

MELBOURNE
HOMEOWNER & RESIDENT
REFERENCE GUIDE
TO COMMUNITY WIDE STANDARDS

MELBOURNE HOME OWNER'S ASSOCIATION
WWW.MELBOURNEHOA.ORG

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Introduction

This reference guide was created and will be updated, as needed, by the Melbourne Homeowners Association Board of Directors to help provide clear and concise communication to all homeowners and residents regarding the HOA's existing **community wide standards** for architectural and landscape modifications as well as all community design guidelines, restrictions, rules and regulations within the Melbourne neighborhood. We have endeavored to make this Guide very user-friendly to better assist all Owners and residents in complying with the established standards.

SPECIAL NOTE: Use Restrictions and Rules are discussed in Article X of the CC&Rs (Declaration). The Board of Directors can change them with appropriate notice to owners. The Board has no authority to change, cancel or modify the Architectural Design Guidelines (which will control over the Use Restrictions if there is any conflict). The Board will NOT establish a rule or use restriction that conflicts with the current Declaration without going through the proper protocol to create the necessary Amendment.

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ARCHITECTURAL STANDARDS & REVIEW

Architectural Standards & Review

Purpose and Applicability

This guide will serve as a reference to aid owners *and residents* to be in compliance with **Article IX, Architectural Standards, of the Declaration of Covenants, Conditions and Restrictions for Melbourne (CC&Rs)**. This booklet will be used by the Architectural Review Committee (ARC) when reviewing applications for modifications.

Owners and residents should refer to this reference guide to see if an Architectural Request Form is required when considering any type of modification(s) to their property or how to handle day-to-day issues such as the storing of outdoor trash receptacles. Compliance with the guidelines and requirements of this guide does not constitute the sole basis for review of applications for approval under Article IX of the Declaration, nor does it guarantee approval of any application.

In addition, it sets forth various guidelines on other matters relating to the overall appearance of property in Melbourne. Each Owner acknowledges that determinations as to such matters are subjective and opinions may vary as to the desirability and/or attractiveness of a proposed addition or modification when in reviewing each submission, the ARC may consider any factors it deems relevant. Decisions may be based purely on aesthetic considerations.

Architectural Review Committee (ARC)

An Architectural Review Committee composed of three (3) or more representatives appointed by the Board of Directors of the MELBOURNE HOMEOWNERS ASSOCIATION will be responsible for reviewing exterior modification applications and maintaining the standards and quality of living expected by homeowners within Melbourne.

Types of Additions and Modifications that Require ARC Approval

- ☐ Additions / Modifications to the main structure
- ☐ Major Landscaping (large projects such as ponds, retaining walls, etc.)
- ☐ Driveway / Apron / Walkways
- ☐ Decks & Patios
- ☐ Screened Porches / Sunrooms / Pergolas / Awnings
- ☐ Outbuilding / Accessory Structure (sheds/greenhouses, dog houses, gazebos etc.)
- ☐ Temporary Structures (dumpsters, PODS, portable restrooms, trailers, campers, etc.)
- ☐ Exterior Painting (unless color is in strict accordance with the originally approved color scheme)
- ☐ Fencing
- ☐ In-Ground Pools
- ☐ Mailbox modification
- ☐ Roofing/Siding

The purpose for submitting projects to the ARC for prior review is to help the homeowner ensure they are in full compliance with the CC&Rs **BEFORE** a project is started. If a homeowner elects NOT to submit an ARC request form for items requiring approval by the ARC, then that homeowner assumes the full risk of not being in compliance with Melbourne Architectural Standards and will have to correct the non-compliance at their expense in a reasonable amount of time to be determined by the ARC.

Architectural Approval Request Application and Review Process

All applications should be submitted online PRIOR to the start of the project.

To submit a request form online, go to <https://csicommunities.appfolio.com> and login into your AppFolio Homeowner Account and then ARC REQUEST.

You can also find the link to the CSI Web Portal on www.MelbourneHOA.org .

If you haven't already activated your AppFolio Homeowner Portal, please visit www.csicommunities.com to get your account activated.

Any variation from an approved application may result in fines or penalties at the discretion of the Melbourne HOA Board of Directors and may cause you to be in violation of the Declaration and remove the problem. A post-project inspection will be carried out by the management company, the ARC or delegated member thereof to determine if there are any deviations from the project plan or if any violations of the Melbourne CC&R's or architectural guidelines has occurred.

The ARC is not responsible for ensuring structural integrity or compliance with state or local building codes. To the extent that any applicable law, ordinance, building code or regulation is inconsistent with the standards set forth in this guide, the more restrictive will control.

Each homeowner is responsible for obtaining all necessary building permits and other government approval(s) that may be required for any proposed modification(s) or addition(s).

In the event that the ARC fails to approve or to disapprove in writing any application within 30 days after submission of all information and materials reasonably requested, the applicant may notify the appropriate committee by certified mail, return receipt requested, at the address for such notices set forth in the current edition of the Design Guidelines, stating that no response has been received and that unless a written response is given at the address set forth in such notice within 15 days of the committee's receipt of the Owner's notice, as evidenced by the return receipt, the application shall be deemed approved.

