

Shannamara Homeowners Association

Architectural and Landscape Guidelines

Effective June 1, 2011

Revised June 1, 2011, and May 10, 2022

Revised October 24, 2022, and December 13, 2022

Revised October 25, 2023

The Architectural Control Committee of the Shannamara Homeowners Association has promulgated these guidelines in accordance with the Shannamara Declaration of Covenants, Conditions, and Restrictions. The Architectural and Landscape Guidelines provide a basis for approvals by the Architectural Control Committee of Requests for Architectural Review and Improvements.

Definitions

<u>ACC:</u>	Architectural Control Committee
<u>SHA:</u>	Shannamara Homeowners Association
<u>ALGs:</u>	Architectural Landscape Guidelines
<u>CCRs:</u>	Covenants, Conditions and Restrictions
<u>BOD:</u>	Shannamara Homeowners Association Board of Directors

Mission Statement

Architectural Control Committee

It is the mission of the ACC to

- Fulfill the requirements of the CCRs for approval and control of improvements and maintenance in a manner that is responsive to the residents of Shannamara
- Meet monthly to consider requests for improvements
- Create, publish, and update guidelines for improvements to ensure that the beauty, property value, and quality of life in Shannamara
- Recommend enforcement actions to the Shannamara BOD

Authority of Architectural Control Committee

The Shannamara DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CCRs) require the ACC to publish and promulgate Architectural and Landscape Guidelines (ALGs), which will provide the basis for architectural review and approval of improvements for properties within Shannamara (Article VI, Section 3). These guidelines serve as additional clarification and definition of Article VI of the CCRs and, as such, together with the SHA CCRs are the governing authority for improvements. A person that wishes to make improvements to their property within the authority of the SHA should review both the ALGs and CCRs prior to submitting a request to the ACC for review.

Responsibility for Compliance

Building Codes & Other Regulations

The ACC reviews and acts on any Request for Improvement in accordance with the CCRs and the ALGs. The homeowner is responsible for obtaining all necessary permits and ensuring that all work improvements meet or exceed the existing codes, standards, and regulations of federal, state, county, and local authorities. Regulatory specifications take precedence over an ALG or CCR requirement.

Approval of ALGs

The Architectural and Landscape Guidelines, and any future changes, will be approved and signed by the BOD.

Responsibility for Approval of Improvements

Original Construction: The BOD is responsible for approving the architectural plans for constructing a new house, the location of driveways, pedestrian walkways, and the initial landscaping. The BOD may approve other ancillaries that are specifically described within the ALGs.

Additions and other Improvements: All improvements to Class A Lots (defined in CCR Article III, Section 2, subparagraph (a)) require approval by the SHA ACC, unless specifically stated otherwise within the ALGs.

Requirements for Approval of Improvements

Unless specifically stated in the ALGs, all improvements must be submitted for approval to the ACC before construction or installation begins. Improvements are defined in Article VI, Section 4 of the CCRs. A Request for Architectural Review and Approval and instructions are provided in Appendix 4 of this document.

If prior written ACC approval is not obtained, a minimum \$50 administrative fee may be assessed. The exact fee will be left to the BOD's discretion.

Process for Review and Approval of Improvements

- A. Submit a request to Braesael Management for each improvement, no less than seven (7) days prior to an announced ACC meeting. Instructions for filing a request for approval are provided in Appendix 4. This submission can be delivered to Braesael Management either by email, in person, or USPS.
- B. The ACC will review the request and notify the homeowner of the ACC's decision within five (5) business days of the meeting. Notice of the decision (approved, deferred, or declined) will be delivered first class mail and email by Braesael Management.

Frequency of Meetings (Amended December 13, 2022)

The ACC shall meet at least once per month at a time to be published in the Shannamara newsletter and on the community website. Additional meetings may be called to conduct ACC business, in which case those meetings will be posted. Please contact either Braesael Management or the ACC to confirm meeting dates and times.

Expiration of ACC Approvals

Once an application has been approved by the ACC, the improvement must commence within one (1) year of the date stamp of the approval. If the improvement does not commence within one year the application must be resubmitted for ACC review.

