



Bethesda Oaks Community Rules & Regulations

Effective January 1, 2022

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1.0 Introduction

1.1 Applicability

This guide to Rules and Regulations ("Guide") is adopted pursuant to the Articles of Incorporation, and the Declaration of Covenants, Conditions, and Restrictions ("Declaration"). These documents provide for the establishment of reasonable rules and regulations concerning the use of individual lots and common areas. The Architectural Review Committee ("ARC") serves as representatives of the Board of Directors ("Board") while enforcing the Guide. Compliance with this Guide is required, but is not the sole basis for review or approval, nor does it guarantee approval of any application. In reviewing each application, the ARC may consider any factors it deems relevant. Decisions may be based purely on aesthetic considerations. Each owner acknowledges that determinations as to such matters are purely subjective in nature and that opinions may vary as to the desirability and attractiveness of a proposed addition or modification.

1.2 Purpose

This document is not intended to replace the Declaration, but to clarify the process by which homeowners may customize and modify the exterior presentation of their homes and/or lots. The intent is to provide consistent guidance to owners regarding requirements for additions and modifications to property in the community, and matters of particular concern to the ARC when considering applications for approval of such conditions and modifications. Additionally, the Guide sets forth various restrictions on other matters relating to community standards and the overall appearance of property in the community.

1.3 Application and Review Process

Unless otherwise specifically exempted by the Declaration or this Guide, **each and every proposed exterior modification/addition** to residential units or lots requires prior approval of the ARC. Submit a copy of the Request for Architectural Approval form (available at bethesdaoaks.com) to the association's property management company. Each application must include a copy of the lot survey showing the size and location of the proposed modification/addition as well as a list and description of the materials to be used. Color samples may assist the ARC in rendering its decision and expedite the review process. The ARC may require submission of such additional information as may be reasonably necessary to consider any application. Review of the application, and notification to the applicants shall be conducted as described in the Declaration. Contact the property management company for status if there is no response within three weeks. Where specifically permitted to proceed without prior approval, such permission shall only be effective so long as the Owner complies with every requirement of this Guide. The ARC is not responsible for ensuring structural integrity, or compliance with state and local building codes. Homeowners must obtain all

necessary building permits and other government approval that may be required for the proposed modification or addition.

2.0 General Architectural Standards

2.1 Antennas, Satellite Dishes (DBS, MDS, DSS, Starlink)

Homeowners who wish to place a satellite dish or any other type of mounted antenna on the exterior of the residence must submit a Request for Architectural Approval to the ARC. Satellite dishes may be no larger than one meter. If installation is required in any area other than the following approved locations, include a statement from the installer with the ARC application. Standard, approved placement of a satellite dish is:

- Attached to or mounted on a deck or patio in the rear of the residence and extending no higher than the eaves of that portion of the roof of the dwelling directly in front of such antenna, or
- Attached to or mounted on the rear wall or rear roof of the residence so as to extend no higher than the ridge line of the residence at a point directly above the position where attached or mounted to the wall.

Pursuant to FCC Section 207 of the Telecommunications Act of 1996 the Association will not require prior approval for antennas/dishes in the attic, crawl space, garage, or other interior space of the dwelling, or another approved structure so as not to be visible from the exterior of the residence.

2.2 Backyard Play Equipment, Basketball Goals

- Metal swing sets are not permitted.
- No play structures may be erected on the side or front of any residence.
- All playhouses and swing sets must have ARC approval.
- Skateboard ramps are specifically not permitted.
- Free standing basketball goals with a clear backboard mounted in the ground are permitted as long as the backboard is mounted perpendicular to the street, the goal post is at least 15 feet from the curb, and the goal post is at least six feet inside the homeowner's property line. The goal post, clear backboard and net must be kept in good repair at all times.
- Full-sized portable goals are permitted (one goal per lot) so long as they have a clear backboard and are placed/stored on a solid surface, not in the grass. The goal must be placed at least 15 feet from the curb and at least six feet inside the homeowner's property line. The portable goal unit, in its entirety, must be kept in good repair at all times.
- Play, toy, or non-regulation size portable goals are permitted but must be stored when not in use so that they are not visible from the curb.