DESIGN GUIDELINES, RESTRICTIONS, RULES AND REGULATIONS

Design Guidelines, Restrictions, Rules and Regulations

A. Accessory structures (storage sheds, greenhouses, carports, playhouses, etc.)

1. No metal carport or free-standing metal garages or metal utility building may be erected on any Lot.
2. One wooden utility building and/or non-commercial greenhouse may be located in the rear yard so that it is directly behind the residence as viewed from the street on which the house faces. Such structures shall not exceed 200 square feet. Exceptions may be made if rear yard does not allow sufficient area to place the structure directly behind the home. Added screening MAY be required.
3. Resin/plastic storage sheds are not permitted (i.e. Rubbermaid sheds)
4. The siding and trim paint color of any storage building must be the same as the siding and trim paint color on the home. If the residence is all brick, the exterior color of the siding on the storage building must be approved by the ARC.
5. Roofing of storage sheds should match closely to the existing roof style & color of the house.

B. Composting

1. One (1) composting bin measuring not more than three feet in diameter or 9 feet square, and three feet in height may be permitted in the rear yard, if located a minimum of six (6) feet from all property lines. It must also have a secure lid to minimize odors and avoid attracting rodents and insects and be adequately screened by approved landscaping or other materials so as to be concealed from view of neighboring property and the street.
2. An ARC request form must be submitted showing the proposed placement of the compost bin on the lot and must include the owner's screening plan.

C. Decks / Screened Porches

1. An ARC request form must be submitted for all deck and/or screened porch modifications.
 2. Modifications to decks may include, but are not limited to constructing, enclosing, & extending.
 3. No deck shall cover more than 25% of the area of the zoned rear yard. No deck shall extend into a side yard beyond the side plane of the house unless otherwise approved by the ARC.
 4. Conversion of a deck or patio into a screened porch is allowed in Melbourne as long as the lots' impervious allotment is not exceeded.
 5. Deck waterproofing, sealing or staining is pre-approved provided that a standard type wood color is used. It is imperative that all decks are maintained with waterproofing, sealing and/or staining on a regular basis, so they always have a fresh appearance. If a deck/fence is not regularly maintained and becomes excessively weathered (white colored) the owner may be required to re-stain or replace the deck/fence. Painting of a deck/ fence is NOT pre-approved and must be approved first by the ARC.
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D. Dog Houses, Pens and Runs.

1. Dog HOUSES are permitted in Melbourne, as long as they do not exceed a lot's impervious allocation (because of roof on structure). They must be a similar color to the main structure (siding, shingles) and be screened from the street and neighbor view by structures, fencing, or landscaping. An ARC request form must be submitted for review and approval that includes the location of the doghouse and the materials and colors to be used.
2. Dog PENS are not permitted in Melbourne.
3. Dog RUNS are not permitted in Melbourne.

E. Driveways, Walkways, and Public Sidewalks

1. The main driveway on each Lot must be concrete. Driveways must remain reasonably free of all stains and be kept in good repair (i.e. large cracks, excessive dirt/oil)
2. Driveways should not be painted
3. No driveway or other point of access to a public street (driveway apron) shall be constructed, relocated or altered unless a driveway permit is obtained from the Town of Huntersville or the State of North Carolina, whichever jurisdiction applies. The applicant shall comply with the most restrictive standards. (Huntersville, Article 8, Section 8.14 – General provisions, General Standards for Driveway Permitting.)
4. Driveway extensions and/or walkways require prior ARC review and approval.
5. Automobiles in inoperable condition cannot be stored on driveways/streets and can only be stored inside a garage. Garage door must be able to close.
6. Driveways are to remain clear of grills, furniture, and play equipment (with exception of basketball goals) unless those items are actively in use.
7. Public sidewalks in Melbourne will be concrete. Maintenance of sidewalks is the responsibility of the Town of Huntersville. Please report any issues directly to the Public Works Department. Contact the Management Company if the Town is not responding.

F. Exterior Painting (doors, shutters, trim, garage doors, brick, sheds)

1. Exterior painting requires prior ARC review and approval.
 2. Exterior colors must closely match to one of the standard color schemes originally provided by the builders and used in Melbourne and which are more traditional-type colors. These original colors consist of colors like hunter green, dark blue, slate or "gray" blue, burgundy, brick red, gray, black, white, deep brown and rich beige. **Any pastel, vibrant or bright colors are not permitted.**
 3. Residents that have exterior doors and/or shutters that are not-compliant to the approved color scheme and do not possess a signed ARC approval form will receive a letter informing them that they have 90 days to become compliant to an approved color(s).
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4. **As reference only**, below is a list of colors from the Sherwin-Williams Exterior Paint Collection which most closely match the original builders color schemes that were used in Melbourne for doors and shutters. Trim colors & garages were white or light almond. The actual paint used does NOT have to be Sherwin-Williams brand. **To view these colors online, just do a GOOGLE SEARCH for images with “SW#”.**

Example of colors for exterior **Doors & Shutters:**

- RED - SW6321 Red Bay
- BURGUNDY - SW2906 Crimson Red
- BLUE - SW6244 Naval
- BLUE-GRAY - SW6230 Rainstorm
- GRAY - SW7075 Web Gray
- GREEN - SW6468 Hunt Club
- BROWN - SW6062 Rugged Brown
- DEEP BEIGE - SW7550 Resort Tan
- BLACK - SW6991 Black Magic