Definition of Improvements **CCRs Article VI, Section 1 and 4**

For these guidelines, the term “Improvements” is defined specifically in the CCRs and refers to any change or addition to a specific Lot or structure on that Lot. This includes clearing of Lots, landscaping and plantings, construction of homes, driveways, irrigation systems, drainage systems, play equipment, fences, construction of other buildings, etc. More specifically, included are all man-made changes or additions to a Lot, such as, but not limited to the following:

- The location, materials, size, and design of all buildings, including any exterior devices attached to or separate from buildings, such as heating and air conditioning equipment, solar heating devices, antennae, or other similar device
- Storage sheds or areas, roofed structures, parking areas
- Fences or enclosures
- Walls, landscaping (including cutting of trees), hedges, mass plantings and poles
- Driveways, ponds, lakes, changes in grade or slope, site preparation, swimming pools, hot tubs, statues, or statuary, jacuzzies, tennis courts, and tree houses
- Basketball goals, skateboard ramps, and any other sports or play apparatus
- Signs, exterior illumination and changes in any exterior color or shape

Improvements include both original Improvements and all later changes to Improvements, including changes, additions, or removal of an existing Improvement. Improvements, however, do not include the replacement or repair of something which does not change exterior colors, materials, designs, or appearances from that which was previously approved by the ACC. The following items are also considered improvements subject to the application and review process (Amended December 13, 2022):

- Lake front enhancements
- Drainage systems - inground and surface
- Patios
- Fire pits and outdoor ovens
- Outdoor entertainment areas
- Gazebos, pergolas, and arbors

GUIDELINES

General Guidelines

- The ACC has developed the following guidelines in consultation with the BOD which apply to all improvements, both architectural and landscaping.
- In all cases the rule of consistency will be applied, that is, consistent with the present Lot and structure(s) on the Lot, consistent with the village, and finally consistent with the Shannamara community as a whole.
- Compliance with the CCRs, dated 7-20-95 as amended: Use and Restrictions as to All Lots, Article VII; Easements, Article VIII; and Maintenance by Owners, Article IX will be closely followed.
- The ACC may, in its sole discretion, grant an individual variance to these ALGs. Homeowners requesting a variance must submit a written request to the management company. If a variance is granted, it will apply to the specific request and circumstances only and shall not become precedent for future interpretation of the ALG's. (Added October 24, 2022)
- Homeowners shall have the right to appeal any decision. Appeals must be submitted in writing to the management company and will be reviewed by the ACC (Added October 24, 2022).

Grandfathering

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

1. Additions and Outbuildings

- A. Design and construction of additions and outbuildings must be consistent with the architecture of the Lot, neighborhood, and development.
 - 1) Setback and location on the Lot
 - 2) Exterior fit, finish, trim, and materials
 - 3) Roof pitch, finish, and materials
- B. The following types of outbuildings are not permitted.
 - 1) Prefabricated or pre-manufactured buildings
 - 2) Any building that blocks the line of site of a golf course Lot with a clear golf course view
 - 3) Any building that is not stick built
- C. Pet Residence: A pet residence is any structure or provision for an animal to reside in temporarily or permanently outside the house or garage. (Amended October 24, 2022)
 - 1) The pet residence must blend with existing structures but may have a different exterior finish.
 - 2) It cannot be located within fifteen feet of any property lines.
 - 3) It may not be visible from the front centerline of the house (See Appendix 1).

- 4) It may be built under a deck but must still be consistent with all other guidelines.
- 5) Screening with appropriate landscaping shrubbery is recommended.
- 6) See Section 2 Fences and Walls regarding fenced enclosures.

