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GANDER LAKE

ARCHITECTURAL STANDARDS

and

DESIGN GUIDELINES

Approved & Effective May 26, 2015

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**II. RESPONSIBILITIES**

A. Architectural Review Committee  
 The ARC is responsible for reviewing requests and making site inspections before, during, and after modifications under new construction. It is the responsibility of the ARC to keep this document updated on a regular basis.

B. Owners  
 Each lot owner has the responsibility to properly complete and submit an Architectural Request Form to the ARC via the management company in accordance with the requirements of these guidelines. Each owner is also responsible for adherence to the Declaration and the guidelines and to decisions made by the ARC. Any problems or violations should be reported to the ARC via the management company.

## I. INTRODUCTION

The Architectural Review Committee (ARC) is established by the Declaration of Restrictive Covenants for Gander Lakes. The ARC shall consist of three or more members appointed by the Board of Directors. The Committee will determine regular meetings, with the primary purpose of the meeting to be review all architectural requests which were received by the Committee during the previous period. Committee meetings may be attended by a designated member of the Board of Directors. The committee also will attend to other relevant business, such as writing or revising the guidelines or other rules pertaining to changes or improvements to lots, reporting on area inspections, and follow-up inspections. Owners are invited to attend the committee meetings in order to help assure themselves that the committee fully understands their request and/or offer their comments about any modifications that are currently underway or being planned.

Together with the Restrictive Covenants, the primary purpose of the Design Guidelines is to provide standards and an overall framework for the process to make corrections, changes or improvements to the exterior appearance of homes and lots within Gander Lakes, while ensuring that the natural beauty of the Community is maintained. The guidelines set forth criteria for design, style, materials, color and location of Lot improvements, landscaping, lighting and signage. In addition, the guidelines establish a process for review of proposed modifications to ensure all lots within the Community maintain consistency and quality expected. The aesthetics of the designs and modifications in the context of the neighborhood will be one of the primary considerations of the ARC.

To the extent that Wayne County ordinances or any local government ordinance, building code or regulation requires a more restrictive standard than the standards set forth in these Design Guidelines or the Declaration of Restrictive Covenants, the local standards or restrictions shall prevail. To the extent that any local governmental standard is less restrictive, the Declaration and Design Guidelines shall prevail, in that order.

## II. RESPONSIBILITIES

*These are the responsibilities of all parties as they relate to the architectural standards and design guidelines.*

### A. Architectural Review Committee

The ARC is responsible for reviewing requests and making site inspections before, during, and after modifications and/or new construction. It is also the responsibility of the ARC to keep this document updated on a regular basis.

### B. Owners

Each Lot owner has the responsibility to properly complete and submit an 'Architectural Request Form' to the ARC via the management company, in accordance with the requirements of these guidelines. Each owner is also responsible for adherence to the Declaration and the guidelines, and to decisions made by the ARC. Any problems or violations should be reported to the ARC via the management company.

### C. Community Manager/Management Company

The Community Manager is tasked by the Board to act as the clearinghouse and record-keeper for modification request and problems or concerns which anyone may have in our community. The Community Manager also will regularly inspect Gander Lake for violations of the Covenants and guidelines and will notify owners when their property has apparent violations. If the owner does not correct the violations the Community Manager will notify the ARC and the Board of Directors for further action.

## III. GUIDELINES

It is the interpretation of the Homeowners Association of Gander Lake that the provisions of Section VI of these guidelines apply to a wide variety of aesthetic considerations in the community. Every attempt has been made to include those considerations which have the potential to impact property values. Suggestions for improvements to this document should be submitted to the ARC.

The following are examples of the types of changes, additions or deletions that would either:

- Require submittal of an "Architectural Review Form"
- Do not require a submittal, or
- Are prohibited

While every effort has been made to identify all aspects of change, the owner who has doubt if his / her situation is adequately addressed should contact the ARC for guidance. Throughout this document the term "changes" shall include additions and deletions to the Lot or exterior of the home.

