any of the Lots, but shall not mean or refer to any mortgagee or subsequent holder of a mortgage unless and until such mortgagee or holder has acquired title to the Lot pursuant to foreclosure or any proceedings in lieu of the foreclosure. Said term "Owner" shall also refer to the heirs, successors, and assigns of any Owner.

Parking Stall Assignments: Some Residences may have either a one car or two car garage as a component of the Residence, or no garage.

Paved Driveway Area: The durable surfacing of a road, sidewalk or other outdoor area (e.g. concrete, asphalt concrete). Prefabricated concrete, grass concrete or bricks, may be used only in secondary parking areas.

Plans: Shall mean and refer to and encompass the plans, specifications, elevations and exterior designs of any Structure build or to be build on any Lot, or Common Area, or of any other item so designated in the Architectural Guidelines, as well as a site plan showing building set backs and locations of all Structures or other items so designated in the Architectural Guidelines within the Lot or Common Area.

Private Yard Area: Any real property conveyed to any owner (other than Declarant or the Association) by means of a deed, together with all improvements from time to time constructed thereon. The land area appurtenant to each Residence, as described in this Declaration and as shown on the County Tax Map and bearing the same Private Yard Area number as the unit number assigned to the Residence, is a limited common element.

Property: Shall mean and refer to all property, including but not limited to, the Lots, streets or road right-of-way's and Common Area.

Residence: A building or buildings used for residential purposes, together with any garage, or similar outbuilding appurtenant thereto, whether or not a part of the same structure.

Retaining Wall: Any structure constructed for the purpose of containing or supporting any earth embankment and/or fill.

Structure: Shall mean and refer to any thing or object upon any portion of the Property including by way of illustration and not limitation, any Dwelling or building or part thereof, garage, porch, shed, mailbox, greenhouse, or bathhouse, coop or cage, covered or uncovered patio, siding, doors, fixtures, equipment, and appliances, awnings, window boxes, window treatments, window screens, screens or glass-enclosed porches, balconies, decks, chutes, flues, ducts, conduits, wires, pipes, plumbing and other like apparatus, playground, playground equipment, tree houses and yard art, statuary, basketball goals, or other temporary or permanent sports equipment, swimming pool, video antenna, satellite dishes, yard, lawn, landscaping, trees, shrubs, bushes, grass, well, septic ditch, diversion dam or other thing or device which affects or alters the natural flow of waters from through, under or across an portion of the Property or which affects or alters the flow of any waters in any natural or artificial stream, wash or drainage channel from, upon or across any portion of the Property; and any change in the grade of any portion of the Property of more than six (6) inches.

Visible from Neighboring Property: Any object or activity that is in line of sight originating from any point six (6) feet above any adjoining property including common areas and streets.

VII. Architectural Review Procedures

The following procedures must be followed, and Architectural Review approval obtained prior to obtaining other required permits or beginning any construction. These Architectural Review procedures are only to comply with Brookhaven Homeowners Association planning and design standard. Lot owners are responsible for obtaining the necessary City and County building permits and complying with all applicable City & County codes, ordinances and regulations.

Step 1: Obtain a copy of the "Architectural Review Application Form" which is available from ARC@mycmg.com or from the Web Portal

Step 2: Prepare your drawings as follows:

- a. **Plot plan** (scale 1 inch=20 feet): The plot plan is at the time of original sale contains all the required information except the outline of the proposed modification. If the original plot plan is unavailable, prepare a plot plan showing the lot dimensions, property lines, drainage swales, adjacent streets, existing dwellings and improvements, including fences and trash enclosures. Proposed improvements should be emphasized. (Either darkened or shaded)
- b. **Building plans and elevations:** Show floor plan (top view), roof plan and all elevations front, rear and side views. Most important, a cross-section of the point of the roof connection must be provided. Building plans must include specifications for the type and finish of all exterior materials, which should match the existing materials and colors as closely as possible. If the structure or structures are to be finished in a different color, swatches of the proposed new colors must be provided.

Step 3: Submit one copy of the Architectural Review Application Form along with one (1) copy of your drawings to the Architectural Review through ARC@mycmg.com

(See Architectural Application Submittal Checklist Addendum)

Before your application will be processed the application form must be properly completed with all pertinent information provided, all required drawings and documentation supplied and delivered to the Association at the address listed below. All of the following information must be provided by you on or in addition to the attached application:

1. Your full name, the property address, your correct mailing address, correct contact phone and email address to be used if there are questions.
2. Your lot #
3. A copy of your plat or survey
4. A complete written description of work to be completed
5. A complete list of exterior materials to be used including colors (Example: Vinyl siding to match home, paint colors, shingle type and color to match roofing, lattice, screening, fencing materials, etc.)
6. A photo of any structure that will be placed but not constructed on site or a drawing or elevation of what you intend to add, construct or change.

Please be aware that upon receipt of your completed application and all required attachments, the Association will process your application and provide you with a response. Depending upon the complexity this could take as much as two to four weeks. The applicant listed on the form will be notified in writing of the results of the review upon its completion. Again, please remember that you must have approval to have materials or a structure delivered, not just to begin construction. Please allow time for the process to be completed.

Step 4: Depending on the complexity and adequacy of the plans, the review process may take

anywhere from one to four weeks after receipt of proper applications. If the proposed modifications are acceptable, a Brookhaven ARC Permit will be issued and the applicant may proceed with processing through the City and County Building Department, as required. If the plans are not approved by the Architectural Review, the applicant will be notified, and one set of plans will be returned with appropriate comments. The plans must then be revised for approval before construction will be permitted. Custom lot construction is subject to additional requirements. Oral requests for approval of proposed work that is subject to these rules and regulations will not be accepted. The fact that an owner has scheduled work, arranged financing, entered into a contract for materials or labor, received approval from County agencies or claims he/she will suffer alleged hardship, shall not be a basis for Architectural Review approval. Projects, once begun, must be completed in accordance with approved plans. Financial inability to conclude the project will not excuse an owner from his commitment to complete. Contractors and suppliers may not submit their materials or products for "blanket approval." The Owner has the sole responsibility for ensuring that work contained in approved plans is performed in accordance with these rules and regulations and the Brookhaven DCCR's.

ILLUSTRATION: Seeking approval for your single-family home addition (i.e. balcony, patio).