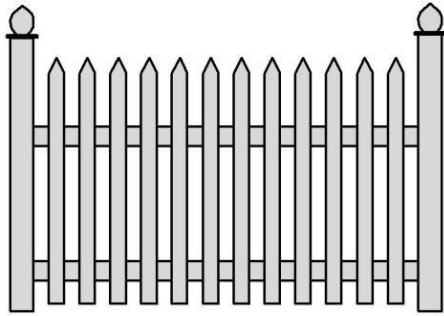
2. Fences and Walls (Amended October 24, 2022)

A. Approved Fence Configurations

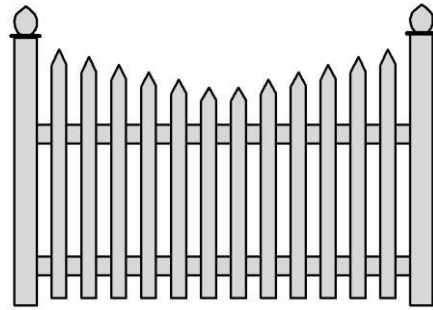
- 1) **Black Metal (iron or aluminum):** The picket configuration may be standard. Double and puppy pickets are acceptable. Black metal fencing is the only type of fencing acceptable for Lots with boundaries on Divide Drive, the golf course, or Lake Shannamara.
- 2) **Wood Picket:** The fencing must be of natural wood color and the finished side must face out.
- 3) **Split Rail (three rails only):** The fencing must be of a natural wood color. Wire backing is permitted. A split rail fence consists of wood posts and three long rails. The posts and rails must be rough-cut and square in shape.
- 4) **Brick Columns:** Brick columns used with fencing must be faced on all sides and spaced no further than ten feet apart. The brick used must match the house and columns may exceed the fence height by no more than twelve inches.
- 5) **Fence Height:** The fence height shall not exceed five feet.
- 6) **Privacy Fencing:** Privacy fencing is only permitted on the perimeter of the subdivision and is subject to the discretion of the ACC. The height and style must conform with adjacent fencing and the finished side must face out.
- 7) **Double Fencing:** Double fencing on or close to the property line is not permitted if it prevents access to and maintenance of the area between the fences.
- 8) **Separate Fenced Pet Enclosures:** Pet enclosures are permitted with a minimum size of 400 sq. ft. and cannot be located within fifteen feet of the property line. Screening with appropriate shrubbery is recommended. Materials used must match any existing fencing. Invisible pet fencing does not require approval. Pet lines and similar tethers are not permitted. See Section 1, Additions and Outbuildings, Item C regarding pet residence.
- 9) The fencing style should be consistent throughout the property.
- 10) Examples of approved fencing are provided below. It is recognized that minor differences will arise between various manufacturers and companies. This will be considered in the review process.

Wooden Fencing

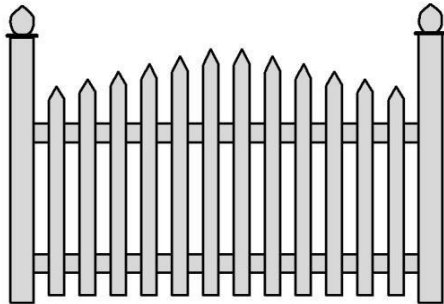
Wood Picket Fence
(Type 1)



Wood Picket Fence
(Type 2)



Wood Picket Fence
(Type 3)

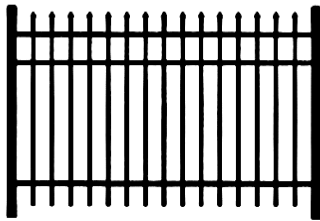


Split Three Rail Fence

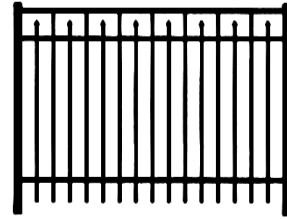


Black Metal Fencing

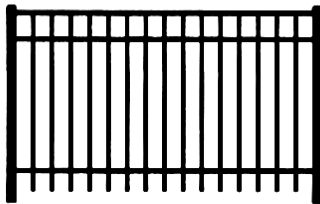
STYLE #1



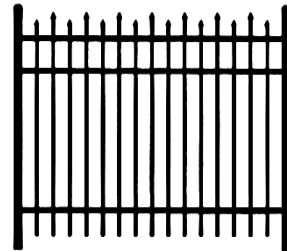
STYLE #3



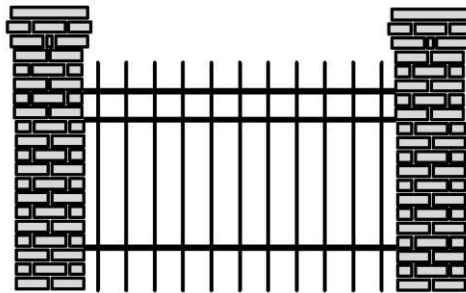
STYLE #2



STYLE #4



Brick Post & Metal Combination Fence
(Requirement: Must Match Brick on House)