G. Exterior Landscape Lighting and Holiday/Seasonal Lighting/Decorations

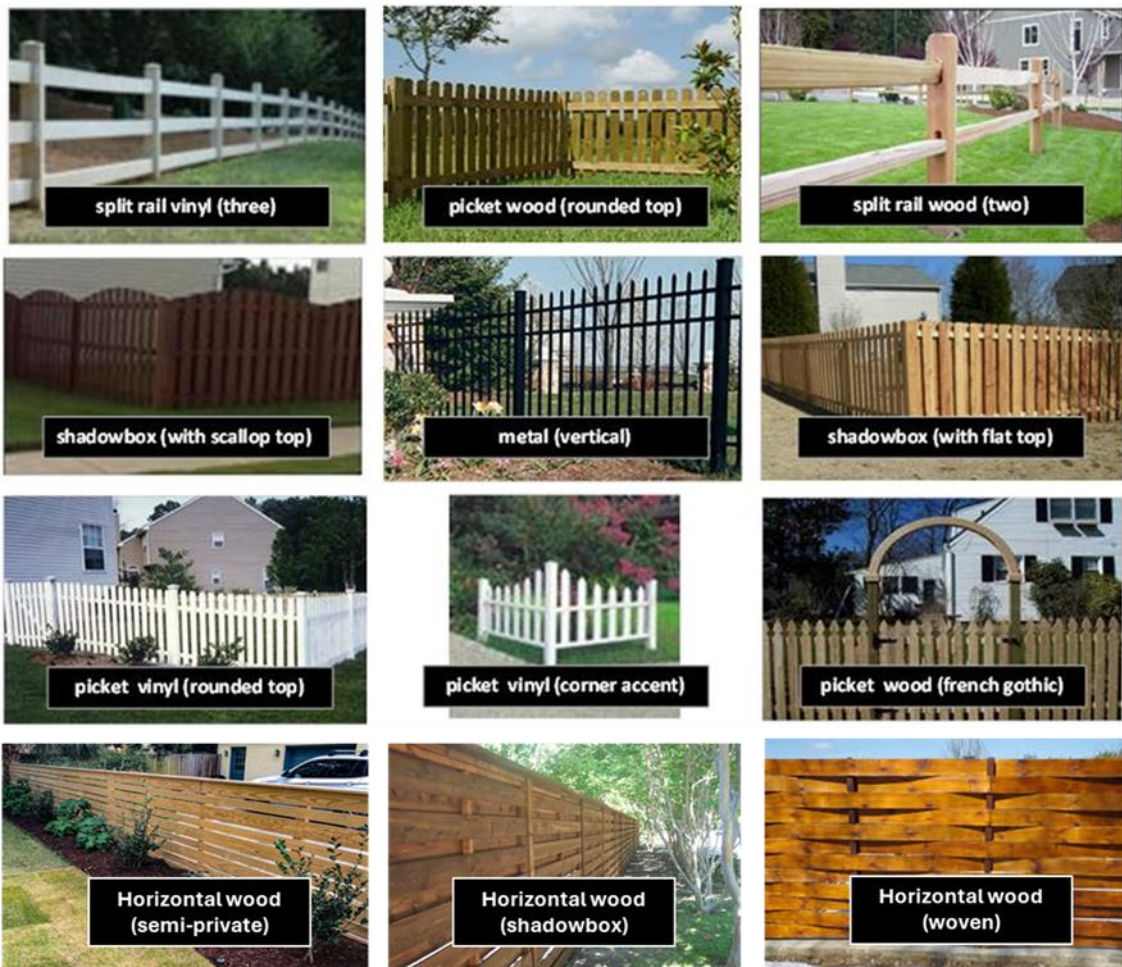
1. Landscape lighting must be placed in reasonable locations on the lot and be aesthetically appealing based solely on the best judgment of the ARC.
2. If a homeowner is unsure as to what would be acceptable placement of landscape lights, they are encouraged to submit an ARC Request Form so the Board can review prior to placement of the lighting. A detailed overhead map should be submitted, or an ARC member can visit.
3. Holiday and seasonal decorations are allowed, but they must be removed within a reasonable amount of time after the holiday or season has ended. Seasonal decorations include colored light bulbs in outdoor lighting fixtures. “Reasonable” is at the discretion of the Board and will be reviewed on a case-by-case basis, but the generally accepted time frame to remove Holiday decorations is within 30-45 days of the event.