Exception: There are some lots within Bethesda Oaks that may not be able to abide by the rules above on placement of a basketball goal due to lot lines being so close

together. Under these circumstances, an owner may request a variance from these rules to place a permanent basketball goal in another area. A variance approval request must be submitted and approved in writing by the ARC.

2.3 Birdbaths, Bird feeders, Birdhouses

Birdbaths require ARC approval. Bird feeders and birdhouses are pre-approved provided they are no larger than one foot in width, one foot in depth, and one foot in height. Any pole on which a birdhouse or bird feeder is located may not exceed two inches in diameter, and six feet in height (including the house or feeder). Birdbaths, feeders and houses will not be placed in the front yard, or in common areas or wetlands/marshes.

2.4 Clotheslines, Fuel Tanks, Outside Storage

Clotheslines, above ground fuel storage tanks, woodpiles, and similar items are not permitted. Storage of any materials (such as, but not limited to, lawnmowers, landscaping materials, and lumber) outside an enclosed structure is not permitted. Do not place furniture intended for indoor use on any outside area, including porches.

2.5 Decks, Patios, Fire Pits, Screened Porches, Gazebos, Pergolas, Sidewalks, Driveways

ARC approval is required prior to construction, modification or extension of decks, patios, fire pits, screened porches, gazebos, pergolas, sidewalks, and driveways. Deck footings and patios must stay within the minimum building line of any lot. No deck or patio shall extend into the side yard beyond the side plane of the residence. Deck waterproofing, sealing and staining is pre-approved provided that natural wood color is used.

Sidewalks and driveways shall be constructed of nonporous materials. Colored concrete and asphalt are prohibited.

2.6 Dog Pens, Runs, Dog Houses

Dog pens and runs are not permitted. Doghouses are permitted provided an ARC approval form is submitted, and the following criteria are met: the doghouse must match the color scheme of the existing structure, must be in the backyard at least six feet from any property line, and not more than four feet high.

2.7 Exterior Colors, Shutters, Doors

Exterior color change is permitted provided an ARC approval form is submitted, and approved, prior to the change. Exterior colors must conform to the original scheme designed by the builder. Shutters and doors will compliment the exterior color scheme, and maintain the original colors intended by the builder. When submitting a request for a color change, color chips or siding samples should be attached to the standard ARC request form.

2.8 Exterior Lighting, Seasonal Decorations

Ground landscaping lights are pre-approved provided they are conservative in design, use white lights, are limited to 2,000 lumens, and are directed towards the house or ground.

Holiday decorative lights are pre-approved from Thanksgiving through the 15th of January. Seasonal decorations are approved two weeks prior to the event until two weeks after the event.

2.9 Fences

An application for review is required to eliminate any misunderstanding. Any deviation from the attached fencing Options will be reviewed and does require an Application for Architectural Review form and approval by the ARC **before** construction. The application must include a copy of the property survey showing the location of the fence and an explanation of why the deviation from the Guide should be approved. The Guide allows some flexibility to homeowners while maintaining an acceptable and consistent appearance. Approved fences must meet these additional restrictions:

- Maximum fence height is four feet.
- Chain-link, lattice, or similar fences are not permitted.
- A single fence is permitted between adjacent lots sharing a common property line.
- Fences are not permitted in the front yard and must tie into the structure at the back corners of the dwelling. Under no circumstances may a homeowner erect a fence outside of the lot property line. In the event of an obstacle, the homeowner must shift the fence inside the boundary line of the lot.
- Fences on corner lots must be installed parallel to the street. The distance from the fence to the street should match the distance from the street to the rear corner of the dwelling nearest the street (but in no case be less than 15 feet from the back curb) to allow for line-of-sight at the intersection.
- The good side of the fence must face out.