B. Approved Wall Configurations

- 1) Border or retaining walls made of stack block, brick, stone or other natural or manufactured materials specifically made or quarried for wall construction are acceptable. If they are eighteen inches or less in height at the highest point approval is not required.
- 2) The color of brick, stone or other material used should be consistent with the color of the exterior of the home.
- 3) All border or retaining walls exceeding eighteen inches in height require approval.
- 4) The construction of border walls must be level and plumb when finished and up to professional standards.
- 5) All walls must be maintained to not tilt, sag, or buckle over time.
- 6) Walls shall be constructed in such a manner as to not obstruct or redirect the natural flow of storm water runoff onto or off the homeowner's property.
- 7) Wall style should be consistent throughout the property.

3. Awnings (Amended December 13, 2022)

Retractable or permanent awnings of a solid color are permitted, subject to approval of a color sample submitted with the Application. Multi-colored awnings are not allowed. Awnings are not to be visible from the street in front of the house as described in Appendix 1.

4. Outdoor Enclosures (Amended December 13, 2022)

An outdoor enclosure is defined as any fence, wall, or other structure constructed to hide or obscure from view garbage cans and recycling bins. This includes enclosures for heating and air conditioning units, utility meters, and connections on the outside of the house, garage, or any addition or outbuilding. Brick and other materials that match the exterior finish of the residential structure are the preferred materials for construction of outdoor enclosures. Enclosures may also be stick built or constructed of plastic panels typical to those found at a building or fence supply company. When using manufactured panels, the color should be white or match the house trim. If the enclosure is stick built, stain may be used which portrays a natural appearance.

- A. All outdoor enclosures must be located behind the front line of the residence.
- B. The height of the enclosure should be no more than six feet.
- C. Enclosures should be no larger than necessary to conceal the outside feature.
- D. All enclosures must be constructed with matching posts, gates, and hardware to provide a finished look.
- E. A roof over the enclosure area is not permitted.
- F. Additions, Outbuildings, and Pet Residences are covered in Section 1 of this document.
- G. Pet Enclosures are covered in Section 2 of this document.
- H. The enclosures covered by this section cannot be used for pets.

5. Mailboxes

- A. Mailboxes shall be made of similar construction, style, size, and color as the predominant mailbox in your village.
- B. All mailbox lanterns (gas, electric, or solar) must be operational and illuminated from dusk to dawn.
- C. Mailboxes must meet the following guidelines per village.



Balintoy –
with lantern top



Dunraven –
without lantern



Glamorgan -
without lantern



Kilarney -
with lantern top



Kildare -
without lantern



Kilkenny –
with lantern top



Tramore -
with lantern top



Waterford -
with lantern top



Wicklow –
without lantern

6. Landscape Guidelines

These guidelines are published consistent with Article VI, Section 1 and Section 3 of the CCRs. These guidelines are published with the following in mind.

- Maintaining the value, character, and appearance of the residential community
- Providing a consistent landscaping approach to all homes and common properties that the Association maintains
- Preserving the quality of the natural amenities of our subdivision such as hardwood trees
- Ensuring consistent criteria will be applied to all homeowners regarding landscape beds, lawn maintenance, tree planting, removal and pruning and other areas as described below

A. Trees, Plantings and Shrubs (CCR Article IX, Section 1) Amended December 13, 2022)

- 1) No trees, plantings or shrubs may be placed in the Shannamara subdivision that are exotic or invasive species, as defined, and listed by North Carolina’s Native Plant Society (Rank #1 and #2). These listings are modified from time to time and may be found at <https://ncwildflower.org/invasive-exotic-species-list/>.
- 2) Each homeowner is responsible for maintaining all trees, plantings, and shrubbery in a neat and orderly manner. If, in the sole opinion of the ACC, a homeowner’s trees, plantings, or shrubbery are unsightly or not cared for consistent with the overall appearance of the Shannamara Subdivision, the ACC will require timely corrective action by the homeowner. In addition, recommendations may be provided to the BOD for further actions to be taken.