#### Types of changes which require submittal:

##### A. Changes to the exterior of the home, such as:

###### a. Addition of:

1. Awnings
2. Decorative lighting such as flood lights, spot lights, etc.
3. Porches

###### b. Appearance, such as:

1. Color
2. Materials (such as siding)

##### B. Other exterior changes, such as:

1. Out Buildings
2. Decks and patios
3. Driveway extensions and parking pads
4. Enclosures
5. Fences
6. Hedges and screen plantings
7. Landscaping
8. Parking
9. Poles, free-standing.
10. Recreation or sports equipment (e.g., trampolines, fixed basketball goals, and swing sets)

11. Permanent Signage
12. Structures
13. Swimming or wading pools and hot tubs
14. Live tree removal
15. Shutters

Specific changes which DO NOT require a submittal:

- A. Flower boxes which meet color requirements
- B. Minor landscaping
- C. Periodic repainting and re-staining with the existing color for maintenance
- D. Portable pools usable only by small children
- E. Removal of dead trees
- F. Small, discretely located, garden plots
- G. Storm doors (must still meet color requirements)
- H. Low Voltage Lighting
- I. Seasonal Decorations

Special items which are prohibited:

- A. Animals other than household pets
- B. Commercial advertising signs
- C. Encroachment on other property
- D. Metal storage sheds
- E. Parking of vehicles or trailers on soft surfaces
- F. Permanent clotheslines
- G. Pools, above ground (except portable pools usable only by small children)
- H. Unclean, unsightly, unkempt, unhealthy or unsafe conditions which tend to substantially decrease beauty or safety
- I. Very bright colors

#### IV. STANDARDS AND SPECIFICATIONS

The specifications detailed below apply both to items requiring submittal and not requiring submittal and are those that have been identified by the ARC as requiring a specification. For items detailed below not requiring submittal, the expectation is that this minimum detail will be met.

A. Animal Control

1. No animal, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept, provided that they are not bred or maintained for any commercial purpose. Wayne County prohibits dogs from being "at large," and should be restrained by a leash by a competent person at all times, when outside of a fenced yard or on the Common Area.

Additional Note: For the sake of community cleanliness and to prevent the spread of disease, animal owners shall pick up and properly dispose of their animals waste from the common areas and, if necessary, from other people's property.

B. Clotheslines

1. Permanent exterior clotheslines are prohibited.

### C. Decks and patios

1. The ARC encourages creative designs and patterns for decks and patios, particularly in replacement of existing builder supplied components.
2. There are no predetermined styles in this document for decks or patios.
3. Deck materials
  - a. Deck materials will generally be pressure treated wood or composite decking material.
  - b. Posts may be made of brick, pressure treated wood or other suitable material.
4. Patio material
  - a. Concrete, smooth finish or with exposed aggregate.
  - b. Bricks, with sand fill or grout.
  - c. Stone, with sand fill or grout.
5. Height of decks, arbors and screens
  - a. Decks should be of a reasonable height for their intended purpose.
  - b. Arbors should be no higher than eight feet (8') above the ground or deck surface.
  - c. Free-standing deck screens (e.g. lattice) shall not exceed six feet (6') in height.
  - d. Screens as part of an arbor may extend to the arbor.
  - e. Deck band boards, handrails, guard rails and fences shall be stained or painted. If material is salt treated, wood may be allowed to cure for several months prior to staining.
  - f. Any decks more than two feet (2') above grade shall be screened around perimeter with approved screening.
6. Location
  - a. Patios should be located behind the house, but may extend beyond, around corners, or be freestanding in other areas of the backyard, within setback limits.
  - b. Decks and stairs shall not extend outward beyond the side building lines on the rear of the house.
  - c. Special cases may require an exception to this rule and will be determined after a site visit.
  - d. Obstruction of views or breezeways of adjoining properties will be given consideration in all cases.

### D. Driveways & Parking Pads

1. Driveways and vehicle parking pads shall be concrete only. Any other type of pad (e.g., brick, stone) shall be reviewed by the ARC on an individual basis. Aggregate base, thickness, reinforcement, etc. should comply with good construction practice.