Please refer to Attachment 3.1 for the approved fence designs. Please remember that prior written approval is required before construction.

2.10 Flagpoles, Flags

Freestanding flagpoles are not permitted. Flags, which, in the Board's judgment, tend to incite or antagonize are not permitted. Flags meeting the following criteria are pre-approved:

- One flagpole, not to exceed two inches in diameter and sixty (60) inches in length, may be mounted on the front of a dwelling.

- Flags shall not exceed 4' x 8' in size. Flags must be maintained in good condition and shall not be displayed if mildewed, tattered, or faded.
- One miniature “garden flag” and stand is also permitted per house. Flags must be maintained in good condition and shall not be displayed if mildewed, tattered, or faded. Miniature flags are not permitted around mailboxes, street trees, or between the sidewalk and the curb.

2.11 Garage Sales, Garage Sale Signs, Items For Sale

Garage sales are permitted a maximum of four times/year per residence. Each garage sale may last a maximum of 48 hours. Sale items must be kept in the immediate area of the garage area. One advertising sign may be placed at the residence 48 hours in advance and must be removed within 12 hours after the conclusion of the sale. Signs placed other than at the residence must follow the guidelines in Section 2.21.

Other than garage sales, items for sale such as cars, boats, lawnmowers, etc. may not be displayed in front of the residence.

2.12 Garbage Containers, Recycle Containers, Garbage

Garbage containers must be stored in one of the following pre-approved locations:

- Inside the garage.
- Behind the dwelling, not visible, from the curb.
- At the side of the dwelling provided they are setback at least 10 feet from the front facade of the home. Corner lot garbage containers will be stored away from the intersection. If stored at the side of the dwelling, further screening is required. The screen may be an approved fence design or a natural barrier. Burford Holly or Wax Myrtles are recommended as screening plants. Two 3-gallon plants in front and one beside the storage location will adequately screen the containers.

Containers may be placed on the curb no sooner than noon on the day before the pickup day and must be removed by midnight on the day of collection and returned to a compliant storage location.

2.13 Gardens, Landscaping, Hardscaping

Gardens, Landscaping Gardens, and additional landscaping are permitted provided the standard Request for Architectural Approval form is submitted, and approved, prior to the change. Gardens must be kept weeded and well maintained, or cut to the same level as the grass. Marshes and wetlands are protected areas, and residents are not allowed to interfere in any way with these areas.

- Hardscaping (any non-organic material such as rocks, concrete, stone, glass, etc) is not permitted around street trees. Plantings are not permitted around street trees or mailboxes. Homeowners are responsible for maintaining some

type of organic ground cover material around their street trees such as mulch or pine needles which are acceptable and pre-approved. Homeowners are not permitted to leave areas around street trees as bare dirt, grass, or weeds.

- Tall Fescue (sod/seed) is the only type of grass permitted. Bermuda grass is expressly prohibited.
- The planting of invasive, destructive, or disease-prone (i.e. Leyland Cypress) trees/shrubs are not permitted.

2.14 Home-Based Businesses

Home-based businesses are permitted provided the following criteria are met:

- It is not evident that home-based business is being conducted.
- No unusual traffic, other than normal residential traffic, is permitted.
- Only removable signs are permitted on vehicles and said vehicles must be parked in the garage or the signs must be removed while in the community.

2.15 Hot Tubs, Spas, Saunas, Swimming Pools

Hot tubs and spas are permitted using the standard ARC request form for approval prior to installation. These items must be located in the rear of the residence screened from view of the street and neighboring properties. Owners are required to install safety features such as locks or covers and comply with all applicable state and local codes. Saunas and above ground swimming pools shall not be permitted on any lot.

2.16 Mailboxes

Only the original mailbox is permitted. If replacement or repair is required, the mailbox must be restored to the original design specification. The residence address number must be clearly visible on the mailbox.