- 3) When planting near or around utility boxes, the homeowner is responsible to review all local, county, state and federal easements associated with the Lot, prior to installation.
- 4) When locating a tree close to a property line, consideration should be given to neighbors' dissatisfaction with the location of such plantings. This may be particularly the case for potentially overhanging branches or blocked views. Written approval by adjacent neighbors is suggested. Trees and shrubs should be planted back from the property line at least half the diameter of the expected mature foliage.
- 5) Duty of Maintenance
 - a. The owner of any Lot is responsible for ensuring they are following the CCRs as well as the ALGs.
 - b. Article IX, Section 1 provides additional detailed information on the Lot owner's responsibility pertaining to Lot maintenance.

B. Lawn Maintenance and Vacant Lot Maintenance (CCR Article IX, Section 1)

- 1) Lawn Mowing
 - Mowing on a regular basis is essential.
- 2) Weeds
 - Lawns must be maintained so that at least 75% of the grassed area is weed free.
- 3) Irrigation
 - Homeowners are expected to demonstrate reasonable effort to keep trees, plantings, shrubs, and lawns adequately watered to prevent deterioration. (Any current watering restrictions will be considered.)
- 4) Bedding Areas
 - All bedding areas on each Lot shall be mulched to prevent weed promulgation and loss of soils.
 - Bark chips, pine needles, cypress mulch, soil blends or other acceptable wood product derivatives may be used for bedding coverage.
 - Stone bedding, in its natural state, is also acceptable.

C. Removal of Trees (CCR Article VI, Section 1)

Approval is required for removal of any tree that is more than six inches in diameter when measured twelve inches above ground level. Photos of existing conditions should be submitted with your application. This may eliminate the need for a site visit.

- 1) Removal of dead, diseased, leaning, or otherwise damaged trees as well as unsightly or physically or aesthetically undesirable trees requires ACC approval.
- 2) Approval will be based in part on the possibility and advisability of rehabilitation (treatment, pruning, or topping) of such trees. Factors such as tree quality, uniqueness, value, aesthetics, and impact on adjacent properties will be considered as well as plans for replacement or compensating plantings or other improvements.
- 3) When there is disagreement which cannot be reconciled with a Homeowner as to the condition or safety of a standing tree, a statement from a qualified arborist or licensed tree removal company will be considered as a basis for reconsideration.

D. Exterior Illumination

- 1) All exterior lighting, which includes but is not limited to accent light or path lighting shall not be excessive or obtrusive to neighbors.
- 2) All exterior lighting, to include freestanding light posts, must be submitted for review by the ACC, except for low voltage lighting.

E. Temporary or Permanent Lawn Decorations_(CCR Article VI, Section 1)

Temporary and permanent lawn ornaments, decorations, and statues, which may include but are not limited to, bird baths, lattice fencing, benches, chairs, ornamental posts, figurines, or similarly decorative novelties shall require approval by the ACC prior to placement on the owner's property.

F. Other Outdoor Areas (Amended December 13, 2022)

- 1) Trash Containers: Trash containers must always remain out of sight on non-collection days and may not be placed at the street pickup point prior to 5 PM on the day prior to collection. Trash containers must be removed from the street pickup point by midnight on the day of collection.
- 2) Debris Removal: Litter, trash, refuse and waste must be removed from an owner's property in a timely manner. Yard waste including bags, cuttings, and limbs may not be placed at the curb before 5 PM the day before collection. Any yard material not removed by the garbage company must be immediately removed from the street by the owner.
- 3) Driveways and Parking Areas: All surface areas must be kept clean and in good repair. Any change in surface application of paint, stain, etching, imprinting, or other similar change requires prior approval by the ACC.

G. Seasonal Decorations: Seasonal decorations are permitted without approval beginning 35 days prior to the event and are to be removed within 35 days following the event.