1. Plan your addition and submit your plans in the early stages of design for a preliminary review by the Brookhaven Architectural Review.
2. Submit your final plans to the Architectural Review for review and to obtain a Brookhaven ARC Approval.
3. Submit your final plans to the County Building Dept. to obtain a Building Permit. The Building Dept. will NOT begin to process your plans without a Brookhaven ARC Approval.
4. Post your permits in view of the street and commence your construction.

5. General Conditions of Approval:

This approval requires that all construction (or placement) of a Structure on a lot be completed within thirty (30) days from its commencement, and construction or placement of the items approved in this correspondence must be commenced within one (1) year of the date of issuance of this approval indicated above.

Unless a written extension set out in this approval to the timeframe for the commencement or completion of the construction, placement or modification of any Structure approved hereunder is granted by the Authority; failure to begin construction, placement or modification of all Structures approved herein by the specific date set out herein or failure to complete the work to be performed hereunder within the timeframe set out in this approval shall cause the portion of this approval that applies to that Structure to be voided. The construction, placement or modification of such a Structure thereafter; without a valid written approval of the Authority, shall be deemed by the Association as a violation of the Declaration, which shall subject the owner of the lot to the remedies set out in the Declaration for non-compliance with the Declaration.

As a condition of this approval, the Architectural Control Authority (“the Authority”) reserves the right to review any Structure or Structures approved by it for construction, placement or modification during or after the completion or placement of the Structure approved hereunder and to require that adjustments to the Structure be made to cause it to meet the standards envisioned by the Authority when providing its approval. The approval contained herein is conditioned upon the structure(s) being constructed to a standard of workmanship that is acceptable to the Association or that the Association deems to be equal to construction or by a reputable contractor. The Association reserves the right to require modification to meet that standard of workmanship. The standards to be met shall include, but shall not be limited to, the quality of material or workmanship; conformity with approved locations, sizes and colors of any approved Structure; correct plant size and density; the obtaining of all required governmental approvals and the approval of easement holders; and compliance with respect to any prohibited disturbance of the normal and natural flow of water or with any erosion control requirement of the Authority, as either may affect the lot of the owner who was granted approval or any surrounding properties. By the commencement of construction, placement or modification of any single Structure addressed by this approval, agreement is thereby obtained from the owner of the lot for which approval is granted: (a) to any additional requirements of the Authority and (b) that they shall upon notice from the Association make any changes required by the Authority. Failure of said lot owner to make any change required by the Authority within the time frame set out by the Authority shall be deemed a violation of the Declaration, which shall subject the owner of the lot to the remedies set out in the Declaration for non-compliance with the Declaration.

By acceptance of this approval letter and construction or placement of the structure on your lot, you agree:

- to assume all responsibility for any harm, loss, or damage that might occur on your lot, on other lots, roads or common areas within the community as a result of the construction or placement of this Structure on your lot;
- to hold the Association harmless from all harm, loss or damages, including but not limited to legal fees, as a consequence of any conflict or legal action, arbitration, litigation or non-litigated settlement that might result from the placement of this Structure upon your lot;
- that you are aware that you must not in any way alter the flow of surface water or runoff across your property in a manner that adversely effects adjacent properties, lots or common areas or that causes the erosion of soil from your lot or upon any lot, road or common area and
- that you are aware that should access to this area be required for any purpose for which this easement is provided, service personnel may disassemble the structure and have no obligation for its care or replacement.

6. **Approval Letter:** Once your ARC Request is approved you will receive an approval email followed up with an Approval letter to your address.

7. **Disclaimer:** Neither Declarant, nor the Association, nor any other member of the Architectural Control Authority, shall be responsible or liable in any way for any defects in any plans or specifications approved by the Architectural Control Authority, nor for any structural defects in any work done according to such plans and specifications approved by the Architectural Control Authority. FURTHER, NEITHER DECLARANT, NOR ANY MEMBER OF THE ARCHITECTURAL CONTROL AUTHORITY SHALL BE LIABLE IN DAMAGES TO ANYONE BY REASON OF MISTAKE IN JUDGMENT, NEGLIGENCE, MISFEASANCE, MALFEASANCE OR NONFEASANCE ARISING OUT OF OR IN CONNECTION WITH THE APPROVAL OR DISAPPROVAL OR FAILURE TO APPROVE OR DISAPPROVE ANY SUCH PLANS OR SPECIFICATIONS OR THE EXERCISE OF ANY OTHER POWER OR RIGHT OF THE ARCHITECTURAL CONTROL AUTHORITY PROVIDED FOR IN THE DECLARATION. EVERY PERSON WHO SUBMITS PLANS AND SPECIFICATIONS TO THE ARCHITECTURAL CONTROL AUTHORITY FOR APPROVAL AGREES, BY SUBMISSION OF SUCH PLAN AND SPECIFICATIONS, AND EVERY OWNER OF ANY LOT AGREES, THAT HE WILL NOT BRING ANY ACTION OR SUIT AGAINST DECLARANT, ASSOCIATION, ITS BOARD MEMBER OR OFFICERS, OR ANY MEMBER OF THE ARCHITECTURAL CONTROL AUTHORITY, TO RECOVER ANY SUCH DAMAGES, AND HEREBY RELEASES, REMISES, QUITCLAIMS, AND COVENANTS NOT TO SUE FOR ALL CLAIMS, DEMANDS, AND CAUSES OF ACTION ARISING OUT OF OR IN CONNECTION WITH ANY LAW WHICH PROVIDES THAT A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS, DEMANDS AND CAUSES OF ACTION NOT KNOWN AT THE TIME THE RELEASE IS GIVEN.

VIII. Fees

An Architectural Review Fee will be charged to applicants according to the following fee schedule. The fees are to cover professional services for preliminary and final plan approval and final field inspection. Additional charges may be assessed if the approval process is prolonged by conditions beyond the control of the Design Review.

Fee Schedule

High Level Modifications: \$100.00

Custom House, Single Story Multiple Room Addition, Single Room Addition, (Family Room, Lanai, Bath only, Hot House, Trellis, etc.) Major Modifications: Swimming Pool/ Spa/ Fences/ Walls/ Decks// Awnings/ Fireplace, Enclose Garage, etc. Solar Heater Installation / Gates Security Windows

Mid-Level Modifications: \$50.00

Any form of backyard cement work and electrical work.

Low Level Modifications: \$20.00

Any non-approved Screen Doors, Security lighting, Storage Units. Any form of permanent sprinkler system. / Trash blinds/enclosures
Any request that has been pre-approved by the Board (i.e., Approved screen doors, security lighting/cameras/motion sensors, hanging plants/chimes and



storage units) the cost to the home owner will be free, but still must follow all Architectural Review Request Guidelines. The Association will provide plans of specification and model numbers to the homeowner to use this level. Any form of landscape request that has grass, bushes, trees and non-cemented stones or pavers type bricks. NO electrical or plumbing, cement or sprinkler systems are allowed at this level.