2.17 Outdoor Furniture

No furniture shall be used, stored or kept on the exterior of any residence except on porches, patios, and decks. Furniture not enclosed in a room shall be limited to such types as is designed for outdoor use.

2.18 Parking, Recreational Vehicles, Campers, Trailers, Utility Trailers, Boats, Motorcycles, Golf Carts, Commercial Vehicles

- No vehicle, including recreational, camper, boat, trailer, utility trailer, motorcycle, golf cart, car or truck, will be parked on the grass, patio, deck, or sidewalk of any lot.
- Except for occasional parking for events, gatherings, or contractor work, curbside parking is not permitted. Residents should utilize the driveway and garage spaces for parking. If guests are staying overnight it is preferred that cars be pulled into the driveway if possible.
- Recreational vehicles, campers, boats, golf carts, trailers, and utility trailers must be kept in the garage with the garage door closed except temporarily in preparation for use or repair if such period does not exceed a total of 48 hours over a 7 day period.
- All vehicles are to have current license tags and operating stickers. Unlicensed vehicles are not to be stored on the property.
- Commercial vehicles too large for a garage must be parked in the driveway. No vehicle larger than a pickup truck or standard van (not to exceed 10,000 GVW) shall be parked within the subdivision.
- Temporary parking on common areas, included but not limited to the pool parking lot, will be addressed through the pre-established authorization process as defined by the Board of Directors.
- Golf carts, motorcycles, dirt bikes, or any other motorized vehicle are prohibited from all common areas, including walking trails.

2.19 Pets

Each residence is permitted a total combination of three dogs or cats, provided the owner maintains control at all times. Pets must be on a leash, or restrained in the rear yard by use of invisible fencing or an approved fence.

Animal nuisance of any kind will not be tolerated, including noise and improper waste disposal. While outside the confines of the owner's property, animal waste will immediately be collected by the owner and disposed of in an approved waste receptacle. For disease prevention and sanitary reasons violators will be subject to aggressive penalties, including fines, by the Board.

Other than normal household pets, no other animals, livestock, poultry or bees of any kind shall be raised, bred or kept on the properties. Dogs, cats or other normal household pets may be kept in homes provided that such pets are not kept, bred or maintained for any commercial purpose. Animals are not to be left outside in the yard on a permanent basis.

If the Board receives any complaint accompanied by substantiated and undeniable proof that an animal constitutes an unreasonable annoyance, inconvenience or nuisance, the Board shall afford the Owner of such animal Notice and Opportunity for Hearing, and if the Board finds that such animal constitutes an unreasonable annoyance, inconvenience or nuisance, the Board may hand the matter over to the Gaston County Animal Control Unit.

Chapter 3 of the Gaston County Code of Ordinances gives the County the authority to create an Animal Control Unit to administer the rules and regulations of Chapter 3. All owners must abide by the Ordinances, Rules and Regulations adopted by the Animal Control Unit and Gaston County.

2.20 Roof Accessories

Modification to a rooftop requires an approved Request for Architectural Approval form prior to modification. Approved rooftop accessories or equipment must match the existing roof colors, compliment the residence, and be as inconspicuous as possible. The following restrictions must also be met:

- Exposed flashing, gutters and downspouts must match the existing color scheme of the residence.
- Skylights shall not exceed 3' x 5' in size and shall be mounted on the backside of the roof so as not to be seen from the street.
- Solar energy equipment will have the appearance of a skylight, have finished trim, and shall not be visible from the street.

The only approved roof shingles are:

- Tamko Glass-Seal 3 tab shingle in Rustic Black
- Tamko Heritage Architectural style shingle in Rustic Black
- Tamko Heritage Premium Architectural style shingle in Rustic Black

2.21 Signs

No signs of any type or kind shall be erected, placed or permitted to remain on any residence or lot except:

- A single "For Sale" or "For Rent" Sign which shall not exceed 2' x 3' in size.
- A single garage sale sign as described in Section 2.11.
- A single security service sign.
- Invisible fence signs.
- Such permits as required by legal/government agencies.