7. Sports, Play, and Recreation Improvements

Including, but not limited to play sets, tree houses, basketball goals, skateboard ramps and other sports or play and recreation apparatus (**Amended October 25, 2022**).

A. Permanent Play Equipment

- 1) All permanent sports, play, and recreation equipment must be submitted for approval. This includes, but may not be limited to, play sets, trampolines, permanent basketball goals and portable basketball goals permanently placed.
- 2) All sports, play and recreation equipment must be kept in good repair and appearance.
- 3) All permanent sports, play, and recreational equipment, except for basketball goals are to be confined to the rear of the property and not visible when the house is viewed from the front street (Appendix 1). Consideration will be given to corner Lots, and those with unusually exposed rear yards. Landscaping around the equipment is encouraged.
- 4) Swing sets and tree/playhouses must be constructed of natural long life wood products such as cedar or cypress.

- 5) Permanent and portable basketball goals adjacent to driveways and parking spaces must be placed behind the front line of the house extended. Front load or courtyard load garages are exempt from this rule, but placement of the basketball goal is subject to the ACC approval process.
- 6) Swimming pools can be “in ground” only.

B. Portable Play Equipment

- 1) All portable or temporary sports, play, and recreational equipment, except portable basketball goals must be out of direct view of the street when not in use. All portable basketball goals must be maintained in an upright and level position.
- 2) Care must be taken to avoid the clutter of play and recreation equipment in yards and driveways.
- 3) Portable equipment cannot, at any time, be placed in the street.

C. Lake Shannamara Dock

Definition of Dock/Pier - For the purposes of Lake Shannamara, the definition of a dock or pier is as follows: A platform extending from a shore over water and supported by piles, pillars, or flotation devices. For the purposes of these guidelines, dock(s) will refer to both docks and piers.

The following Guidelines pertain to docks on Lake Shannamara. All restrictions relate to the high-water mark of the lake.

- 1) Docks cannot extend into the lake further than twenty-five feet.
- 2) Docks cannot exceed twenty-five feet in either length or width.
- 3) Docks must be physically attached to the shoreline.
- 4) Docks must be located at least fifteen feet from the property lines (exceptions will be reviewed).
- 5) The maximum square footage of the dock must not exceed 400 sq. ft. (this includes any decking over both land and water).
- 6) Docks which extend further than fifteen feet into the water will require a site visit by the ACC.
- 7) The surface of the dock may not extend more than eighteen inches above the surface of the water.
- 8) No permanent structure may rise from the surface of the dock.
- 9) Docks must be constructed of wood or synthetic wood material.
- 10) Non-rigid structures may be permitted upon special review and may require additional information for processing.
- 11) Protective sealants must portray a natural appearance.
- 12) If the construction of the dock requires flotation devices, they must be professionally designed and similar in style to those displayed at www.formex.com. In addition, they must be black in color. No flotation device designed or fabricated by a resident, or his contractor may be used without additional information regarding the reasons a professionally designed product cannot be used.
- 13) The ACC reserves the right for a site inspection on any dock request.

- D. Properties adjacent to the Golf Course
 - 1) Protective golf netting is not permitted in the community.
 - 2) No building, fence, wall, or other structure shall be erected within twenty feet of the real property line of any Lot contiguous to the golf course (See CCRs Article VII Section 17).
 - 3) Every Lot, Tract, Common Area, and other portions of the property are burdened with easement in favor of errant golf balls (See CCRs Article VIII, Section 2).

8. Improvements Not Requiring ACC Approval

The definition of Improvements includes both original Improvements and all later changes to Improvements. The definition of Improvements, however, does not include repairs, if the repair does not change exterior colors, materials, designs, or appearances from that which was previously approved by the ACC.

