

## STANDARDS AND GUIDELINES FOR THE INTERPRETATION OF THE RESTRICTION AGREEMENT FOR MEDEARIS

Pursuant to its authority under the Restriction Agreement for Medearis Subdivision and the First Amendment to Restriction Agreement for Medearis Subdivision, the Medearis Review Committee ("MRC") of the Medearis Neighborhood Club ("Medearis") hereby issues the following Standards and Guidelines for interpretation of that Restriction Agreement. These Standards and Guidelines are supplemental to the existing Restrictions and are not inclusive of all items upon which the MRC may act. It is intended to provide guidance to Owners regarding requirements for additions and modifications to property in Medearis Subdivision and matters of particular concern to the MRC in considering applications for approval of such additions and modifications.

Compliance with the guidelines and requirements of this guide is required, but does not constitute the sole basis for review of applications for approval, nor does it guarantee approval of any application. It is important to note that decisions are made on a case-by-case basis using any factors the MRC deems relevant. **In all cases, all work performed on any lot must comply with all governmental laws and ordinances; and all proper approvals, permits, etc. from such entities must be obtained by the homeowner before commencing work.**

Unless otherwise specifically exempted by the Restriction Agreement or this Guide, **all proposed modifications and additions to homes and lots within Medearis Subdivision require application to and prior approval of the MRC.** Where this guide specifically permits and owner to proceed without prior approval, such permission shall only be effective so long as the owner complies with the requirements of this guide. If there is a project that an owner desires to undertake that is not specifically listed in this guide the owner should contact the MRC to determine whether approval is required.

As stated in the Restriction Agreement, the MRC has 15 days within which to make a decision on a submitted Approval Request. The 15 days starts from the date that the **completed** application is received (including an application form and all supporting documentation if required). If the MRC receives an incomplete application a request will be sent back to the homeowner to supply the required additional documentation to be able to process the request. The 15 day review period will not begin until all of the additional requested documentation is received by MRC. The MRC cannot consider or approve **any** incomplete application under any circumstances.

It is understood that there are improvements in the neighborhood (fences, outbuildings, playsets, etc.) that do not conform with the requirements set forth in this guideline. It is not the intent of the MRC to request that owners change or remove these improvements. At this time any existing structure, improvement, etc. that is currently installed on a property that does not conform with the requirements in these guidelines will be deemed approved as it stands. However, should any improvement need replacement (for reasons of deterioration, destruction or merely owner's choice to remove) any structure/improvement that replaces the non-conforming structure/improvement must be submitted for approval and must meet the requirements set forth in this guideline.

To request an approval form or to ask questions about these guidelines or about potential projects contact the Medearis Review Committee at [reviewcommittee@medearis.org](mailto:reviewcommittee@medearis.org) or call one of the committee members. Committee members will be listed in the Neighborhood Directory along with contact information. Please also visit the Medearis Neighborhood website at [www.medearis.org](http://www.medearis.org) for more information.

**I. Construction of any type of structure or improvement on any lot in Medearis Subdivision (including but not limited to outbuildings, garages, fences, in-ground pools, walls, decks, and exterior remodeling or additions to existing structure) must have approval from MRC prior to any work beginning.**

The following guidelines apply, in general, to all construction projects:

Duration: Construction projects should be completed within 45 days of the start date, unless not feasible due to the magnitude of the project (i.e., a major house addition, garage addition, etc).

Utilities: Any utility addition must be underground and adhere to County code for such utilities.

A description of the planned project must be provided to the MRC and should contain the following information, as applicable:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Size of Structure | <input type="checkbox"/> Location                         | <input type="checkbox"/> Quantity           |
| <input type="checkbox"/> Roof Design       | <input type="checkbox"/> Estimated Length of Construction | <input type="checkbox"/> Utilities          |
| <input type="checkbox"/> Wall Material     | <input type="checkbox"/> Height                           | <input type="checkbox"/> Drawing or Diagram |
| <input type="checkbox"/> Exterior Finish   | <input type="checkbox"/> Roof Material                    |   |

a) Particular to the construction of **Outbuildings** (storage sheds, guest houses, other free standing buildings), the following guidelines apply:

***Approval Required? YES***

Size: No greater than 10x10, unless approved by committee

Height: Overall – no greater than 9'. Maximum eave height is 6'

Roof Design: No single pitch (shed) roofs are allowed. Roof design must be specified on submittal

Roof Materials: All outbuilding roofs must be constructed of shingles that match those of the home

Quantity: Only one outbuilding per lot is permitted

Wall Material: Exterior walls/siding should be painted to match the house siding (as applicable) or, in the case of a brick home, walls/siding should be painted a color to blend with the home. No particle board, standard plywood, cinder block, or metal material is allowed.

Utilities: Any utility (electric, water, sewer, etc.) providing service to an outbuilding must be underground and adhere to standard building code for such facilities.