Other Signage Allowances/Restrictions:

- Real Estate "open house" signs and garage sale signs (as per Section 2.11) are allowed only after 6:00 pm Friday and must be removed by 6:00 pm Sunday in common areas.
- Signage for official community events as approved by the Board are allowed in common areas.
- Political signage is specifically restricted in the Covenants of Bethesda Oaks and is not allowed.

2.22 Storage Sheds, Accessory Buildings

Residents must submit a Request for Architectural Approval form prior to adding a shed to their property in an effort to maximize a uniform look throughout the community. Sheds must be constructed using the same colors and materials used for the home. Sheds must be placed behind the home and must not break the side plane of the home. Maximum shed size is 10' x 10'. Metal or PVC plastic sheds are not permitted.

2.23 Storm Doors

Storm doors are permitted using the standard Request for Architectural Approval form. The storm door must be full-view glass (for example, see Attachment 3.2) or full-view glass/retractable screen (for example, see Attachment 3.3) and must match the existing facade color scheme. Door hardware must match the existing hardware (brass handle for brass lights, etc.). Decorative or etched glass doors are not permitted.

2.24 Window Air Conditioners

Window air conditioning units and Window fans are not permitted.

2.25 Window Boxes, Planters, Yard Art/Ornaments

Window boxes and planters are pre-approved provided:

- They are of a color and material complimentary to the residence exterior and shall be maintained in a neat and attractive manner.
- Statues and figurine planters are not permitted in the front yard.
- Dead and diseased plants and all weeds shall be promptly removed.
- Statue and figurine planters as defined are not permitted in the front yard. Statues and figurines are defined as: a wooden, stone, metal, plaster, or any other kind of sculpture of a human or animal figure.
- No lawn ornaments, yard pieces, yard decorations, or yard art, including but not limited to porcelain (or similar) decorative pieces, sculptures, statues, and other freestanding or attached works, whether for decoration or otherwise, shall be permitted in the front yard. Questions as to what items may constitute lawn ornaments can be directed to the ARC.
- Only standard cylindrical porcelain (or similar) planter pots are allowed in front of the house and are only permitted on the front porch or front landing.

2.26 Yard Maintenance

Residents are required to mow and weed their yard as necessary to present a neat and uniform look to the neighborhood. This includes during periods of low rainfall when dry patches appear and weeds tend to overcome the lawn. Grass will not be permitted to grow over curbs, sidewalks or driveways. Regular watering to present a lush, green lawn is recommended but not required. Do not leave hose extended through the yard after watering.

In regards to maintenance of the right-of-way portion of each lot, per Article VIII ("Maintenance of Lots and Landscaping") of the Declaration of Covenants, Conditions and Restrictions for Bethesda Oaks: "The owner of each Lot shall be obligated to keep and maintain all portions of his Lot and the portion of the right-of-way on which his Lot is located lying between his Lot and the pavement of the road within such right-of-way in a neat, sanitary and attractive condition which is satisfactory to the Board of Directors."