- A. Invisible Pet Fencing: The homeowner is responsible for reviewing all town, county, state, and federal easements associated with the Lot, prior to the installation of invisible pet fencing.
- B. Normal lawn, tree, shrub, and bed maintenance, replacement of dead plantings (except trees), rotation of annuals and minimal additions to existing flowerbeds
- C. Maintenance to the exterior of homes or structures that does not change the structure or color (See ALGs section 10 regarding painting)
- D. Staining and sealing of decks, provided natural wood tones or home trim colors are used (See ALGs section 10 regarding painting)
- E. Border Walls
 - 1) Border walls made of Windsor blocks, brick, stone or other natural or man-made materials specifically manufactured or quarried for wall construction and that do not exceed eighteen inches in height at the highest point do not require ACC approval.
 - 2) All walls eighteen inches` or under, even though not requiring approval, must meet the guidelines set forth in Section 2, Part B, of this document.
 - 3) Any wall over eighteen inches must be submitted for review and meet the criteria noted in Section 2, Part B of these Guidelines.
- F. Low Voltage/Wattage Lighting (not to exceed fifty watts)
- G. Irrigation systems
 - 1) ACC Guidelines require the backflow valve to be concealed from view or completely buried.
 - 2) The homeowner is responsible to review all federal, state, county and local easements associated with the Lot, prior to the installation of an irrigation system.
- H. Roof replacement with asphalt shingles matching or similar in color to the original roof (Added October 25, 2023).

- I. Replacement of decking and/or railing where the footprint of the deck is not changing, and color is that of the original deck. This would include changing from natural wood to composite material (Added October 25, 2023).

9. Parking (CCRs Article VII, Section 21)

Vehicles, including any boats, houseboats, commercial trailers, recreational trailers, utility trailers, motor homes or campers may not be maintained, stored, or kept on any portion of the Property, except in enclosed garages or in an enclosure specifically approved for such maintenance or storage by the ACC.

10. Exterior Painting (Effective May 10, 2022)

This section applies to siding, trim, shutters, doors, gutters, fences, decks, play equipment and any other surface for all structures on the property. Any exterior painting resulting in a color change requires approval from the ACC before starting the project.

A. Exterior painting of non-wood surfaces

Any exterior painting of a non-wood surface requires approval from the ACC regardless of color selection. Non-wood surfaces include but are not limited to stucco, fiberglass, vinyl, plastic, aluminum and fiber cement siding or shingles.

Applications must include the following:

- Paint swatch of chosen color(s)
- Paint specification sheet indicating the product is suitable for the surface to be painted

B. Exterior painting of wood surfaces

Repainting wood surfaces the same color is considered maintenance and does not require approval.

Applications if changing color must include the following:

- Paint swatch of chosen color(s)
- Paint specification sheet indicating the product is suitable for the surface to be painted

C. General guidelines

- Painted exterior surfaces must maintain harmony and consistency with the rest of the home and the neighborhood.
- Preparation of surface(s) and application of paint must follow the paint manufacturer's specifications and instructions.
- The ACC reserves the right to request a painted sample on the exterior of the home prior to approval.
- Photos of the areas to be painted are often helpful.

11. Compliance

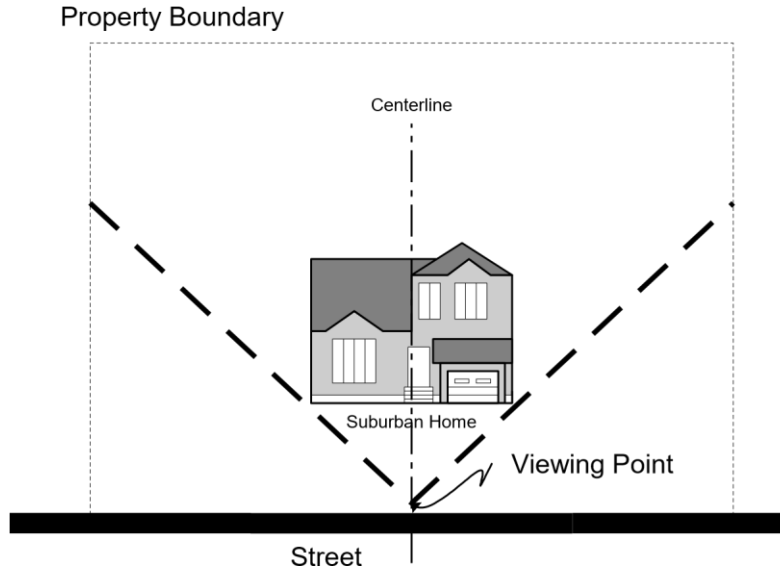
- Failure to comply with the CCRs and ALGs constitutes a violation and corrective actions will be taken, which could include a BOD hearing and fines.