### E. Enclosures (screened porches, sun rooms, etc.)

1. Like other structures, enclosures should be designed and constructed for aesthetics, location, compatibility, color and style.
2. Enclosures will comply with all applicable building codes, which require a building permit.
3. Metallic insect screening materials will not be permitted because of corrosion.

#### F. Exterior Antennas or Dishes

1. No exterior antenna or tower shall be erected or placed upon any lot.  
Note: Solar panels, television antenna, radio antenna (short wave, citizen's band etc.) either roof mounted or otherwise, are prohibited. Satellite dishes will be allowed as long as they are no larger than twenty-two inches (22") in diameter and are screened from the street. To the extent this provision is inconsistent with state or federal regulation, with state or federal regulation or law shall control.
2. Satellite dishes over 22" diameter may be permitted, under the following provisions:
  - An application for such installation shall be forwarded to the Architectural Control Committee for review and approval.
  - The application shall show a "top down" view of the intended placement of the proposed satellite dish. The placement shall be on the rear of the house, out of view from the street and adjoining neighbors, as much as possible.
  - Should placement on the rear of the home create a poor signal and not recommended by the satellite provider, the applicant shall provide a letter from the satellite provider stating same and include said letter with the application for the record.
  - To the extent these provisions are inconsistent with state and/or federal regulation, state or federal regulation or law shall prevail.

#### G. Hedges & Screening

1. Hedge or screen planting which form a barrier between properties should have:
  - a. Agreement with neighbors for maintenance access and aesthetics.
  - b. Setbacks to allow for plant growth to prevent encroachment.
2. NOTE: HVAC equipment, utility meters or other utility containers, trash cans and recycling bins must be screened from view with landscaping, wood or composite screening. Screening materials shall be stained or painted with an approved color.

#### H. Landscaping

1. Landscaping of a minor nature such as naturalizing an area of yard and adding shrubs, trees, flowers, etc. need not be submitted for approval. These are considered normal improvements and are strongly encouraged.
2. Other types of landscaping representing more significant projects that may be structural, have an impact on adjacent property, or require strong aesthetic consideration will require submittal, such as:
  - a. Retaining walls
  - b. Drainage, swale, run off: careful consideration should be given to landscaping that will regulate current drainage/runoff to adjoining property. Details shall be contained in submittals.
3. Small, discreetly, located garden plots need not be submitted. Large plots in public view shall be submitted with details of planned screening.
4. Ornaments/figurines to be placed in public view (front yards, corner lots, etc.) should be submitted with a picture. This applies to permanent placements like bird baths, gazing balls, etc., not to seasonal decor (Halloween, Christmas, etc.).



I. Materials and Colors

1. Periodic repainting and re-staining with the existing color for maintenance does not require submittal.
2. Only exterior materials comparable to those on existing structures and compatible with the architectural character of the community will be approved.
3. Color changes:
  - a. Keep all colors low in intensity (saturation or color).
  - b. Color changes from original are generally discouraged.
  - c. Colors must not clash with the colors of the homes in the immediate vicinity.
  - d. Actual color samples must be included with a request for a color change.
  - e. In choosing a traditional "three color" scheme, use tints of the same color for two of the "colors" plus an additional color for an accent color.

J. Outbuildings

1. Outbuildings shall conform to the existing materials (foundation, roofing, siding, trim, and landscaping) colors and style of the home.
2. Outbuildings shall conform to all setback requirements and shall have limited visibility from the street, where practical.

K. Parking

1. Industrial or commercial type trucks, trailers, tractors, and/or boats shall be stored at the rear of the residence and shall be within the yard set-backs.
2. If more than two (2) of the above mentioned vehicles are stored on any lot, they shall be screened from view of all other lots.
3. No inoperable or unlicensed automobiles may be regularly parked outside on the lot in excess of thirty-five (35) days.
4. No placement of temporary storage units, i.e.: "PODS", shall be permitted in driveways or streets, except during the period of "move in" or "move out," and shall not to exceed four (4) days unless approved by the ARC.