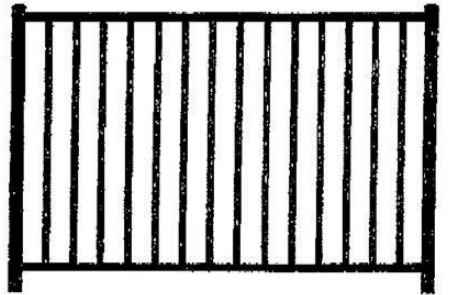
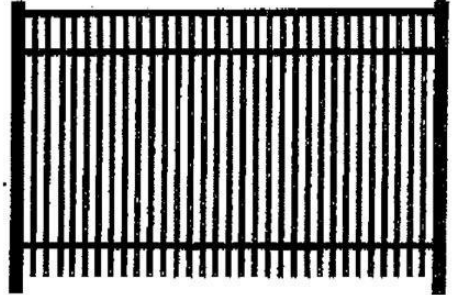
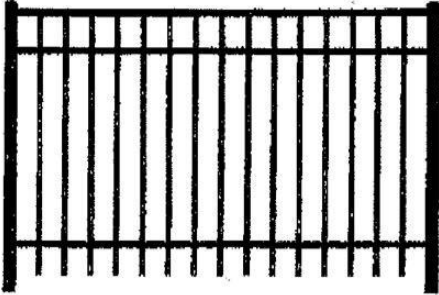
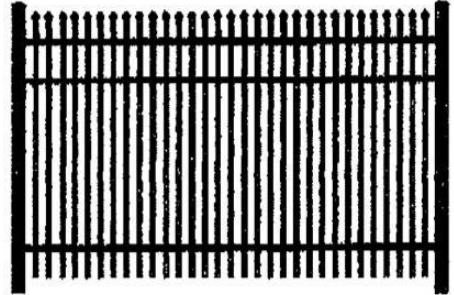
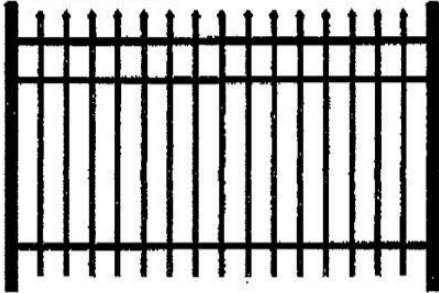
In the event that the owner of any Lot shall fail to maintain any portions of such Lot, including any structure located thereon, the Board of Directors shall hold a hearing to determine if the lot owner should be fined or if planned community privileges or services should be suspended pursuant to the powers granted to the association. The lot owner charged shall be given notice of the charge, opportunity to be heard and to present evidence, and notice of the decision. If it is decided that a fine should be imposed, a fine not to exceed twenty dollars (\$20.00) may be imposed for the violation and without

further hearing, for each day after the decision that the violation occurs, Such fines shall be assessments secured by liens under G.S. 47-F-3-116. If it is decided that a suspension of planned community privileges or services should be imposed, the suspension may be continued without further hearing until the violation or delinquency is cured.

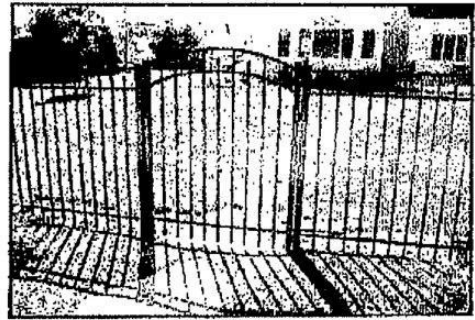
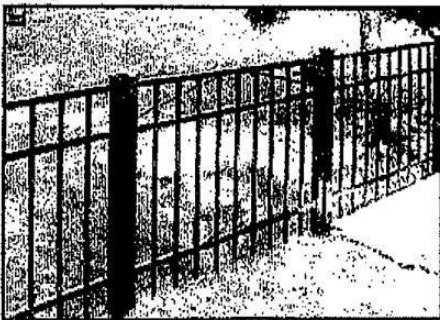
3.0 Attachments

3.1 Approved Fence Designs

Sample Fences:



Sample Gates:



3.2 Example of Full-view Glass Storm Door



Model: Larson Williamsburg

3.3 Example of Full-view Glass/Retractable Screen Storm Doors



Model: Pella Montgomery

Contact Information

Questions?

If you have any questions pertaining to the information found in this document please contact the association management company.

Request for Architectural Approval Form

Download the *Request for Architectural Approval* form by visiting bethesdaoaks.com.