All plans must be submitted by the homeowner, or his/her authorized agent, at the Brookhaven Homeowners Association website ARC@mycmg.com

Application fee is due at the time of submittal by one of the following options:

- Online Payment Option: www.mycmg.com/epayment
- Make checks payable to Brookhaven and mail to
Brookhaven
C/O Cedar Management Group
PO Box 26844
Charlotte, NC 28221

Brookhaven Homeowners Association, Inc.
c/o Cedar Management Group
P.O. Box 621296
Orlando, FL 32862-1296
- Pay in person, using check at CMG office located at:
1320 Main Street
Suite 300
Columbia, SC 29201

IX. Time Requirements

1. Home owners who start and then fail to pursue timely completion of modifications, additions, improvements, or painting prior to the expiration date designated on the Brookhaven Design and established by the Architectural Review will be required to submit a new Brookhaven Application for Architectural Review Approval along with all pertinent plans and specifications as appropriate, for reconsideration by the review and issuance of a new Brookhaven Design. Any applicable Architectural Review Fees in effect at the time of re-submittal will be due and payable prior to the issuance of a new ARC Approval.
2. **Required Start Date:** All approvals issued by the Architectural Review are null and void if construction does not commence within ninety (90) days of the review's approval issue date.
3. **Expiration Dates for ARC Approvals:** Approvals issued for painting or repainting have an expiration deadline of six (6) months from the date issued. If painting approval was granted in conjunction with new residence construction or on an approval for modifications, additions or improvements with work other than painting involved, the expiration date will be in accordance with sub-paragraph a or b below, as applicable.
 - a. **Expiration Dates for Modifications, Additions or Improvements**

Approvals for modifications, additions, or improvements have an expiration date one year from the date of issuance.

b. Expiration Dates for New Residence Construction

Approvals granted for the construction of a new residence have an expiration date of two years from the date of issuance.

c. Cancellation of Approvals for Lack of Progress

If at any time, more than six (6) months have passed without substantial/significant progress toward completion of any project for which the Architectural Review has granted an approval, the review may declare all approvals null and void; and the owner must submit a new Application for Architectural Review Approval, along with relevant plans and specifications, as amended. The owner will be responsible for any Architectural Review Fees in effect at the time of re-submittal. Determination of a lack of substantial and/or significant progress in a project will be made by a majority vote of the members of the Architectural Review.

Note: The Architectural Review shall not be bound by any previous decision when considering plans and specifications re-submitted to the review as a result of an owner exceeding the time requirements for completion of any project.

X. Rules and Guidelines

1. Construction Value

There is no limitation regarding the value of homes or improvements on lots in either the custom or private areas. It is recognized, however, that the standards established herein imply moderate to high value.

2. Construction Hours: Construction working hours shall be from 6:30 am to 6:00 pm, Monday through Saturday, except on certain holidays. Additional hours may be provided upon approval of the ARC

3. Materials

All materials used for structures shall be termite and fungus free and shall be new. Materials shall not be garish by their nature or as a result of their use with other materials. A mix of materials will be approved only if the materials complement each other. The availability of a material to be used shall not be a basis for approval. Ownership of or interest in a material distributorship, construction company, or franchise shall not be a basis for approval.

4. Grading

The Owner shall accept the condition of the lot as is and shall be responsible for the maintenance of the lot, including wind and water erosion control. All grading, excavation, fill and site work required, following acceptance of the lot by the owner, shall be done only in accordance with approved drawings and at the expense of the owner. Fill material brought to the site shall be free of adobe, termites and deleterious matter. The owner shall obtain a grading permit for cuts and fills as required by ordinances of the County, and shall abide by all County Ordinance requirements. All graded areas



shall be landscaped. (See: Landscaping) Surface drainage must not be altered or obstructed. Any drainage swale altered during a modification or alteration on an Owner's lot must be reconstructed so as to be functional. Surface runoff shall be dispersed or channeled in a manner so as to prevent erosion or encroachment onto adjacent property, and only in accordance with approved grading plans.

- a. **Excavation.** Whenever an owner excavates within his lot, it shall be done so as not to adversely affect the drainage of any adjacent properties. Whenever excavation creates an unstable bank condition, or potentially unstable bank condition, the owner shall take appropriate action to control and retain said embankment. Excavation, which, in the judgment of the Architectural Review, creates a high and unsightly retaining wall, may be disapproved.
- b. **Fill.** Whenever an owner seeks to fill his lot, it shall be done so as not to adversely affect any adjacent properties. Whenever fill creates an unstable or potentially unstable bank condition, the owner shall take appropriate action to control and retain said embankment. Fill, which, in the judgment of the Architectural Review, creates an extremely high and unsightly retaining wall may be disapproved. Whenever fill or excavation requires the construction of a retaining wall it shall be the owner's responsibility to install and maintain said retaining wall. Further, wherever fill or excavation causes destruction of existing draining swales or natural drainage patterns, it shall be the owner's responsibility to restore such swales and drainage patterns or to otherwise provide for adequate drainage.

5. Maintenance of Public or Common Areas during Construction

Property owners shall keep all public areas clean during periods of construction. No storage of construction materials and equipment will be permitted in public areas when construction has been completed. Materials shall not be stored so as to block or partially block public viewed areas.

6. Visibility from Neighboring Property or Street

The Architectural Review shall at all times consider the impact of additions, improvements or changes to the property on neighboring properties or streets. The review shall have the right to make design changes to two story additions or outbuildings which they feel are too "unfriendly" to the neighboring property or streets. If the design of the addition "crowds" the neighbors or adjacent street, the Architectural Review will ask the applicant to set the second story back from the front, side or rear property lines of any outbuildings.

XI. Descriptions

1. Additions and Enclosures

Rooms. Wherever a room is added, exterior siding, window and door details shall match the original or existing structure. The height of all openings for windows and door frames shall match those of the existing structure.

Patio Slabs and Walkways. When reviewing a plan for a Patio slab, the Architectural Review shall consider the potential covering or enclosing of said Patio to determine if

such addition can be made without compromising the exterior appearance of the dwelling. Other concrete work such as walkways must leave adequate room for landscaping within the property and meet other applicable criteria. Termite treatment will be required for all lanai slabs.

