

## Supplemental Architectural Restrictions

### Types of Improvements

The following restrictions have been developed and promulgated by the Association in accordance with Article IX, Section 9.2.2 of the Amended and Restated Declaration and are applicable to all new construction and all modifications or improvements. These restrictions are not part of the Declaration and can be amended by the Association without a vote of the Owners.

**There is no requirement that these restrictions be recorded or rerecorded if amended or modified. Each builder and Owner is cautioned to request the most current version of the restrictions prior to undertaking any improvement. The most current version shall be on file with the Association.**

The following is a list of rules, guidelines, and restrictions for specific types of improvements. Some specifications are mandatory, while others explain a range of options. The board will consider reasonable alternatives as long as they are consistent with the character and quality of Beckett Ridge, and within the framework of the community's common interest.

### BASKETBALL GOALS

Basketball goals are discouraged if placed anywhere between a street and a building. The Board is concerned about the possibility of an errant basketball entering a street and causing injury to a driver or a pedestrian in pursuit of the ball.

The Board recognizes, however, the existing popularity of basketball goals in the development, so they are permitted subject to the following conditions.

#### Location of Basketball Goals

1. The center line of the vertical pole must be at least 25 feet from the nearest street curb, and at least 5 feet from any property line.
2. Basketball goals should be located at the back of driveway turnarounds where possible.
3. Basketball goals may not be placed in Common Open Space.

#### Maintenance

Poles, Backboards, hoops, and nets must be maintained in good condition. One measure of condition is that they should appear to be relatively new regardless of their actual age.

#### Types of Basketball Goals

1. In-Ground Systems
  - Backboards may be mounted on metal or wood poles. Metal poles must be of standard quality, such as steel or iron.
  - Wood poles (or posts) must be square and have a minimum nominal width and depth of 6 inches.
  - The Poles must be installed in poured concrete to a depth of at least 24 inches.

## 2. Wall Mounted Systems

- Backboards can be mounted to the side of a house, a tall retaining wall, or a garage.
- There are no specifications other than standards of quality and security.
- Because of their appearance, goals mounted on buildings are specifically discouraged.

## 3. Portable Systems

- These systems generally feature a base that can be filled with sand or water to stabilize them and include wheels for portability.
- Refer to location requirements on the previous page.

## **DECKS, PATIOS, DRIVEWAYS AND WALKWAYS**

These improvements are actually an extension of a house and must be compatible in style, color, and material. Decks must be wood or composite. Patios and walkways may be of any material except unfinished asphalt. Landscaping should be a part of their design, especially exposed areas under decks. Their locations on the lot must not reduce the width of existing side yards when adjacent to other houses. If required for safety, hand rails must be at least 36 inches high. Any portion of a patio or deck that is covered by any type of material or surface will be evaluated as a porch.

Driveways and Sidewalks must be made of concrete, brick or asphalt. Decorative edges of paver stones are allowed as long as they are less than 12” on either side of the driveway and are less than 20% of the total area.

## **YARD ENCLOSURES**

**FOR PRACTICAL PURPOSES, THE DEFINITION OF A "YARD ENCLOSURE" IS ANY MAN-MADE FENCE.**

All physical and sight barriers are discouraged in order to keep the general appearance of Beckett Ridge open and unobstructed. The development's primary concept is to have housing units arranged in clusters or corridors surrounded by open areas for common use. By definition, any barrier defeats this concept, and the gradual accumulation of individual barriers will eventually destroy the development's integrity.

The Board recognizes, however, the existing popularity of enclosures in the development, so they are permitted subject to the following conditions.

### General Provisions

1. The placement of enclosures shall not violate any building setback requirements as specified by the Beckett Ridge Planned Unit Development or other applicable zoning laws or building codes.
2. The Board may restrict fences to specific styles and may deny or restrict installation on specific lots.
3. No fence or wall shall extend beyond the front of the house or residence.

4. Features that will be reviewed include, but are not limited to, color, material, design, stability and general appearance.
5. No enclosure that includes any amount of chain link plastic will be permitted.
6. The Board may grant guideline variances to any property line adjacent to a public right-of-way located outside the Beckett Ridge Development.