H. Fences/Landscape Walls

1. An ARC Request Form should be submitted for review and approval prior to any and all fence or wall installations, extensions and/or modifications, including repairs and/or replacements. This ARC Request Form shall include an accurate, clear outline of the proposed placement of the fence or wall installation, extension, modification, repair and/or replacement preferably on a copy of the Owner's plot plan if available. If the plot plan is not available, a Google Earth map or even a good overhead drawing may be used. The Owner's preferred fence style and materials must also be included on the submitted form.
 2. Fencing installations, extensions, modifications, repairs and/or replacements must comply with the Town of Huntersville ordinances. The ordinances can be found on the Town's website (www.huntersville.org). The Town does not require permits for the installation of fences; however, if a fence is in violation of the Town's restrictions the matter should be referred to the Town for determination.
 3. Perimeter fencing is not permitted in front yards.
 4. No fence or wall will be erected on any Lot closer to the street than the front building line.
 5. Fences may not extend outside the boundaries of the installing homeowners' lot.
 6. Perimeter fencing shall not have more than seventy percent (70%) of any its surface closed as viewed from a point on a line of sight at a 45-degree angle to the line of the fence.
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7. Fences may not be shorter than four (4) feet and may not be higher than six (6) feet tall. This measurement does not include post tops and/or spires.
 8. Chain link or metal fencing, other than wrought iron or similar decorative aluminum fencing, is not permitted.
 9. Any fence not of a split-rail type will be white vinyl, or constructed of cedar, redwood or fir and shall be stained. Split-rail fences will be left natural and unfinished.
 10. 2" x 2" square wire mesh fencing is only allowed when it is used with approved fencing to contain pets and/or young children within a rear yard.
 11. Fencing of a more solid or privacy nature may be used near patios or decks as privacy screens. Said privacy screening may be located at a distance no greater than ten (10) feet from the edge or circumference of the patio or deck area being screened and may be no more than six (6) feet tall.
 12. Fences on corner lots abutting a local residential street must be installed parallel to the side street. The fence must be installed a minimum of eight (8) feet from the back of curb (to allow for the road right-of-way).
 13. Perimeter fences may be installed along property lines, except where an owner must adhere to applicable setback or sight triangle restrictions for corner lots.
 14. A single fence shall be permitted between adjacent lots sharing a common side or rear property line, as long as both owners agree, in writing, to such installation.
 15. Owner is responsible for the maintenance and upkeep of BOTH sides of any fence installed.
 16. Gates, if installed, shall be designed to be compatible and complementary to the fence design.
 17. Fencing installed on a slope should either stair-step evenly with a grade or run parallel to the grade; however, in both situations the pickets should be installed perpendicular to a horizontal line and not the existing grade.
 18. Perimeter fencing should be installed with the "good side" facing out, meaning that the posts are on the interior, facing in.
 19. Perimeter wood fencing should be stained with a protective seal to protect the wood from moisture, UV rays, and other damaging elements, preventing rotting, warping, and premature aging. This should also be normal maintenance of the fence so that it doesn't become an eyesore to the neighborhood. Clearly neglected wood fencing will be issued a violation.
 20. Colored fence stain requires ARC approval; painting of wood fencing is not approved
 21. Five primary fence styles are normally approved for homes within Melbourne:
 - 1) 4ft Split Rail (two or three rails) – *can include wire mesh*
 - 2) 6ft Shadow Box
 - 3) 4ft Picket (max 3 inch spacing)
 - 4) 4ft or 6ft Metal Vertical Fencing
 - 5) Decorative Picket Corner Fence (less than 4ft high)
 - 6) 6ft Horizontal (shadow Box, semi-private, woven)
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EXAMPLES OF FENCE TYPES:



While the above fence styles are the generally approved styles for Melbourne, other fence styles that are very similar may be considered and approved. If an owner desires another style fence not on this list, they must include that request on the ARC Request Form detailing the particulars of the style fence they wish to install such as: height, color, material, shape & location.

I. Fire Pits, Outdoor Fireplaces and Open Fires

1. Fires in enclosed, permanently installed fire pit containers or outdoor fireplaces are permitted in rear yards only.
 2. Permanently installed fire pit containers or fireplaces must be approved by the ARC.
 3. Placement of permanently installed fire pit containers or outdoor fireplace must be at least ten (10) feet from all property lines and at least ten (10) feet from any other building structures in the yard.
 4. Burning of leaves, trash or other materials in open or unenclosed fire pits is not permitted.
 5. Portable fire pits are allowed but must be stored out of site from the front of the home when not in use.
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J. Flags and Flagpoles

1. Free standing flagpoles are permitted as long as they remain in good condition and don't become unsightly (leaning, rusting, noisy, etc.).
2. One flagpole not to exceed 4" in diameter or 60" in length may be mounted on the front or side of the house.
3. Flags shall not exceed 4' x 6' in size.
4. National or State flags as well as official logo flags of College or Professional sports entities are pre-approved for display. Seasonal flags are approved but are considered decorations and are thus covered by the rules for seasonal decorations (see section H).
5. Flags which display trademarks or advertising, as well as flags which, in the judgment of the ARC, may tend to antagonize, incite, or make political statements (other than a statement of citizenship or country of origin of the resident of the dwelling), shall not be permitted.
6. Flags shall be maintained in good condition and shall not be displayed if mildewed, tattered or faded beyond recognition (unsightly).

K. Lawns, Landscaping, Plantings and Trees

1. Contained in the Architectural and Design Guidelines is the broad statement "Grass and landscaping will be maintained to appear neat and attractive" which is clearly open to interpretation. Article 9, section 3 of the Melbourne CC&Rs contains the statement that "Each Owner acknowledges that opinions on aesthetic matters are subjective and may vary as committee members change over time." Therefore, to help clarify expectations, the list below contains the primary areas regarding landscaping that the inspector(s) will be looking at and are the key areas that will hinder a property from being "neat and attractive".