Patio's with Roof. Aluminum, fiberglass and other prefabricated Patio roofs will be approved only if they meet the intent of these rules and regulations in the judgment of the Architectural Review

Metal awnings may not be used unless painted a solid flat color. Canvas awnings may be used in solid colors approved by the Architectural Review.

Enclosed Patio. Refer to 10a, "Rooms," above.

Trash/Blind or Enclosures (See Trash/Blind or Enclosures Addendum)

Fencing miniature materials 6 inches above height of container

Shrubbery solid in form

Lattice vinyl or wood

2. Accessory Structures

No accessory structures shall be constructed or maintained upon any lot prior to the construction of the main structure, provided that this paragraph shall not apply to temporary construction shelters maintained for a period no longer than one (1) year during and used exclusively in connection of the main structure.

3. Antennas/Satellite Dishes

- Residents required to register satellite dish with the Association.
- Resident must have proper liability insurance for any damage that might be caused by the dish to the property, or to another resident.
- Size restrictions: The general standard for personal-use satellite dishes is less than one meter in diameter
- Location restrictions: No dishes should be placed in building entrances or hallways, hanging in doorways, or in overhead walkways. Dishes cannot be installed anywhere that will cause structural damage to the building, including roofs or siding. Dishes cannot interfere with historical preservation efforts.
 - Dishes must be installed on the back of the house so not to be seen from the front of the house (**See Satellite Dish Addendum**)
 - Dish must be installed below fence line or no greater than two feet off of roof in back of home.

4. Basketball Equipment Standards (Permanent & Portable)

No permanent Basketball hoops are allowed in Brookhaven.

The goal must be utilized in a manner that does not excessively negatively impact adjoining properties or property owners. At all times, vulgar and/or offensive language is not allowed.

The goal may only be used between the hours of **8:00 AM to 9:30 PM**

Vehicles may be parked in the roadway to allow the use of the goal, only when there is no other reasonable space in the driveway to park them and then only while the goal is in use by residents of the home and their accompanied guests. Vehicles that are moved from the driveway to allow such use shall not be parked in a manner that creates an unacceptable hazard to traffic or that blocks mail service to any box.

The post of the goal must be black in color with a clear or white backboard. For temporary goals, the base must be black.

The goal must at all times be maintained in good condition, including paint on the post, the condition of the backboard, maintenance and replacement of proper netting.

When in use, the location or use of a temporary basketball goal shall not constitute a significant nuisance to other residents or an inappropriate inconvenience to other residents.

The area surrounding the goal and the driveway must be policed and all debris and trash removed. All related paraphernalia, other than the goal itself, must be removed when the goal is not in use.

While variances to their location and use requirements set out herein may in some rare cases be provided, the circumstances surrounding the request for any variance and the reason for providing a variance must be viewed by the Board (or where applicable, by the Architectural Control Authority) as conditions that are significant enough that in the opinion of the Board (or Architectural Control Authority) that, in their sole discretion, they determine that a variance is advisable or necessary. The fact that the criteria set out herein cannot be met due to limited driveway size or to the dimensions, shape or configuration of a lot shall not in itself require the Board or Architectural Control Authority to grant a variance. (See "Variance" section at the beginning of this document.)

Temporary Basketball Goal Guidelines:

Temporary basketball goals shall be used in accordance with the following standards: The goal must at all times be located on a Lot and may never be located and closer than 25' from any roadway.

The goal may never be placed or set up in any manner that causes those using the structure to be in a roadway, including in cul-de-sacs.

Unless otherwise specifically approved by the Association, the structure must be located in an upright position on the side of the driveway (or an approved poured concrete area).

The weighted base of the structure may either be filled with sand or water, but may never be weighted from the outside of the structure.

7. Business Build Outs

No adult day care, special needs day care or assisted living homes allowed within Brookhaven HOA.

8. Clothes Drying Areas

Outside clothes drying or airing facilities shall be permitted only within a fenced yard and

not visible from the street or neighboring properties. An owner may remove dried cloths.

9. Damaged Dwelling Reconstruction or Repair of

Owner of such dwelling shall promptly reconstruct or repair dwelling to restore such dwelling nearly as possible to its condition prior to suffering the damage. All such reconstruction and repair work shall be done in accordance with plans and specifications therefor, approved by the ARC.

10. Decks. A deck has a significant impact on the appearance of a house. Decks may also

affect the privacy and right of enjoyment of adjacent residents. These two factors are weighted heavily in the review of decks.

The deck must be located at the rear of the house. The configuration, detail and railing design of a deck should relate harmoniously with the architectural style of the house. Wood decks must be constructed with rot-resistant wood and, in many cases, may be left to weather naturally. In some instances, the NCC or the MC, as the case may be, will require that the decks be stained to coordinate with the neighborhood design or to help integrate the deck with the house. If decks are stained, the color must relate to the colors of the house.

A skirt board must be constructed and landscape planting should be provided to screen structural elements and to soften the structure visually.

11. Decorations on House

In general, tacked-on house decorations **shall not be approved**. However, decorations for holidays or special occasions are exempt and need not be submitted for approval provided they are not constructed or applied sooner than 30 days before the event and are removed within 15 days after the event. Also. Decorations placed in common area locations should not interfere with the landscape maintenance and the homeowner accepts and incurs full responsibility/liability for the decorations.

12. Driveways Extensions

In general, a two-foot extension per each side could be approved. Any other driveways or additions will be approved on a case by case basis. Do not pour concrete without prior approval.

13. Drop Blinds

Drop blinds for Porch and balconies may be used provided they meet the following criteria:

1. No garish or bright colors shall be used.
2. Blinds shall be rolled and/or adequately tied down during periods of high winds to avoid annoyance to adjacent owners.

14. Electric Service

All residential utility, electric, and telephone service lines shall be underground.

1. **Exterior Colors** and textures which in the opinion of the ARC would be inharmonious, discordant or incongruous shall not be permitted. The color of roofs, exterior walls, doors and trims shall be integral to, and harmonious with, the exterior color scheme of the residence. Bright colors, other than white, are prohibited at the discretion of the ARC as a dominant color of the residence.

The ARC shall have final approval of all exterior color plans and each owner must submit an **ARC form**, a color plan and a materials sample board to include stucco, fascia, soffit, decking, pavers, roof tile or shingles, and any building highlights, etc. If a color board is not available at that time, the minimum requirement is submission within 30 days after permitting; provided, however, in no event may any colors be applied permitting; prior to approval by the ARC.