L. Poles

1. Submittal for free standing poles, such as fixed basketball goals or flag poles, shall include construction and installation details.

M. Recreational and Sports Equipment

1. For the purposes of these guidelines, playground or play equipment is defined to include the following: Swing sets, sliding boards, sandboxes, and similar items. These guidelines do not cover moveable and temporary items such as bikes, wagons and similar items.
2. For the purposes of these guidelines, recreational equipment is defined to include the following: Basketball goals, trampolines, horseshoe pits, permanent volleyball courts and similar items. These guidelines do not cover a temporary volleyball net, badminton net or similar item.
3. Playground and recreational equipment should blend with the natural surroundings to the extent possible and shall be an appropriate size for the backyard.

4. Dependent on the configuration of each lot, playground equipment should be placed in the rear yard. The location of play areas and of recreational equipment must take into account the impact on adjacent properties, noise concerns, safety concerns, and the minimization of any offensive visual impact on neighbors or public areas.
5. Recreational equipment should also be placed in the rear yard area where applicable (i.e., trampolines). Potentially dangerous items such as trampolines should be located within fenced areas to prevent access by unsupervised and unattended child users.
6. For equipment such as portable basketball goals, they may be placed in the front yard if a hard surface (driveway) is desired for the playing surface. Portable basketball goals must be in standing form when placed outside (e.g. driveway) and not placed on the side or near the street, where the street is intended as the playing surface. Portable basketball goals located by driveways must be placed to avoid balls striking vehicles, landscaping or other items on the adjacent property.
7. Playground equipment constructed of treated natural wood or similar product is required. Playground equipment should be constructed of proper materials to ensure safe usage, be properly anchored and be aesthetically pleasing.
8. Metal wing sets are prohibited!

N. Seasonal and Holiday Decorations

1. Seasonal and holiday decorations are permitted. Decorations may be installed no earlier than sixty (60) days prior to the holiday date and must be removed within thirty (30) days after the holiday date.

O. Signs

1. Real estate signs do not require submittal as long as they are of the size approved by the North Carolina Real Estate Commission and are not placed on Common Areas. Directional signs for open houses may be placed on Common Areas on the day of the open house and shall be removed immediately after the open house event is finished.
2. Garage/yard sale signs do not require submittal if they are removed no later than one day after the sale.
3. Political campaign signs that meet the requirements of Town and/or County ordinance(s) do not require approval if they are placed on private property and are removed within one week after Election Day.
4. Commercial advertising signs are prohibited.

P. Storage

1. No trade materials or inventories may be stored outside on residential lots.
2. Temporary storage of project materials should be discreetly placed and shall be maintained in an orderly fashion.

Q. Swimming Pools

1. In-ground pools must meet local code standards for safety including fencing. Fencing must meet guidelines attached to these guidelines.
2. Above-ground pools are prohibited.
3. Portable pools usable by small children are pre-approved, but must be emptied and appropriately stored when not in use.
4. Pools must meet setback requirements as described in the Declaration.

R. Trees

1. The removal of a live tree requires approval unless the tree is less than six inches (6") in diameter measured at a point one foot above the ground.
2. Removal of dead trees does not require submittal, regardless of size. It is the owner's responsibility to assure the tree is dead.

V. MAINTENANCE

Each owner is responsible for maintaining his/her property in a way that does not detract from the overall beauty of the community. It is expected that each and every owner will take this responsibility seriously, as this can severely affect the value of all properties within the Community.

Following is a list of typical items or areas that should be reviewed on a regular basis to insure that each home and property is in good repair:

1. Shrubbery, trees, and lawns
2. Driveways and sidewalks
3. Decks and patios
4. Playground and recreational equipment
5. Roofing
6. Paint and stain
7. Garbage can storage
8. Fences
9. Outbuildings

Deterioration

1. If at any time the ARC is made aware of a property that has deteriorated to the point that it is affecting the aesthetics of the community, the ARC will make a site inspection.
2. Based on the severity of the deterioration, the owner will be given a specified length of time to remedy the situation. If, after that time, the repairs have still not been made, the ARC has the obligation of enforcement described in Section VII of these guidelines.

