

# ARCHITECTURAL STANDARDS STERLING GATE SUBDIVISION

## GENERAL REQUIREMENTS

- 1. AESTHETIC APPEARANCE.** It shall be the responsibility of each Lot owner (which together with their respective heirs, executors, personal representatives, successors, and assigns, is hereinafter individually referred to as an "Owner" and collectively as "Owners") to prevent any unclean, unsightly or unkempt conditions of any dwelling, buildings or grounds of such Owner's Lot which may tend to decrease the beauty of the specific area or of the neighborhood as a whole. Any and all dwellings, buildings, structures and other improvements of any nature to any Lot must be approved by the Architectural Review Committee.
- 2. NO NOXIOUS OR OFFENSIVE ACTIVITY** shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. This may include unsightly trash piles or storage of building or other material. The HOA Board reserves the right (after ten [10] days prior written notice to a Lot Owner) to enter any Lot during normal working hours for the purpose of removing trash or refuse therefrom which, in the sole opinion of the Board, detracts from the overall beauty and safety of the Property, and may charge the Owner of such Lot a reasonable cost for such services, which charge shall constitute a lien upon such Lot enforceable by appropriate proceedings at law or equity or as hereinafter provided. This provision shall not apply to the undersigned Developer and Builders or their assigns during the sales and development period, such sales period to extend until the last lot is built upon in said sector.
- 3. RETAINING / LANDSCAPE WALLS / FENCING** may be utilized on any Lot with prior written approval of the same by the Architectural Review Committee. Fences shall be constructed in a manner not to impede the flow of water in any utility easement. Retaining and landscaping walls must be approved by the Architectural Review Committee as to materials, location and height.
- 4. SIGNS.** No permanent signs (those without a time limit) shall be displayed to the public view on any lot except a small security alarm system sign. One temporary sign per event such as those used to advertise property for sale, student involvement or achievement, political elections, etc. are permitted as long as the sign is professional in appearance and shall not be more than two (2) square feet in size. Signs shall be promptly removed within thirty (30) days following the completion of the event. Signs used by a builder to advertise the property during the construction and sales period shall not exceed thirty-two (32) square feet. All signs shall comply with design specifications of the Architectural Review Committee. No signs shall be nailed to trees.
- 5. ANIMALS.** No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that dogs and/or cats (not to exceed [2] in total combined, i.e. two dogs, two cats or one dog one cat maximum), and other household pets provided they are not kept, bred or maintained for any commercial purpose and provided said animals do not become a nuisance to other lot owners, subject to appropriate zoning and city ordinances. Any kennel for dogs or cats must be enclosed by a privacy fence.
- 6. ANTENNAS / SATELLITE DISHES.** No large satellite dishes, external antennas or outdoor lights such as all-night mercury vapor lights may be installed on any lot. Satellite dishes no larger than 18 inches may be attached to the sides or back of a home. If pole installation is necessary the pole must be located in the backyard. If these locations will not provide adequate signal, the homeowner must meet with the Architectural Review Committee to determine dish placement, and additional landscaping or fencing may be required to make the installation acceptable.
- 7. UTILITY EASEMENTS.** The Developer reserves to themselves, their heirs and assigns, the right to grant rights of way to use said streets to any other person, firm or corporation for the purposes of erecting hereon and installing there-over such poles, wires, guys, guy wires, pipelines, and other equipment and apparatus as may be necessary or desirable for the purpose of supplying the premises adjacent thereto with electricity, telephone, water, sewer, cable television, and gas service, including but not restricted to the right to trim the trees where necessary or advisable for the safe operation thereof, and to conduct telephone and electric light wires over said lots from the poles located on said streets or ways.
- 8. AUTOMOBILES/ RECREATIONAL EQUIPMENT.** No automobile or other vehicles shall be stored on any Lot or Common Area or kept on blocks unless in the garage of a dwelling. Boats, utility trailers, recreational vehicles and travel trailers must either be stored in the garage of a dwelling, behind a fence or within a completely enclosed structure approved by the Architectural Review Committee on a Lot. No tractor trailer trucks, cargo vans or other commercial truck in excess of the Federal Highway Administration (FHWA) weight Class 1 and Class 2 shall be parked or stored on any Lot or Common Area. Homeowners are prohibited from parking their personal vehicle(s) in the street as a means of daily parking.
- 9. EROSION CONTROL.** All construction activity whether performed by Developer or subsequent Lot purchaser shall use the Best Management Practices (BMP's) as required by the Alabama Department of Environmental Management to protect the quality of stormwater discharge. A lot owner shall protect his lot against erosion and if found not to be taking adequate steps to protect against erosion, the HOA Board may correct the problem and bill the cost to Owner.
- 10. GRASS.** Upon the completion of a dwelling, all front and side yards which are not left in a natural wooded state (with ground covered with natural materials) will be landscaped with sod and other landscaping approved by Developer. Sod shall be installed at least four (4) feet from every curb edge on every lot. The rear lot may be seeded or sprigged. Any deviation from this must be approved in writing by the Architectural Review Committee.