Location: Outbuildings should be placed so as to be out of direct sight from any roadway or sidewalk.

b) Particular to the construction of **Garages and Carports**, the following guidelines apply:

***Approval Required? YES***

Roof and Wall Materials: The roofing and wall materials should match those used on the home

Utilities: Any utility (electric, water, sewer, etc) providing service to a garage or carport must be underground and adhere to the standard building code for such facilities.

Location: A garage or carport must be placed on the lot to conform with all City/County guidelines and setbacks for construction.

c) Particular to **Doghouses**, the following guidelines apply:

**Approval Required?** *None if homeowner complies with the following:*

Location: Doghouse must be placed so as not to be seen from the roadway or sidewalk

Material: Shall be constructed of materials as described for outbuildings. No plastic doghouses allowed without submission of approval form and written approval from MRC. Proposed construction with any material other than what is described for outbuildings must have approval form submitted and written approval given.

d) Particular to **Driveways**, the following guidelines apply:

**Approval Required?** *No*

Section 11 of the Restriction Agreement, as refers to driveways, states:

“Any driveway constructed in, on or upon any lot shall have either an asphaltic concrete surface, cement surface or other permanent type hard surface.”

e) Particular to **Basketball Goals**, the following guidelines apply:

**Approval Required?** *None if homeowner complies with the following:*

Location: Goal must be placed along the back half of the driveway

f) Particular to **Fencing**, the following guidelines apply:

**Approval Required?** *YES*

Material: Fencing should be made only with wood materials. Chain link and vinyl fencing are specifically prohibited.

Location: Fencing must comply with any setback requirements of the City/County. Further, per the Restriction Agreement, section 4, “No solid fence, wall, hedge, mass planting or similar obstruction exceeding five feet in height shall be permitted along or near the side lines except such as are, in their entirety, to the rear of the building setback line applicable to the lot.”

g) Particular to **Mailboxes**, the following guidelines apply:

**Approval Required?** *YES (see below for exception)*

Material: Plastic materials are prohibited. Metal, wood, stone, and brick will be considered.

**EXCEPTION:** Should a mailbox become damaged so that it is unusable, approval is not required for replacement so long as replacement mailbox is of the same materials as the original damaged mailbox (unless damaged box was plastic).

h) Particular to **Satellite Dishes**, the following guidelines apply:

**Approval Required:** *YES*

Size: Dish must be 18” or less unless specifically approved in writing

Location: Dish should be mounted so that it is not visible from the street. If it is impossible to mount the dish in a location not visible and still receive a signal a letter from the dish installer must be provided with the dish indicating where the dish needs to be placed and stating that this location is the only place where a signal can be received.

- i) Particular to **Children's Play Equipment (swing sets, play houses, etc)**, the following guidelines apply:

**Approval Required:** YES

Location: Equipment should be placed so that it is not visible from the street or sidewalk to the extent possible. If the property does not allow for the equipment to be placed out of sight then the owner must provide adequate screening so that the equipment is not visible.

- j) Particular to **Flags and Flag Poles**, the following guidelines apply:

**Approval Required:** YES

Requirements: Free standing flag poles must be approved by the MRC and may only be used to display the United States Flag and North Carolina State Flag according to proper flag etiquette. Any decorative, sports, or other type of flag must be flown on a pole that is attached to a building structure or flown on a small, free standing decorative garden flag holder.

## **II. The following are specifically prohibited and will not be approved:**

- a. Above ground pools, with the exception of "kiddie pools"
- b. Storage of materials of any kind behind a fence or perimeter hedges if they are visible from the street or neighboring yards.
- c. Freestanding security lights in the front yard exceeding 7' in height and in the rear yard exceeding 10' in height.
- d. All house trailers (whether on or off wheels), campers (and other vehicles having enclosed living space), commercial vehicles (defined as a vehicle with permanent markings and/or attachments), boats and boat trailers must be parked/stored under cover and within a carport, garage or other structure approved as to location and appearance by MRC (Restriction Agreement Section 9). This does not prohibit the temporary parking of a commercial vehicle by a hired contractor while on-site for a job.
- e. No residence of a temporary nature erected on the lot and no trailer, shack, tent, garage, barn or any other building of a similar nature shall be used as a residence, either temporarily or permanently (Restriction Agreement, Section 9).
- f. Window air conditioning units or fans if visible from the street, sidewalk, or a neighbors residence.

## **III. In the best interest of the community the MRC requests that the following matters be dealt with as indicated.**

- g. Generally, all pets should be kept under their owner's control at all times and in compliance with city/county leash law.
  - i. All dogs should be contained by the owner's lot or leashed when off the owner's property.
  - ii. Owners are responsible for cleaning up any mess that a pet create.
  - iii. Owners are responsible for their animal's actions and are liable for any provable damages
  - iv. Animals being a nuisance to their neighbors – including issues with noise, should be discussed directly with the animal's owner or with the appropriate City/County authority.