LAWNS - excessive weeds/crabgrass, bare spots/diseased, overgrown, edges untrimmed

PLANTING BEDS – excessive weeds/grass, very little to no mulch/pine needles

SHRUBS - heavily overgrown (from lack of pruning), dead/diseased

TREES – low limbs less than 5 feet off ground, dead/diseased, "suckers" growing on trunk

2. The foundation/footing at the FRONT of each home should be screened by a planting bed with appropriately sized shrubs. It's highly recommended that any plans for removing/replacing the plantings in this area be submitted in an ARC Request Form.
3. There is no minimum number of trees required to be planted on each lot

L. Laundry

1. No laundry shall be hung on the exterior of any home or any other place clearly visible from outside the Lot
 2. Permanently installed clotheslines are not allowed
-

M. Mailboxes

All mailboxes and newspaper tubes in Melbourne are to be in compliance according to the following standard design and level of condition. In general, mailboxes need to be very similar in style and color to the original boxes installed by the builder in order to maintain a well-kept and somewhat “uniform” appearance throughout the neighborhood with the goal of maintaining/improving property values.

SUBMISSION OF AN ARC REQUEST FORM FOR ALL MODIFICATIONS TO MAILBOXES IS NEEDED TO ENSURE THE MODIFICATIONS ARE WITHIN THE GUIDELINES BELOW.

Guidelines:

1. Color of mailboxes and posts should be black.
2. Size of mailboxes should be “standard” size; “over-sized” boxes are NOT permitted
3. Mailboxes should all have round newspaper tubes underneath the mailbox
4. Plastic newspaper tubes (placed and branded by newspaper companies) are NOT allowed
5. Decorative magnetic mailbox covers ARE permitted (*must remain in good decision*)
6. Mailboxes made of metal or high-density decorative resin ARE permitted
7. Single-mold plastic mailboxes are NOT permitted
8. Noticeably dilapidated mailboxes (rusted, missing parts, dented, door not closing, etc.) and posts (rusted, leaning heavily, not proper height as defined by US Post Office, etc.) will need to be repaired*.

**Most mailboxes can easily be spray painted with a black quality spray paint to enhance appearance.*

**A large selection of ARC approved mailbox styles are stocked by Carolina Mailboxes, Inc.*



N. Nuisances

1. No noxious or offensive trade or 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.
2. No activity will be carried on in any Lot which is an unreasonable nuisance to other residents.
 - Residents are highly encouraged to also contact the Huntersville Police Department (HPD) to report nuisances as well as there are Town Ordinances that cover many nuisances such as loud music, dogs barking, littering, etc. Calling HPD will be the quickest and most effective action to take.

O. Outdoor Play Equipment (swing sets, basketball goals, trampolines, etc.)

All outdoor play equipment should be submitted for approval in accordance with Article IX of the Declaration. Below are certain items to guide owners in what the ARC will be looking for in these requests.

1. Play structures of any type are not permitted in front or side yards
 2. In the case of a corner lot, any play equipment or structure installed permanently or for an extended length of time (i.e. – not temporary in nature) in the rear yard must be screened by landscaping or fencing from public view. An ARC request form should be submitted with the applicant's screening plan included.
 3. Unless on a corner lot, swing sets must be installed in rear yards at least six (6) feet inside property lines and constructed of pressure treated wood.
 4. Aluminum swing sets are prohibited.
 5. No playground equipment, including basketball goals, nets, or other sporting equipment may be permanently installed in the front yard, driveway, or be affixed to the front of the home or garage.
 6. Portable play equipment may not be stored in the front yard, driveway, or in public view when not in use, with the exclusion of portable basketball goals which are allowed to be used in an owner's driveway.
 7. Individual portable basketball goals shall be stored in resident's driveway, no closer to the street than half the length of the driveway measured from the home, or collapsed and stored in the garage when not in use. They may not remain in or on any part of the street or apron of owner's driveway when not in use.
 8. Portable basketball goals may not be pulled to the end of cul de sacs or stub streets, and cannot be pulled onto any common area at any time, unless they are specifically authorized by the HOA and placed in a specific location for that purpose.
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P. Parking

1. NO recreational vehicles, equipment, boats, watercraft, motor homes, golf cars/carts, etc., may be maintained, parked, stored or kept on any portion of the property (including streets) except when temporarily in preparation for immanent use (not overnight) and if stored in enclosed garages or areas specifically pre-designated and approved by the Board of Directors.
2. Recreational vehicles, equipment, boats, watercraft, motor homes, golf cars/carts, etc. MAY be stored in rear yards, with prior ARC approval, provided they cannot be seen directly from residential streets within Melbourne. Storage should also not pose any unreasonable visual nuisance to immediate neighbors or hinder the enjoyment of their property.
3. A temporary parking permit is required for OVERNIGHT PARKING (does not include street parking) of all recreational vehicles, equipment, boats, watercraft, motor homes, golf cars/carts, etc. This physical permit may be obtained by contacting the management company during normal business days/hours at least 72 hours BEFORE parking is needed.

If approved, a temporary parking permit will be provided to the homeowner that includes the specific dates parking is allowed. This permit must be prominently displayed on the vehicle or equipment so as to be clearly visible from the street. Permits will be limited to a maximum of three (3) consecutive days. Homeowners/Residents are allotted a maximum of three (3) approved permits per rolling 12-month period.