- 11. SWIMMING POOLS.** No above ground swimming pools will be allowed on any Lot unless written approval is obtained from the Architectural Review Committee. Any swimming pool must have Architectural Review Committee approval.
- 12. WRECKED/ DISABLED AUTOMOBILES.** No disabled or non-operating, nor wrecked vehicle will be permitted on any lot or any street within the subdivision.
- 13. TEMPORARY BUILDINGS.** No temporary out buildings of any kind, (tents, shacks, etc.) will be permitted. Any out-building or storage building must be submitted to the Architectural Review Committee for approval prior to installation.
- 14. EXTERIOR LIGHTING.** All exterior lighting will be prohibited unless approved in writing by the Architectural Review Committee except ground lighting on sidewalks, up-lighting in landscape beds, and flood and entry type lighting on dwellings as approved by the Architectural Review Committee. No dusk to dawn lighting is allowed except solar ground level lighting.
- 15. ALTERATIONS / ADDITIONS.** No exterior alterations or additions shall be permitted unless approved in writing by the Architectural Review Committee.
- 16. AIR CONDITIONING.** Outside air conditioning units may not be located in the front yard but must be located only on the side or rear as required. No window or wall units will be allowed.
- 17. ALL EXTERIOR COLORS** will be restricted to colors approved by the Architectural Review Committee. Anyone changing the color of a home must obtain Architectural Review Committee approval.
- 18. GARAGES.** All garages must be fully enclosed. Garage doors must be kept closed at all times except when the garage is in use.
- 19. FARMING.** No lot shall be cultivated for crops of any sort, except for a kitchen garden of reasonable size as judged by the Architectural Review Committee, which must be located to the rear of any dwelling.
- 20. NO CONCRETE BLOCK** on any structure may be visible from the road or street on the front or sides of the residential structures. Bricks with holes may not be used as landscaping borders.
- 21. FLOW OF WATER.** No Owner shall be allowed to dam up the creeks which flow through said Property nor shall any Owner change the flow of said creek or any wet weather streams.
- 22. DRIVEWAYS.** All driveways visible from the street must be concrete. The owner shall pressure wash/clean the driveway if it becomes discolored by oil spills, etc.
- 23. ROADWAY VISIBILITY.** No fence, wall, hedge or shrub planting which obstructs sight lines from any roadways within the Property shall be placed or permitted to remain on any Lot.
- 24. VEGETATION.** The intent of Developer is to preserve for present and future Owners an attractive physical environment in which there is much vegetation. No synthetic plants are allowed on any lot. All Lots shall be landscaped in accordance with standards established by the Architectural Review Committee. All landscaped areas on any Lot shall be maintained in good condition by the Owner thereof.
- 25. NO OIL DRILLING,** oil development operation, oil refining, quarrying or mining operations of any kind shall be permitted upon, or in any lot, nor shall oil wells, tanks, tunnels, mineral excavation or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted on any Lot.
- 26. NO INDIVIDUAL WATER SUPPLY SYSTEM** shall be permitted on any Lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of both state and local public health authorities. Approval of such system as installed shall be obtained from such authorities.
- 27. NO INDIVIDUAL SEWAGE DISPOSAL SYSTEM** shall be permitted on any Lot unless such system is designated, located and constructed in accordance with the requirements, standards and recommendations of both state and local public health authorities. Approval of such system as installed shall be obtained from such authorities.
- 28. APPROVAL OF STRUCTURES.** Architectural Review Committee reserves the right to approve or disapprove building plans for the dwelling and any structure such as outbuildings or garages to be built on lot whether built by initial or subsequent lot purchaser.
- 29. THE ROOF PITCH** on any dwelling shall be noted in the Amended and Restated Declaration of Protective Covenants by Sector and Phase.
- 30. MAILBOXES AND POSTS** shall be of a standard design supplied by Developer. E-911 recommends that numbers on mailboxes shall be standard three (3) inch reflective. No names may be put on mailboxes or posts, only the standard numbers. All mailboxes and posts shall be painted black.
- 31. WOOD PILES** shall be located only at the rear of a dwelling and should be screened from view from public streets and adjacent Lots.
- 32. OUTDOOR CLOTHES LINES** are prohibited. No clothing, rugs or other items shall be hung, placed or allowed to remain on any railing, fence or wall.