Repainting your home, the existing colors will not require permission of the ARC

15. Exterior Lighting, Security Cameras, & Motion Sensors

1. Exterior lighting fixtures, motion sensors, and cameras may be mounted under the roof eaves. If a fixture is mounted on the gable end of the house it shall be mounted within twelve (12) inches parallel to the roof slope. The light source of such a mounted fixture shall not be visible from neighboring property.
2. Fixtures mounted on walls shall be mounted at or above the roof fascia line to minimize visibility from the street and neighboring property. The light source of this type of fixture, when mounted, shall not be visible from neighboring property.
3. Electric bulbs may not project more than forty-five degrees away from the parallel or perpendicular plane of the structure on which the fixture is mounted. (i.e., not pointing outward or to the side.)
4. Quartz halogen flood lamp fixtures are permitted provided the light source is not visible from neighboring properties.
5. The light illuminating from an outdoor lighting fixture shall, at no time, be directed into an adjoining property or street. Any outdoor lighting fixture that generates a complaint, shall be redirected, relocated, or removed upon demand by the Association.
6. Exterior lighting fixtures, motion sensors, and cameras are to match the color of the eaves.

16. Fence and Walls

- a. **Custom Lots** All fences **MUST** be submitted for type and approved before work can be performed. (**See Fence/Wall Addendum**)
- b. **Private Areas.**

1. **Design:** Over scalloped fence with exposed posts with caps and trim. If submitting vinyl request, owner needs to submit design. No guarantee of approval.
 2. **Color:** All natural (Must have color approved when fence is submitted for approval)
 3. **Material:** Needs to be approved when fence is submitted for approval
 4. **Footings:** Footings for walls and fences including post holes shall be wholly within an owner's lot and shall not encroach upon any adjacent property unless by specific written agreement between the two property owners.
 5. **Height:** The maximum height of walls and fences shall not exceed 6 feet and not exceed the legal limit allowed by the County codes, notwithstanding other height limitations outlined in these guidelines. In addition, where practicable, the height of any proposed wall or fence should not exceed that of any existing walls and fences on adjacent properties, i.e., the height of fences and walls on adjacent properties should be identical.
 6. **Set Backs:** all fencing must conform to Association property setbacks

Front Setback	20 feet
Side Setback	5 feet
Rear Setback	15 feet
Side Street Setback	10 feet
 7. All applicants planning to construct fences or walls on their property must indicate on their plans the location, heights and type of material of any existing walls and/or fences on adjacent properties.

Owner must receive approval before any fence can be built within an easement area.
- c. **Brookhaven Walls and Fences.** Walls and fences owned by the Brookhaven Homeowners Association shall not be removed for work on any owner's lot without the prior written approval of the Brookhaven Homeowners Association. A bond may be required to ensure that walls and fences owned by Brookhaven Homeowners Association will be restored to their original condition, including replacement of trees and any other previously installed landscaping.
 - d. **Change in Height.** No Brookhaven Homeowners Association wall or fence shall be changed in height by an adjacent owner without the prior written approval of the Brookhaven Country Homeowners Association and the Architectural Review. Changes in height will be allowed only in instances where the change will not disrupt the appearance of the wall or fence or the maintenance thereof. Any change in wall height must be made with matching materials approved in advance and in writing by the Association Board of Directors and the Architectural Review.
 - e. **“Rear & Side Yards”:** For purposes of these guidelines, a rear yard shall be defined as a yard at the opposite end of a lot from the front yard, except in the case of corner lots.

18. Ground Termite Treatment

Soil under all concrete slabs on grade and all building floors, whether on grade or over air space, and all footings and masonry foundation walls shall be treated against subterranean termites. Chemicals used outside of the buildings or in accessible spaces under buildings shall be used with the utmost regard for the safety of children, plant life and pets. All termite treatment work shall be performed by a properly licensed and qualified pest control operator who is required to issue a certificate from the Pest Control Company.

17. Garage Doors

Garage Doors replacements should be as close as possible to the original garage door or doors on your street. If you want to change the style submission of the ARC form for approval is required.

18. Generator

Must be professionally installed with a low DB rating. Submit full plans from contracting company.

19. Green House

Must provide plans with pictures before approval and any work begins. Temporary greenhouse by 5'x5'x6' exempt from ARC.

20. Gutters

Gutters and down spouts are approved by the Architectural Review provided they are non-reflective and painted to match the surfaces to which they are attached. Copper gutters and downspout will not be approved unless painted to match the trim of the structure.

21. Landscaping

1. The owner shall, 90 days after taking occupancy of the new dwelling, commence landscaping the lot and thereafter satisfactorily maintain the completed landscaping in accordance with the requirements listed below.
2. The owner shall be responsible for landscaping between the back of the curb (or the actual pavement, where no curbing exists) and their property line. As with all Structures located upon a Lot, including landscaping, the installation of all Structures located within these areas shall be subject to the approval of the Association and the quality of maintenance within these areas shall be subject to the standards established by the Association.
3. What constitutes "completed landscaping" shall be decided by the Architectural Review, but as a minimum grading, weeding (removal of all noxious weeds and vegetation), soil preparation, finished seeding or planting of a suitable ground cover, and the planting or emplacement of customary plant and non-plant landscaping materials to a sufficient degree that the majority of the review members agree that

the area or lot in question is a "completed landscape" rather than primarily "dirt and weeds" will determine whether the landscaping requirements of these rules and regulations have been met.

4. All landscaped areas will be maintained in a neat and attractive manner, consistent with any surrounding lot areas and shall conform to any additional landscape maintenance standards established in the Architectural Review.
5. Lots fronting on two streets shall be landscaped along both frontages. Any portion of a lot visible to a street or neighboring property will be maintained in a good and clean condition. Owners of properties with electrical junction boxes are responsible for ensuring that the junction box area is kept in a good and clean condition.
6. What constitutes a "good and clean condition" as it pertains to the maintenance of completed landscaping on any lot shall be determined by the good judgment of the majority of the members of the review.
7. Vegetable gardens are not acceptable as landscaping for yard areas of planting strips located along any adjoining street or common area.
8. Each owner shall maintain the grade and ground cover of the Owner's Private Yard Area as to prevent soil erosion and, excessive water run-off onto any neighboring Private Yard Area or Common Area, and the ponding of any water on the Private Yard Area.