### Maintenance

All fences must be maintained in good condition. One measure of condition is that they should appear to be relatively new regardless of their actual age.

### Perimeter Enclosures

1. Perimeter fences must be composed of wood, composite wood or rust proof architectural metal in a split-rail or Kentucky-board design. Architectural metal fences should be a split vertical design. Exceptions may be granted to permit variations on the split-rail design if similar fences are in view on land inside the development.
2. They must not exceed a height of four feet (48 inches).
3. They must be located within one foot of a property line. Corner lots will require fences to extend directly off the rear corner of the home adjacent to the road and proceed directly back to within one foot of the rear property line.
4. They may not be placed on any lot that does not contain at least 10,000 square feet of land area, with two exceptions:
  - a. A blanket exception has been granted to lots in SARATOGA FARMS.
  - b. An exception may be granted to any lot adjacent to a public street, located adjacent to a drainage ditch (creek) with a constant annual flow of water, or heavily wooded area.
5. No perimeter fence is permitted on lots abutting the golf course.
6. If a secure fence is needed for pets or children, the Board may allow a liner to be attached to the inside of the fence components. The liner material should be an open, woven wire fence or a vinyl net. In every case, the liner must not detract from the appearance of the primary fence. One measure of detracting is whether the liner is obvious at first glance. In all cases, the Board will expect the liner to be similar to others in the vicinity.

### Patio or Swimming Pool Enclosures

The primary distinction between Perimeter Fences and a Patio or Swimming Pool Enclosure is that Patio and Swimming Pool Enclosures may have a **solid surface** such that they create a visual block (opened or closed). Such fences are often referred to as "**privacy fences**" and the following conditions apply.

1. No enclosure or combination of enclosures around a patio may enclose an area greater than 300 square feet. An enclosed area is defined as any combination of fences that create space. For example, two parallel walls define the space between them.
2. No enclosure or combination of enclosures around a swimming pool may enclose an area greater than 3,500 square feet. An enclosed area is defined as any combination of fences that create space. For example, two parallel walls define the space between them.
3. If both a swimming pool and patio are enclosed, the area of both must not exceed that for the swimming pool (3,500 Square feet).
4. A patio enclosure must abut a house and extend no more than sixteen (16) feet from the

- house.
5. No patio or swimming pool enclosure shall exceed six (6) feet in height.
  6. No patio or swimming pool enclosure on a lot that abuts the golf course shall exceed four (4) feet in height. An exception may be granted to any portion of such an enclosure that is at least fifty (50) feet from the property line common to the golf course.
  7. All swimming pool pumps, filters and similar equipment must be enclosed by a solid fence, either the swimming pools enclosure or a separate enclosure, such that the equipment cannot be seen off the lot.

### **EXTERIOR FIREPLACES & COOKING AREAS**

Permanent Structures such as fireplaces and outdoor kitchens designed for the preparation of food are permitted if they are not a dominate feature of the landscape, the total area does not exceed 24 square feet, they are connected to the patio and comprise a style that matches the exterior of the house.

### **FLAGPOLES**

Permanent flagpoles for the display of the flag of the Unites States of America shall be permitted with the prior written approval as provided for in Section 9.2.1 of the Amended and Restated Declaration of Common Open Space for Beckett Ridge Association - 1 provided that the pole and flag size is not out of proportion with the Dwelling Unit and Parcel. No exterior lighting shall be permitted without the prior approval of the Board. Flags shall be displayed in accordance with the following:

1. The patriotic customs set forth in 4 U.S.c.A. 5-10, as amended, governing the display and use of the flag of the United States.
2. The consent of the Parcel owner or of any person having lawful control of the Parcel.
3. The recommended flagpole standards set forth in "Our Flag" published pursuant to S.CR 61 of the ios' Congress, I "Session (1998).
4. Any federal law, proclamation of the President of the United States or the Governor of the State of Ohio, a section of the Revised Code, or local ordinance or resolutions.