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Appendix 1

Requirement “not visible from street in front of house”

The following diagram shows the intent of this requirement.



An apparatus must be placed behind the back wall of the house and between the angle lines.

Appendix 2

CCRs: Article VII, Section 2

Building Lines

No building shall be located nearer to the front or side lines than the building setback lines shown on the recorded plat if such lines are shown. In any event, no building shall be placed nearer to any front, side or rear setback line as required by the Union County Zoning Ordinances as to Lots located in Union County and Mecklenburg County Zoning Ordinances as to Lots located in Mecklenburg County or any other applicable zoning ordinances. Unintentional violations not exceeding ten percent (10%) of the minimum building line requirements set forth herein shall not be considered a violation of this Section unless such violation also violates the zoning ordinance of the respective county. No building, fence, wall, or other structure shall be commenced or maintained within twenty feet of the real property line of any Lot contiguous to the golf course.

Appendix 3
CCRs: Article VII, Section 13

1. **Easements**

A perpetual easement is reserved over the rear ten (10) feet of each Lot for utility installment and maintenance and/or as shown on recorded map. A perpetual easement is reserved over the side five (5) feet and rear ten (10) feet of each Lot for public storm drains and/or as shown on record map.

CCRs: Article VIII, Section 1

2. **Easements**

For the installation and maintenance of driveway, walkway, parking area, water line, gas line, telephone, and electric power line, sanitary sewer, and storm drainage facilities and for other utility installations are reserved as shown on the recorded plat. The Homeowners Association may reserve and grant easements for the installation and maintenance of sewerage, utility, and drainage facilities over the properties as provided in Article IV, Section 1 (c) of this instrument. Within any such easements above provided for, no structure planting, or other material shall be placed or permitted to remain which may interfere with the installation of sewerage disposal facilities and utilities, or which may change the direction of flow or drainage channels in the easements.

Appendix 4
INSTRUCTIONS
REQUEST FOR ARCHITECTURAL REVIEW & APPROVAL

1. Requests must be submitted seven days prior to the ACC meetings. As of Jan 2019, the ACC meets on the first Thursday of each month. Requests submitted less than seven days will be reviewed if time permits, however, the ACC cannot assure late requests will be reviewed at the meeting.
2. As with all improvements, the homeowner is responsible for obtaining all necessary permits and ensuring that all work meets or exceeds existing codes, standards, and regulations of federal, state, and local authorities.
3. No member of the ACC shall be held liable for claims, causes of action or damages (except where occasioned by willful misconduct of such member) arising out of services performed pursuant to Article VI, Section 12 of the Covenants, Conditions & Restrictions.
4. Applications should include detailed descriptions of the proposed improvements. A copy of the plot plan with the location of the improvement is required when the improvement is an addition, landscaping or placement of equipment, statues, and fences. Your request will be returned unprocessed without complete information.

Examples of what to include

Play Sets

- Detailed drawing or picture of play structure
- Plot plan with specific location marked

Fence

- Detailed drawing or picture of fence type being used
- Plot plan with specific location of the fence to be installed noted
- Photos of any existing fence belonging to applicant or neighbors
- Neighbor's written permission, if physically tying into their fence

Landscaping

- Plot plan with specific location of plantings noted
- Detailed description of landscaping work to be done including shrub/tree types and their location
- Neighbors' written permission if any plantings will (at any time in the future) encroach on the property lines.

5. The ACC reserves the right to request additional information and exhibits to clarify the request, or to arrange a site visit.

6. Requests for multiple changes should be submitted separately.
7. All applications should be emailed along with attachments to shannamaraACC@braesael.com. They may also be hand delivered to Braesael Management at the Shannamara clubhouse during their weekly hours on site or mailed to:

Shannamara Homeowners Association
ATTN: Architectural Review
P.O. Box 1041
Matthews, NC 28106