22. Mailboxes and Newspaper Tubes

Mailboxes shall be constructed of material compatible to the Associations Guidelines. Only one kind of mailbox type is approved. Contact Brookhaven Homeowners Association to find supplier. (See Architectural Guidelines Mailbox Addendum) Approximately 3 inch square post with paper tube mounted on the top of the post and the mailbox attached to the top of the newspaper box with screws. Just below paper tube is scrolled metal decorative bracket. Mailboxes are painted in black and shall be level. House number in three-inch gold letters with black or no background placed on both sides of the newspaper box. (See Mailbox Addendum)

23. Name Plates and House Numbers

All residences must have easily readable house numbers affixed to the dwelling or mailbox and must conform to Association standards. (Submit type to ARC review)

24. Outside Furniture: Benches, Chairs, Lawn Furniture, Tables, etc.,

All front yard or outside of fenced areas: Area Furnishings are to maintain harmonious aesthetic relationships with the main structure, be made of vinyl, galvanized metal, plastic, treated wood, and must be well maintained and attractive. Furnishings are acceptable only if placed within the border of the front porch area. No furniture that is not specifically designed for outdoor use will be authorized.

25. Playground Equipment

Any playground or other play areas or equipment furnished by the Association or erected within the Properties shall be used at the risk of the user, and the Association shall not be held liable to any Person for any claim, damage, or injury occurring thereon or related to use thereof.

26. Porch Area Shoe Racks

Shoe racks are acceptable if placed within the border of the front porch area, are no larger than 3'x4'x1', are made of vinyl, galvanized metal, plastic, treated wood, must be well maintained and attractive.

27. Sanitary and Water Piping

All sanitary and water piping shall be concealed.

28. Screen Doors (See Screen Door Addendum)

Screen doors with exposed reflective material shall not be approved. the Architectural Review shall require that Screen Doors be made of galvanized steel with a powder coat, vinyl or aluminum, painted white to match the trim of the home.

29. Screened Sun Rooms

- 1) The screened porch (22'x10') to be constructed over the existing concrete patio located on the rear portion of the lot must match the home in all exterior detail (shingles, brick, vinyl, paint, roof pitch, trim, etc.), where applicable and must be constructed in accordance with the specifications on the application, pictures and drawing(s) that you submitted and that are attached. Any variance must be submitted to us and approved by us in writing.
 - a. The screened porch must match the home in all exterior detail (horizontal vinyl siding, paint, shingles, etc.)
 - b. The construction and placement of the screened porch on the lot must not in any way divert the normal flow of surface water or runoff across your property in a manner that adversely affects other lots.
 - c. All treated lumber and wood support beams must be painted or wrapped in vinyl to match the home. There may not be any exposed wood on any portion of the screened porch.
 - d. Should any damages occur as a result of installing the screened porch, the Lot Owner agrees to assume full responsibility for such damages. Neither the Association nor the Developer shall be held responsible for any damages or problems due to the installation of the screened porch on your lot.
 - e. By commencing construction, you agree to maintain the screened porch addition in a manner deemed acceptable to the Association. Should the screened porch become unsightly or in disrepair you agree that immediately upon written notification from the Association to remedy the condition of the screened porch or remove it from you lot entirely.
 - f. Unless otherwise approved the screened porch must be constructed by a

licensed contractor.

30. Sheds, Dog Houses, Hot Houses, Storage, Gazebos and (See Sheds, Dog Houses, Hot Houses, Storage, Gazebos Addendum)

Dog houses, Hot Houses, storage, gazebos and tool sheds and similar structures, which are visible from a street or adjacent property, shall be submitted to the Architectural Review for review and approval. Each will be considered on individual merit.

Temporary Shed “means store bought mostly preassembled”

Size: No greater than 105 total square feet and no taller than 90” tall

Building Material: Vinyl or if wood must be painted color of home and primarily match style of home

Color: Vinyl must be a natural color to match home

Must submit picture of home when submitting for approval

Permanent Storage or Outside Structure

- Structure must match the home in all exterior detail (horizontal vinyl siding, brick, shingles, paint, gabled roof, roof pitch, trim, etc.)
- 10' x 13' building maximum size
- 6' panel entry door
- 6” overhang around the perimeter of the roof line
- shrubbery that does not lose its foliage 4' on center if yard is not fenced

If requesting a larger size will approve upon a request

31. Signs & Name Plates

No signs shall be erected or maintained upon any lot except:

1. Signs required by legal proceedings.
2. Residential identification signs of a combined total face area of one (1) square foot or less for each residence.
3. During construction of any improvement, job identification signs having a maximum face area of six (6) square feet per sign.
4. Not more than one "For Sale" or "For Rent" sign having a maximum face area of three (3) square feet, such sign to be situated on the premises for sale or rent.
5. Family Name Signs, Home Sweet Home, etc., No Solicitors, Beware of Dog, etc. that meet the above requirements and are not mounted on siding.
6. No signs in any common areas
7. Open house signs are permitted in common areas as long as they are placed and removed the same day as open house
8. Yard/Garage Sales cannot be erected permanently. The ARC must approve the Date of the Yard/Garage sale. Yard/Garage sale signs are permitted in common areas as long as they are placed and removed the same day as yard/garage sale.

32. Solar Installation Guidelines

All Brookhaven HOA solar panel requirement must be met, and approval granted before starting any installation of solar voltaic roof system within Brookhaven Association.

1. All solar panels must be installed on stainless steel rails attached to 4" stainless steel stand-away brackets.
2. All electrical junction boxes must be installed on the rails or attached to panels.
3. No conduit can be run over peak of house.
4. Rigid conduit cannot be run over 6 inches in length before it enters the attic roof or eve.
5. Any conduit penetrating the roof or eve must have flashing installed for each conduit. No conduit can run under eaves on front of home unless this is the only path available.
6. Control boxes and conduit must not be seen from the street.
7. Only one Final single vertical conduit run to main control station is permitted. All other conduit runs must be under eaves or in attic. (All runs must be submitted before installation begins, Drawing or pictures must be submitted with ARC forms)
8. All connections between panels need to be hidden under panels and in a flexible conduit.
9. Photos or architectural drawing with side views of all aspects must be included in packet.
10. All ARC submissions must include: solar panels speciation sheets, Warranty Card, roof layout with measured panel placement, conduit path routes.
11. All solar ARC Requests must be accompanied by county building Dept. and electric power company provider approvals.

33. Solar Lights and Tiki's

No open flame Tiki's will be approved for safety reasons. Solar lights are approved in general as long as they are decorative, maintained and have no negative impact to the association.