4. Overnight parking (between 11pm to 6am) at the Melbourne Pool & Clubhouse parking lot is STRICTLY PROHIBITED unless a temporary parking permit is requested and approved (per the guidelines in section P3).
5. Vehicles are NOT allowed to be parked on any portion of a lawn at any time
6. Commercial Vehicles:

Size categories for commercial vehicles are based on the City of Charlotte guidelines:

Large commercial vehicles are defined as those weighing more than 13,000 pounds or those less than 13,000 pounds but with a height of more than 9.5 feet including installed accessories and/or a cargo area/work platform more than 14 feet.

Medium commercial vehicles are defined as those weighing less than 13,000 pounds with a cargo area/work platform that is less than 9.5 feet in height and no more than 14 feet.

Light commercial vehicles are defined as those weighing less than 13,000 pounds and a cargo area/work platform that is less than the height of the vehicle cab and no more than 9 feet.

- a. Parking of large commercial vehicles is NOT permitted anywhere in Melbourne
 - b. Parking of medium & light commercial vehicles is permitted but is restricted to no more than one vehicle per unit.
 - c. Medium & light commercial vehicles may be parked on a clearly delineated driveway and may NOT be parked in the public street.
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- d. Construction, service and delivery vehicles shall be exempt from this provision during daylight hours for such period of time as is reasonably necessary to provide service or to make a delivery to a house or the Common Areas.
7. After receiving a third notice of any parking violation within a rolling 12-month time period, the homeowner will be subject to \$150 fine pending an opportunity for a hearing. In some cases, vehicles will have a warning sticker applied that states the vehicle may be towed if not removed within a specified time period.
8. The Town of Huntersville owns our streets which includes their maintenance as well as enforcement of the town traffic code:
 - i. TITLE VII: TRAFFIC CODE
 - ii. CHAPTER 71: STOPPING, STANDING AND PARKING
 - iii. § 71.02 - PARKING PROHIBITED IN SPECIFIC PLACES.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (A) On a sidewalk
- (B) In front of a public or private driveway
- (C) Within an intersection
- (D) Within 15 feet of a fire hydrant
- (E) On a crosswalk
- (F) Within 20 feet of a crosswalk at an intersection
- (G) Within 30 feet upon the approach to a flashing beacon, stop sign or traffic control signal
- (H) Within 20 feet of the driveway entrance to any fire station
- (I) Along or opposite any street excavation or construction when such stopping, standing or parking would obstruct traffic
- (J) On any median, unless the vehicle is disabled or at the direction of a police officer, and then only temporarily for a period not to exceed 24 hours
- (K) In violation of G.S. § 20-37.6, or otherwise in a space designated with a sign for handicapped persons, unless the vehicle displays the distinguishing license plates or placard specified in G.S. § 20-37.6
- (L) In violation of G.S. § 20-37.6 or otherwise in such a location as to obstruct a curb ramp or curb cut for handicapped persons
- (M) In any area designated as a fire lane, including those in a shopping center or mall parking lots and other public vehicular areas
- (N) On the side of a street facing in other than the direction of travel

('93 Code, § 14-52) (Ord. 94-07, passed 6-7-94; Am. Ord. passed 3-1-99) Penalty, see § 70.99

Q. Pets

1. No animals will be kept on any Lot except dogs, cats, or other household pets not kept for commercial purposes.
 2. Keep barking to minimum as a courtesy to neighbors, especially early morning and late at night
 3. Pick up after your dog when walking in the community. Dog feces in owner's front yards should be picked up promptly.
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4. Dogs shall be kept on a leash as required by law, or otherwise confined in a manner acceptable to the Board whenever outside the dwelling.
5. Pets shall be registered, licensed and inoculated as required by law.
6. **Town ordinances take precedence over HOA covenants. Report all sound ordinance issues with barking or any other animal nuisances such as dogs running unleashed directly to the Huntersville Police Department.**

R. Pools and Inflatable Recreation Structures

1. All types of above-ground pools are prohibited in Melbourne.
2. In-ground pools are allowed but must have prior approval from the ARC.

S. Recreational Vehicles (Campers/RVs, Trailers, Watercraft, Off-Road Vehicles)

Refer to "Parking" section

T. Temporary Structures

1. No temporary residence shall be erected on any Lot; no trailer, shack, tent, barn, or detached garage may be used as a residence on any Lot.
2. Mobile storage units (such as PODS) & commercial dumpsters are permitted on a temporary basis (5 days or less) provided they are placed in a safe area (level, does not hinder traffic flow, etc.). Residents are encouraged to contact the management company prior to placement of any storage POD to inform them of the anticipated time the storage unit will be used.

U. Trash Collection (Garbage, Yard Waste, Recycling, and Bulk)

The following information on trash collection is provided by WASTE CONNECTIONS.

General guidelines

- Place your cart curbside no later than 6:00am of the scheduled garbage collection day.
- Please leave a three (3) foot space between the carts.
- Place your roll-out within four (4) feet of the road.
- Carts must be at least (3) feet from any object (i.e., cars, poles, mailboxes, trees).
- Make sure the wheels of your roll-out are away from the road (the lid hinge should be placed away from the road). This allows the trucks to properly grab the bins.