### **MAILBOXES**

Mailboxes and mailbox foundations must be of a simple design. They may not resemble any object other than a traditional mailbox and are subject to the following conditions.

#### **Maintenance**

Mailboxes must be maintained in good condition. One measure of condition is that they should appear to be relatively new regardless of their actual age.

### **OTHER STRUCTURES, STORAGE, OUTBUILDINGS, PERSONAL PROPERTY**

Freestanding structures other than single family houses are not permitted on any lot. This includes but is not limited to trailers, shacks, barns, animal shelters, dog runs, garages, gazebos,

pavilions, outdoor boilers and window HVAC units such as air conditioners. In addition, storage sheds or clothes hanging fixtures are not permitted on any lot, attached or freestanding.

**The Board has the right to reject an improvement application if, in the Board's opinion, it is obnoxious or offensive, or might interfere with the quiet enjoyment, comfort and health of any property owner or tenant.**

#### Provision for Grandfathered Sheds

Any storage shed which has been both previously approved by the Board and was existing as of March 20, 2012 may continue to be used and remain on the lot at its current location, provided that such structure is maintained in a like-new condition. If such structure is damaged or destroyed by any cause to the extent of less than 50% of the structure, then those portions of the structure may be restored to the original approved structure. If such structure is damaged or destroyed by any cause to the extent of more than 50% of the structure, then such structure shall not be restored and shall be removed from the lot.

#### Play Equipment

Play apparatus or structures shall be located to the rear of the dwelling and not located within any side or rear setback lines. Such structures shall be of wood construction with natural coloring or may be painted or stained brown or gray. Structures that include colored items of equipment, such as a slide or swing set seats, are allowed so long as all such equipment is the same color. Any play structures that includes a roof can either be shingled in the same color as the dwelling or of colored material. All play equipment on any one lot shall be the same color.

Approved structures must be maintained in good condition. One measure of condition is that they should appear to be relatively new regardless of their actual age.

#### Porches, Covered Patios and Seasonal Rooms

These improvements are actually an extension of a house and must be compatible in style, color and material. If enclosed with glass or screens, the sash must match that of the house. Roof materials and designs should match the house. Pergolas and gazebos may be permitted if they are incorporated into a patio or deck. For pool patios, structures need to be located adjacent to the house.

All approved structures must be maintained in good condition. One measure of condition is that they should appear to be relatively new regardless of their actual age.

#### Swimming Pools

No above ground swimming pools shall be permitted. The minimum in ground swimming pool size is 12 feet X 24 feet or ten thousand (10,000) gallons.

## **GARBAGE CANS AND DUMPING**

All garbage cans, rubbish, trash, debris and other unsightly material shall be kept in a container or other enclosure so as to be out of view of nearby owners. Garbage receptacles can be blocked by landscaping that covers at least 75% of the viewing area year round.

No dumping of garbage, rubbish, trash, debris or other unsightly material is permitted in the Common Open Space. Pursuant to Article IX, Section 9.3, of the Amended and Restated Declaration of the Common Open Space for Beckett Ridge Association - I, any Owner, Occupant or Neighborhood Association violating this restriction will be given notice of the violation and the opportunity to cure the violation and/or the opportunity to be heard regarding it. Any costs incurred by the Association in enforcement and/or clean-up will be charged as an Individual Assessment pursuant to Article VII, Section 7.5, or as a Neighborhood Assessment against a Neighborhood Association.

## **PARKING/VEHICLE REPAIRS**

No recreational vehicles, boats, travel trailers, utility trailers or commercial trucks shall be parked or stored on any portion of the Property unless the same are in a garage or other approved vehicle enclosure and out of view; unless such vehicle is being used in connection with construction activities. No junk or derelict vehicle or other vehicle on which current registration plates are not displayed shall be kept upon any portion of the property. Vehicle repairs and storage of vehicles are permitted on the Property only if in garages. Recreational vehicles and boats may be parked in the driveways for a period not to exceed seventy-two (72) hours for the purpose of cleaning, loading or unloading.