34. Solar Tints and Films

Highly reflective solar tints and films for windows are discouraged. No submittal for Architectural Review is necessary for non-reflective type tints. However, reflective tints must be submitted to the Design Review for review and approval before installation.

35. Spas/Hot Tubs

Spas/Hot Tub design and construction details must be submitted for review on ARC form and approved by the ARC. Details pertaining to privacy or visual separation must be included in the submittal.

Spas/hot tubs shall be located in the rear yard away from adjacent property so that their use, presence, and noise of the mechanical equipment do not adversely affect the use of the adjacent property. They should be an integral part of a deck, patio, or

landscaping. Mechanical equipment, pipes, and wiring must be concealed. Spas/hot tubs must be screened from adjacent property and all of the understructure of spas/hot tubs which are set into above ground decks must be screened.

36. Swimming Pools

Above Ground

Not allowed

Below Ground

Swimming pool design and construction details must be submitted for review on ARC form and approved by the ARC. Details pertaining to privacy or visual separation must be included in the submittal.

All swimming pools must be in ground. Raised decks, spa areas, etc. shall not project more than two (2) feet above the finished grade. Pools shall not be permitted on the street side of the residence, nor shall any portion of the pool, decking or enclosure be permitted to extend outside the building set-back lines.

Mechanical equipment should be concealed and located so as not to have an adverse effect on the use of adjacent property.

37. Tents and Temporary Structures

Tents and temporary structures such as lean to's, party tents enclosures, etc., may be erected without Architectural Review approval, provided the owner shall not continue to use the structure beyond the special event for which it is planned and shall expeditiously remove the tent or temporary structure after its use.

38. Trees

1. No trees planted by Owner within ten (10) feet of the property line on any lot shall be removed or cut down without the approval of the Architectural Review.
2. Trees planted in the planting strips adjacent to public streets are subject to the rules of the County.
3. Fruit Trees are not to extend beyond property fence line, overhang a neighbor's private area or drop fruit in a neighbor's yard. Trees that generate complaints from the community or constitute a safety hazard shall be redirected, relocated, or removed upon demand.
4. Trees that are potted in large clay pots are preferred, in order to limit growth and possible root damage.

39. Trim and "Gingerbread"

Scallops, shutters, decorative metal or wood trimmings and other such "gingerbread" decorations shall be disapproved unless they blend with the architecture of the dwelling, do not present a "tacked on" appearance and are not inconsistent with the intent and

purpose of these Rules and Guidelines as determined by the review. Ornate decorations will generally not be approved.

40. Underground Installation and Easements

The owner shall be responsible for determining the location of easements, utility lines, and underground installations prior to start of construction.

41. Waste and Debris Construction Disposal

Each owner shall be responsible for disposing of construction waste and debris and for keeping the public, private and common areas surrounding his property free of waste and debris at all times during construction.

42. Wind Chimes and Hanging Plants

Any Wind Chime or Hanging Plant is to be removed if they generate legitimate complaints from the community or constitute a safety hazard. Wind Chimes and Hanging plants are to have a hanging length of no more than 2.5' and be mounted at least 2.5' from any door or window. Hanging plants are to weigh less than 10lbs. The homeowner accepts and incurs full responsibility/liability for any damage or injury caused by the hanging of plants or wind chimes.

43. Appeal

Owner will have a thirty day time limit to appeal ARC decision or will need to resubmit request.

APPENDIX

A. Construction without Permit

Any homeowner who has made an addition, modification or alteration on or within his Lot, or who performs any other work which, under the provisions of the Architectural Review Rules or the DCCR's, requires prior approval of the Architectural Review, without first obtaining a Brookhaven Home Owners Association ARC Approval, shall, upon notification by the Brookhaven Home Owners Association via certified mail: (1) immediately cease and desist from any and all further work, and (2) within thirty (30) days of said notice, return the Lot to its condition prior to commencement of the work or, in the alternative, obtain written approval from the Architectural Review for the addition, modification or alteration to said Lot.

If not in compliance the Association will correct the issue at the homeowner's expense. Legal fees will also be paid by the homeowner if legal action is necessary.

B. Construction Different from Plans

The homeowner whose construction or material changes have deviated from approved plans is subject, upon notification by certified mail, to make immediate corrections per the approved plans, within thirty (30) days, or to submit revised plans within seven (7) days for the review and, if acceptable, approve.

Addendums

29

Together we can keep our neighborhood a great place to call home

hoabrookhaven@yahoo.com

www.ourbrookhavenhoa.com

 ourbrookhavenhoa

over

Architectural Application
Brookhaven Homeowners Association
<https://www.cedarmanagementgroup.com/arc/>

REQUEST FOR ARCHITECTURAL APPROVAL

The intent of the approval process is to maintain conformity and harmony of external design and consistence with plans of existing residences throughout the community and maintain compliance with the community governing documents. The review is apprised of seven homeowners from the community. The Review is allowed up to 30 days from the date of completed application with all attachments to approve your request however they are committed to respond as quickly as possible.

Complete one (1) request for each architectural change/addition.

Property Owner's Name _____ Request Date _____

Property Address _____ Lot # _____

Best Contact # _____ Best time to Contact _____

Email Address (Please print) _____

If you have not done so, please review the Declaration of Covenants, Codes and Restrictions, and Architectural Review Guidelines before submitting your request.

If you have any questions, please contact **Cedar Management Group @ 877.252.3327.**

Please be sure to contact **SC811** by visiting www.sc811.com or calling 811 prior to digging

No construction shall commence before written approval is received.

Type of Architectural Improvement

- | | |
|-------------------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Fence/Retaining Wall | <input type="checkbox"/> Deck/Patio |
| <input type="checkbox"/> Swimming Pool/Spa | <input type="checkbox"/> Arbor/Overhang |
| <input type="checkbox"/> Garage/Exterior Door | <input type="checkbox"/> Remodeling/Addition |
| <input type="checkbox"/> Gazebo/Dog House/Play Equip. | <input type="checkbox"/> Driveway/Walkway |
| <input type="checkbox"/> Greenhouse/Sunroom | <input type="checkbox"/> Building |
| <input type="checkbox"/> Solar | <input type="checkbox"/> Other |

Materials to be Used**

- | | | | |
|--------------------------------|---------------------------------------|--------------------------------|---------------------------------|
| <input type="checkbox"/> Wood* | <input type="checkbox"/> Concrete | <input type="checkbox"/> Stone | <input type="checkbox"/> Stucco |
| <input type="checkbox"/> Brick | <input type="checkbox"/> Wrought Iron | <input type="checkbox"/> Vinyl | <input type="checkbox"/> Other |