Curbside garbage service

- Pickup once per week in GRAY 95-gallon cart marked garbage only.
 - Garbage defined as all kitchen and food waste, and all animal or vegetable waste that is attendant with or results from the storage, preparation, cooking or handling of food materials.
 - No-pickup holidays: New Year's Day, Thanksgiving, Christmas. Service will be provided one day later than your normal collection day.
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Curbside yard waste service

- Pickup once per week in GREEN 95-gallon cart marked yard waste only.
- Yard waste defined as vegetative matter resulting from landscaping and yard maintenance and beautification projects, such as leaves, grass cuttings, shrubbery and tree trimmings. Plastic bags should not be placed in yard waste containers.
- In addition to the yard waste roll-out, manageable piles of limbs or brush will be collected. Tree limbs will be collected **ONLY IF** they meet the following specifications: Not larger than 6" in diameter, not larger than 5' in length, stacked in piles that do not exceed 4' H x 5' L x 4'. Do not place any yard debris on the sidewalk.

Curbside recycling service

- Pickup every other week in BLUE 95-gallon cart marked recyclables only.
- Recyclable materials include magazines, telephone books, old corrugated cardboard, spiral paper cans, newspapers and inserts, aluminum cans, glass jars and bottles, steel cans, plastic soda and liquor bottles, plastic milk and water bottles. Any other materials accepted by the Mecklenburg County Recycling Center is included in this list.
- Cardboard and corrugated boxes and similar materials shall be broken down and placed in the collection area.
- Once the recycling cart is full, overflow recyclables contained in brown paper bags may be placed on top of or beside the recyclables cart.

Curbside bulk items collection

- Please contact Huntersville Town Hall at (704) 875-6541 to make arrangements for white goods collection. Fees apply.
- The Town of Huntersville is not responsible for collecting tires or construction debris (concrete, wood, carpet, etc.). These items can be taken to North Mecklenburg Landfill, 15300 Holbrooks Road in Huntersville, (704) 875-3367.

V. Trash Receptacle Storage & Screening

1. Roll-out trash receptacles may be curbed **no earlier than 4:00 PM the day prior to collection day and must be taken in by midnight the day of collection.**
 2. Homeowners with receptacles (or trash bags/ bundled yard debris) out near the road outside of the approved curb times will receive a warning notice if the violation is reported. After receiving a third notice within a rolling 12-month time period, the homeowner will be subject to \$150 fine pending an opportunity for a hearing.
 3. All trash receptacles must be screened from view from all streets in an ARC approved manner.
 4. Fence material to screen trash, yard waste and recycling bins on the side or rear of the house, must be constructed of an opaque or solid fencing material (either wood slate or white vinyl panel). Such opaque fence must be high enough to completely screen the top of the trash and yard waste bins at all times but must not exceed six (6) feet in height.
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5. For some homes (depending on how the house sits in relation to the road), large shrubs may be used to screen receptacles as well (*must be approved*).
6. As with any new fencing, fence screening also requires prior ARC review and approval.
7. Examples of acceptable trash receptacle screening:



W. Roofing & Siding

1. Exterior colors and materials, including roofing shingles and siding, must be consistent with others in the community and should be approved by the ARC prior to commencement of construction to ensure adherence to this guideline.
2. Roofing material used on additions to homes shall match roofing on existing home.

X. Satellite Dishes, Aerials and Antennas

1. Aerials and Antennas are not permitted in Melbourne.
 2. Satellite Dishes one (1) meter (3.28084 feet) or less in diameter are pre-approved when installed in compliance with the following conditions:
 - **Dishes are to be integrated with the surrounding landscape and should be placed in a location least visible from the street but that will still allow for an acceptable quality signal for the Homeowner**
 3. The ARC has chosen the following pre-approved locations (stated in order of preference):
 - Attached/mounted on the rear wall or rear roof of the dwelling so as to extend no higher than the ridge line of the dwelling at a point directly above the position where attached.
 - Attached to or mounted on a deck or patio in the rear yard of the dwelling and extending no higher than the eaves of that portion of the roof of the dwelling directly in front of such satellite dish.
 - Rear of side yard of the dwelling (i.e., the area between the plane formed by the front façade of the dwelling and the rear lot line) and setback from all lot lines at least eight feet.
 4. Should an Owner determine that a satellite dish cannot be located in compliance with the above guidelines without precluding reception of an acceptable quality signal, or unreasonably increasing the cost of installation, maintenance, or use of the satellite dish, then it is highly suggested (but not required) that the Owner submit an ARC Request Form for approval of an alternate location or method of installation with a request that a variance be authorized by the ARC for such installation. Such alternate location shall be in the least conspicuous location in which an acceptable quality signal can be received.
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Y. Signs & Yard Ornaments

1. No Owner will display any signs or other articles outside of his dwelling so as to be visible from outside the Lot, except seasonal decorations.
2. Notwithstanding the foregoing, one professionally manufactured sign of not more than five (5) square feet advertising a Lot for sale (or rent) may be placed by the owner on his Lot in such manner that it will be visible from outside the Lot.
3. "For Rent" or "For Sale" signs are NOT permitted to be placed outside of the owners Lot
4. Business advertising signs are NOT permitted on any Lot.
5. Political signs ARE permitted during "election season" (60 days prior to election day; 14 days after election day)

Z. Storm Doors and Windows

1. Storm doors must be full-view glass and be of a color that matches the door frame.
2. If framing must be extended to accommodate installation of a storm door, the reveal must be painted to match the trim color. No unpainted wood is to remain visible.