## **RADIO AND TELEVISION ANTENNAS**

No exterior antennas, aerials, satellite dishes, or other apparatus for the reception or transmission of television, radio, satellite or other signals of any kind shall be placed, allowed, or maintained upon any portion of the property, including and Dwelling Unit, without the prior written approval as provided in Section 9.2.1 of the Amended and Restated Declaration of Common Open Space for Beckett Ridge Association - 1. Nothing herein shall be construed so as to be in conflict with current Federal Communications Commission's rules and regulations for antennas.

### **Guidelines**

These guidelines are to be interpreted so as to balance the right of the individual owners to receive acceptable quality broadcast signals in accordance with F.C.C. regulations with the right and duty of the Association to preserve, protect and enhance the value of the properties within the subdivision.

- A. Prohibited Apparatus. All exterior antennas, except the following, are prohibited:
  1. An antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter or less in diameter; or
  2. An antenna that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, and

- that is one meter or less in diameter or diagonal measurement; or
3. An antenna that is designed to receive television broadcast signals.

#### B. Permitted Locations.

An antenna must be located in the rear yard or on the rear of the Dwelling Unit in such a manner so as not to be visible by a person of normal height standing at the edge of the street directly in front of the Dwelling Unit. Other locations are permitted if placement under these guidelines precludes reception of an acceptable quality signal. In such case, the owner and the Association shall attempt to find a location with the least visual impact upon the surrounding properties. An "acceptable quality signal" is one that is intended for reception in the viewing area and is consistent with the quality of signals received by others in the immediate vicinity. No location shall be permitted if installation creates a line of sight problem for drivers in the vicinity. The Association may prohibit a location that imposes a legitimate safety concern. An example of a location that imposes a legitimate safety concern is one that is near high voltage power lines or one where the guy wires obstruct legitimate pedestrian access.

#### C. Other Requirements.

The Association may require that the antenna be painted in a fashion that will not interfere with reception so that it blends into the background against which it is mounted or that the antenna be screened so as to reduce the visual impact. Any such requirements must be reasonable in light of the cost of the equipment or services and the visual impact of the antenna. The Association may impose restrictions on methods of installation that create legitimate safety concerns. For example, permitted methods of installation may include reasonable height restrictions and adequate bolting and guying.

#### D. Continued Maintenance.

Each owner shall maintain any antenna in a reasonable manner so as not become unsightly. Each owner shall remove any antenna upon cessation of its use.

### **RETAINING WALLS**

The exposed portion of any retaining wall must be covered with brick, wood, stone or natural growth.

### **SIGNS**

Signs are not permitted on HOA common space without prior approval of the HOA Board. In addition, all signs shall comply with the provisions of the **West Chester Township Zoning Resolution, Section 10.286** which expressly prohibits signs to be located in a public right-of-way or applied to trees, utility poles, supporting structures for street signs and other governmental signs. Condominium properties within Beckett Ridge may have different policies with regard to signs. In the event that there is a conflict between the provisions of the township resolution, a condominium sign policy and/or this policy, the more restrictive shall control.

This policy does not apply to golf course and swim/tennis club property or to property owned by

Tri-County Baptist Church, which are governed by the Township Zoning Resolution.

### Temporary Real Estate Signs

Real estate signs advertising the sale, rental or lease of the lot on which they are maintained, are subject to the following provisions.

1. No such sign shall exceed sixteen (16) square feet in display area and have a maximum of two display faces.
2. All such signs set back a minimum of fifteen (15) feet from any street right-of way or adjoining property line.
3. No such sign shall exceed four (4) feet in height from grade.
4. No such sign shall be illuminated in any way.
5. No more than one (1) sign may be displayed per road frontage of the subject lot with the following exceptions.
  - a. Lots located adjacent to the golf course one (1) sign may be located at the rear of the lot.
  - b. Lots adjacent to two streets may have one (1) sign on each street frontage.