*** Wood must be pressure treated and you may be asked to stain or re-treat for optimal appearance**

****Materials should be in conformity and harmony of your existing residence and those in the Community. If more description is needed, use additional sheet of paper**

Additional Comments / Other: _____

Who will be doing the proposed work? _____

Estimated Start Date _____ Estimated Completion Date _____

This architectural request MUST be accompanied by the items listed below or your application will be DENIED and returned back to you:

- 1.) LAND SURVEY – showing your property lines of your land. You must use a surveyor’s land survey, which you received at closing. Please draw in the proposed addition. We must have measurements as it relates to your home, the property lines, and any easements which may apply. You can substitute an aerial satellite view with property lines
- 2.) PICTURE/SAMPLE/COLOR – You will need to provide a picture, sample, color or brochure of what the improvement will look like. Paint or roofing samples may be required.
- 3.) IF APPLICABLE - (a) Front, Rear and side elevations (b) Floor Plans (c) The area of heated floor space (d) Exterior building material to include manufacturer, color and texture (e) Exterior trim color (f) Roofing material, color and pitch (which shall be 6/12 relationship) (g) Landscaping plan of front yard, side yard and rear yard.
All submitted materials shall remain the property of the Association. You may wish to make a copy for your personal records. Failure to include any of the required information will suspend the 30 day review period and will only begin once all required information is received by the Association.

Homeowner Acknowledgements

(Read each statement carefully and initial that you understand)

I understand

- 1.) that my proposed improvement(s) must comply with the Uses Permitted and Prohibited and are in conformity and harmony of existing residences in the community as stated in the Declaration of Covenants, Codes and Restrictions. _____
- 2.) that I am responsible for compliance with all building codes, safety requirements and governmental laws, regulations, codes and ordinances which will require you to obtain all building permits required by the city or county. _____
- 3.) that I am responsible for replacing and/or repairing, at my sole expense, any damages to Association common areas as well as other homeowner residences, (i.e. grass, walking areas, trees, buildings, roads, etc.) as a result of making approved modifications.
- 4.) that submitting a request for architectural approval does not waive my responsibility to obtain a mandatory building permit from the proper governmental entities. _____
- 5.) that approval does not guarantee the structural adequacy, capacity or safety features of the proposed modification. _____
- 6.) that approval does not guarantee the location of the proposed modification is free from possible hazards from flooding or any other possible hazard, whether caused by conditions occurring on or off the property. _____
- 7.) responsibility to ensure correct placement. There are various easements within the community and on particular lots which have been granted to the city, county, utility companies or other parties requiring easements, and that no improvements or permanent structures shall be erected or maintained within or upon said easements. The easements are shown on the recorded plat and will be listed on the homeowner's title insurance at closing. _____
- 8.) that submitting a request for architectural approval does not guarantee that any construction or exterior alteration undertaken by me *before* written approval will be accepted. Homeowner may be required to restore the property to its former condition at his own expense if this application is disapproved, wholly or in part. _____
- 9.) that **any** variation from the original application must be resubmitted for approval. _____



10.) that members of the Architectural Control Review or board members are permitted to review for compliance. _____

Homeowner(s) Signature(s) _____ Date _____

You can return this completed form and all required info 2 ways:

Email: ARC@mycmg.com

Fax to 704.509.2429

ACC Rep: _____ Response: _____

ACC Rep: _____ Response: _____

ACC Rep: _____ Response: _____

Thank you for submitting an architectural application for a modification to your home/property. The Architectural Review has reviewed your application for consistency with and adherence to the Covenants & Restrictions for Clover Meadows. Your request has been:

Approved

Declined

Board Member Signature: _____ Date: _____

Comments: _____

Architectural Application Submittal Checklist

(Fee for Architectural Application must be received at the time of submission. If applicable)
(Copy of subdivision plat indicating area of subdivision in which lot is located)

1. Fence

- Architectural Application with detailed description of type of fence (i.e. Standard, Shadowbox, Over Scalloped, Dog-Eared, etc.)
- Copy of Plat showing location of fence with distance (ft) from corner of home (front/back) & property lines
- Picture (if available) or drawing
- Plans and Specifications or Materials List (if applicable)

2. Storage Buildings and Sheds

- Architectural Application providing detail (materials, color, etc.)
- Copy of Plat (Survey) showing placement on property & distance from property lines
- Dimensions (height, width, etc.)
- Pictures or design drawings including roof detail
- Landscaping plan to be installed around building (if applicable)
- If elevated, underpinning or screening to be used

3. Decks, Screened Patio's, Porches and Sunrooms

- Architectural Application
- Copy of Plat (Survey) with dimensions and location
- Detailed picture or design drawing including roof detail
- Picture of home showing area where addition will be made
- Extensive Materials List
- Landscaping detail if applicable

4. Storm Doors and Entrance Doors

- Architectural Application with sketch or description indicating location of door
- Picture or design drawing with colors and type

5. Play Equipment

- Architectural Application with specific details of what play equipment is to be installed (i.e. trampoline, basketball goals, swing sets, etc.)
- Plat showing where play equipment will be located and distance (ft.) from home and property lines
- Picture or design drawing including color(s)
- Dimensions

6. Landscaping

- Architectural Application

- Plat (showing placement of each item) including home and property lines
- Landscaping plans and specifications (if applicable)
- Detail (explicit) of plants indicating types and height (or gallons at time of install), expected height at full growth and **plant botanical/common names**)



House Numbers

6 2 8

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Screen Doors



Sheds



38

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Trash/Blind or Enclosures



Mailbox

Mailboxes shall be constructed of material compatible to the Associations Guidelines.

Only one kind of mailbox type is approved.

Contact Brookhaven Homeowners Association to find supplier.

Approximately 3 inch square post with paper tube mounted on the top of the post and the mailbox attached to the top of the newspaper box with screws.

Just below paper tube is scrolled metal decorative bracket.

Mailboxes are painted in black and shall be level.

House number in three-inch gold letters with black or no background placed on both sides of the newspaper box.



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Brookhaven Homeowners Association Satellite Dish Rules Acknowledgment

I _____ Tenant of _____ Legal Homeowner/ Agent of
Legal Home of a Brookhaven Homeowners Association unit located at:

Columbia, SC 29229 acknowledges that no Satellite dishes may be installed without express permission from the homeowner.

An ARC form must be filled out and turned in by the homeowner before the dish can be installed.

Print Tenant Name

Tenant Signature Date