APPROVED



NOT APPROVED



3. Replacement windows must adhere to the original window architectural style in Melbourne which is a colonial white grid style. **ARC APPROVAL IS REQUIRED**

APPROVED



NOT APPROVED



AA. Leasing Regulations

1. All Leases must be a minimum duration of 12 (twelve) months (*Article X, Section 10.2 (g)*)
 2. Dwellings are restricted to single-family, residential use (*Article X, Section 10.4 (d)*)
 3. All leases shall be in writing, and the current lease on file with the HOA Management Company (*Exhibit "C", Section 4*)
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DRIVE-THROUGH PROPERTY INSPECTIONS

Drive-Through Property Inspections

CSI Community Management will conduct routine drive-through inspections every 12-15 days.

The inspector(s) will be in a clearly marked vehicle during the drive-throughs and may take pictures of the property from the road for certain violations as documentation. Items and areas to be inspected are defined in Melbourne's Declaration of Covenants, Conditions and Restrictions (CC&Rs) and more specifically in the Architectural and Design Guidelines and the Initial Use Restrictions and Rules (Exhibit C). All of these documents can be located on the **AppFolio Homeowner Portal**. If you haven't already, please visit www.csicommunities.com to get your account activated. There are numerous resources in the Homeowner portal. For residents who are renting a property, you must contact your landlord to provide any of this information. The HOA nor the management company can communicate or discuss rental property violations with renters without specific consent of the owner/landlord.

Inspections will also include reviewing that all modifications to structures and major landscaping have been submitted for approval with the Architectural Review Committee (ARC), and that they are being completed in the planned timeline as required and to the specifications that were approved. Homeowners can submit an architectural change request on the AppFolio Homeowner Portal.

Contained in the Architectural and Design Guidelines is the broad statement **"Grass and landscaping will be maintained to appear neat and attractive"** which is obviously open to interpretation. Article 9, section 3 of the Melbourne CC&Rs contains the statement that "Each Owner acknowledges that opinions on aesthetic matters are subjective and may vary as committee members change over time." Therefore, to help clarify expectations, the list below contains the major areas the inspector(s) will be looking at closely and are the key areas that will hinder a property from being "neat and attractive".

- ✓ *LAWNS* - large amount of weeds/crabgrass*, bare spots/diseased and overgrown grass, too tall / not routinely mowed*
- ✓ *PLANTING BEDS – excessive weeds/grass*, very little to no mulch/pine needles*
- ✓ *SHRUBS - heavily overgrown (from lack of pruning), too large for area, dead/diseased*
- ✓ *TREES – limbs less than 5 feet off ground, dead/diseased, multiple "suckers" on the trunk*
- ✓ *DRIVEWAYS / SIDEWALKS – excessive weeds/grass, lack of edging/trimming, excessively dirty (oil, mold, etc.)*
- ✓ *MOLD/ALGAE – excessive & noticeable build up on homes & /roofs*
- ✓ *MAILBOXES – very rusted or needs painting (black); not straight (leaning); not at standard height/size*
- ✓ *TRASH RECEPTACLES – properly screened from view (exception on Mondays from 4pm to Tuesdays at midnight)*
- ✓ *SHUTTERS / ENTRANCE DOORS – damaged and/or faded paint; missing shutters*
- ✓ *STRUCTURES / EQUIPMENT – fences, garage doors, windows & screens, decorative railings, gutters, satellite dishes, and other items on the exterior portions of a Unit which have become rusty, dilapidated or otherwise fallen into disrepair*

After the inspections are completed, compliance letters with reference pictures will be generated and mailed out to Homeowners. Letters will NOT be mailed to a rental property unless specifically authorized by the owner/landlord. **These letters will specifically identify what the violation is and request that the issue is corrected within 10 days of the date of the letter. If the Homeowner cannot realistically correct the issue in that time, they will need to send communication (preferably email) to CSI within the 10 days to discuss and align on when the issue will be addressed and realistically resolved.** We clearly understand that the majority of issues cannot be resolved within this short window of time, so the most important thing here is the **COMMUNICATION**. The letters will include clear and easy instructions of how to communicate with the CSI Compliance Team. CSI is tasked with and committed to responding back to emails within 48 hours. They will also offer recommendations/solutions to resolving an issue in a timely and cost-efficient manner whenever possible. We also have our new "Neighbors Helping Neighbors" Program in place which includes volunteers from our neighborhood who are willing to come out to a property (if requested by the resident) to help provide some general guidance & tips to help resolve the issue.

If the initial 10 days passes with no correction and there has been NO communication received from the Homeowner, the violation will remain open and a 2nd letter will be generated after the next inspection. If there is still no resolution or communication within 10 days after the date on the 2nd letter, the compliance issue will go to a scheduled hearing. If the Homeowner fails to attend the hearing (in person or by Zoom) with no communication, the Homeowner may receive an initial fine of up to \$100 and begin receiving daily fines of \$25. There's no need to get to this point! **COMMUNICATION** is the key to reducing multiple letters, hearings and possibly fines.

The Board has aligned with the CSI Compliance Department to ensure that violations will not be "nit-picky" and that they are focused on the key areas and levels mentioned above. The ultimate goal of the inspection process is not to get us all frustrated and upset, but rather to collectively get us all on the same page and working together to make Melbourne an attractive place to live and maintain all our property values.