**33. CHILDREN'S TOYS** such as swing-sets, jungle gyms, trampolines and other outdoor recreational equipment and appurtenances shall be allowed only at the rear or behind a dwelling. Basketball goals, free standing or attached to the building, are allowed in the front as long as they are located at least ten (10) feet from the curb for safety reasons. Rocks, tires, sandbags, etc. cannot be used to anchor basketball goals in place.

**34. ALL OUTDOOR FURNITURE** (excluding front porch furniture) for any dwelling shall be kept and maintained only at the rear or behind a dwelling.

**35. BARBECUE GRILLS** and other outdoor cooking equipment and apparatus shall be located only at the rear of a dwelling.

**36. STATUARY.** (including but not limited to metal, plastic or masonry material, homecrafts, ceramics, stone, rocks, wood, glass or any other material in the future defined by the Architectural Review Committee, including but not limited to sculptures and statues used as planters). All statuary must be tasteful in appearance (as judged by the Architectural Review Committee) and not excessive in number.

**37. NO ROCKS,** rock walls, fencing or other substance shall be placed on any Lot as a front or side yard border or to prevent vehicles from parking on or pedestrians from walking on any portion of such Lot or otherwise impede or limit access to the same.

**38. SEASONAL OR HOLIDAY DECORATIONS** (e.g. Christmas trees and lights, pumpkins, a thematic garden flag that is no more than two (2) square feet in size plus a ground support stand, Thanksgiving decorations) shall be promptly removed from any Lot or dwelling within Thirty (30) days following such holiday.

**39. FLAGPOLES.** No ground mounted flagpoles shall be allowed. No more than two (2) flagpoles attached to home may be allowed.

**40. BIRDHOUSES, BIRD FEEDERS, AND BIRD BATHS.** Birdhouses and bird feeders must be located in the rear yard so as not to be prominently in view from the public street. There may be no more than two bird baths in the front yard. Any deviation from this must be approved by the Architectural Review Committee.

**41. GARBAGE CANS.** Trash containers and recycle bins must be stored out of public view (such as in the rear yard out of sight, behind a fence or in a garage) and should be placed at the curbside for pickup no earlier than the evening before pickup and removed from the curbside no later than the next morning following the pickup.

**42. THE ARCHITECTURAL REVIEW COMMITTEE** or the HOA Board of Directors shall be able to modify, add and subtract architectural and general requirements including aesthetic issues or determinations from time to time without the necessity of recording said changes in the Office of the Probate Judge of Shelby County. A record of the changes made shall be maintained at the offices of the Association and be available for review by any lot owner during regular business hours.