### Business Signs/Temporary Signs

Business signs are not permitted anywhere except for temporary construction signs at a residence during and after performance by a licensed contractor. All such signs shall comply with the requirements for temporary real estate signs above. All such signs must be removed within thirty (30) after the completion the work.

Temporary signs announcing yard sales or garage sale signs promoting household merchandise are permitted provided that they are posted only at the residence and are displayed for no longer than (4) days during any calendar month and a total of (8) days per calendar year.. All such signs shall comply with the requirements for temporary real estate signs above.

Temporary signs for non-profit activities or events or fund raising public service events are permitted with the following conditions.

1. No such sign shall exceed four 4 square feet in display area and have a maximum of two display faces.
2. All such signs set back a minimum of fifteen (15) feet from any street right-of way or adjoining property line.
3. No such sign shall exceed four (4) feet in height from grade.
4. No such sign shall be illuminated in any way.
5. No more than one (1) sign may be displayed per road frontage of the subject lot.
6. No such sign shall be of a portable nature which is not affixed to the ground.
7. The use of such signs shall be limited to thirty (30) days per event..

### Security Signs

Signs promoting any and all security and safety matters are permitted provided that all such signs are no larger than one square foot. All such sign must be removed immediately after they have served their intended purpose. Home security signs under this provision are limited



to signs that announce the presence of electronic home security systems and do not announce alternative security measures such as "Beware of Dog" etc.

### Political Signs

Political signs promoting, supporting or opposition of candidates for elected offices, and other ballot measures, are permitted provided that the signs are installed no earlier than thirty (30) prior to the pertinent election and removed within three (3) days upon the completion of said election. No sign promoting or opposing a ballot issue or candidate may be larger than three (3) feet long by three (3) feet wide. At no time will a resident be permitted to display more than four (4) political signs.

### **TEMPORARY STRUCTURES AND EQUIPMENT**

A temporary structure is defined as a container, storage unit, or other portable structure designed and primarily used for the temporary storage of personal property and which is located outside an enclosed building.

Temporary structures or equipment are discouraged in the community but are permitted in association with construction and Board-approved improvement applications with the following guidelines.

1. A Temporary Storage Container may be located as on property within the Community for a period not exceeding thirty (30) days per calendar year in duration from time of delivery to time of removal.
2. The owner of the property on which the Temporary Storage Container is located, or the agent of such owner using such container, shall notify the Association no later than the first day such container is placed on site.
3. A Temporary Storage Container shall be located on a paved surface.
4. No more than one Temporary Storage Container may be located on a specific site at any one time period.
5. A Temporary Storage Container may not exceed eight (8) feet in height, ten (10) feet in width or twenty (20) feet in length.
6. A Temporary Storage Container shall be located a minimum of ten (10) feet from the right-of-way line; minimum of five (5) feet from the side and rear property lines.
7. A Temporary Storage Container shall be secured in a manner that does not endanger the safety of persons or property in the vicinity of the Temporary Storage Container and it shall be secured and enclosed in such a manner as to not permit waste, litter or debris.

### **SOLAR ENERGY PANELS**

No solar energy panels may be installed within any part of the Beckett Ridge community.

## **UNMANNED AIRCRAFT SYSTEMS (DRONES)**

The Association has no policy with respect to Unmanned Aircraft Systems (UAS) except to remind all owners that the Federal Aviation Administration (FAA) governs the use of UAS and urges compliance with such regulation. Refer to the FAA website for the most current regulations <http://www.faa.gov/uas/>.

### **Guidelines**

All aircraft weighing more than 0.55 pounds (250 grams) and less than 55 pounds (approx. 25 kilograms), including payloads such as on-board cameras, must be registered through the FAA Small Unmanned Aircraft System (UAS) <http://www.faa.gov/uas/registration>.

The FAA has partnered with several industry associations to educate the public about using unmanned aircraft safely and responsibly and has established the following rules.

1. Fly below 400 feet altitude.
2. Keep your unmanned aircraft in sight at all times.
3. Never fly near manned aircraft, especially near airports.
4. Never fly over groups of people, stadiums or sporting events.
5. Never fly near emergency response efforts.