## VI. PROCESS FOR HOMEOWNER CHANGES

Changes, additions or deletions that have been previously identified as requiring submittal, or that the owners believe may require submittal, shall follow the process described in this section. The process will be the same for all submittals with the required detail varying depending upon the type of modification(s) requested.

*Note: The Committee shall attempt to meet at least once within each calendar month. It is imperative therefore, that each owner plan **in advance** and allow for the processing time required.*

1. No construction shall begin without ARC approval of the submittal.
2. Any required building permit(s) shall **NOT** be applied for prior to having ARC approval.
3. Allow enough time for processing and approval in planning for construction.

### A. Planning and Preparation of Submittal

1. Using these guidelines, determine if a submittal is required, if yes, continue as shown below. If no, proceed with the project.
2. Prepare the *Architectural Review Form* (see Appendix C and also available from the management company) and attach required drawings, sketches and supplemental documents for ARC review. A completed submittal shall **fully** describe/depict the change and stand on its own without need for further explanation or clarification.
3. Present the complete submittal to all adjoining property owners or neighbors who may be visually or otherwise impacted by the change, and obtain their signatures. This signature only reflects that each neighbor has been notified of the requested modification(s). It is **not** an approval of the submittal.
4. Sign and date the form.
5. Only after completing steps 1-4 above, present the submittal to ARC c/o the Community Manager. Incomplete or illegible submittals will be returned immediately to the homeowner(s).

### B. ARC Review

1. The Community Manager will forward copies of all submittals to all ARC members.
2. An ARC representative will make every attempt to make a site visit with the owner prior to the committee meeting.
3. The committee will review the submittal, adding any observations from the site visit. Additionally, any comments by adjoining property owners will be reviewed and taken into consideration.
4. If the owner wishes to meet with the Committee, any Committee meeting shall open to the public on the designated day.
5. The ARC will vote on each submittal with one of the following decisions: approved, conditionally approved, disapproved or returned for more information.  
*Note: Conditions or disapproval may be on any grounds. Any details pertaining to such a decision shall be communicated to the homeowner(s) by the Committee, in writing.*
6. The ARC will complete a standard response indicating their decision, and provide it to the Community Manager for recording and transmission to the applicant.
7. Approval of any submittal or portion thereof does not ensure approval of similar submittals, since each submittal will be considered on its own merits.

8. A properly submitted modification request, approved by the Committee, is viewed as a contract to comply with specific details, as outlined in the request. Alterations and/or deviation of a significant nature will require re-submittal.

C. Appeals/Re-submittals

1. To appeal a disapproved submittal, the owner should submit a written response including specific detailed information that clarifies why the submittal should be reconsidered. The owner may request to meet with the Committee at the next regularly scheduled meeting to further discuss the submittal.
2. Should the submittal have been disapproved on a technicality (i.e. location or height of the fence), and the owner is willing to comply with the remedy proposed in the Committee's response, then the owner need only pencil in the change(s), initial and date the change(s) and submit the document to the Community Manager. The revised submittal will then be reconsidered by the Committee. The owner will be notified of the decision, and receive a written approval citing the change(s).

D. Construction Procedures and Standards

1. For changes to existing homes or occupied properties, construction should begin at the indicated start date or within one (1) month after the date of the written approval by the ARC. Work must be completed within three (3) months after construction begins, unless an extension is requested and granted. Approval for projects that are not begun as specified above will lapse, and the applicant must resubmit the proposal or a written request for extension to the ARC.

E. Construction Procedures and Guidelines for Homeowners

1. Construction job signs: The builder may erect and maintain one job sign on the construction site. This sign shall accommodate the builder's name, the architect's name and the lot address. A permit box may also be erected. No other job signs, by subcontractors, suppliers, financing companies or other may be erected on the construction site.
2. Erosion control measures must be installed to minimize mud on the roadways and adjacent lots and sedimentation into drainage ways. The measures may need to be in excess any city or county standards. Each builder will be responsible for removing mud and any other debris in the roadways and sidewalks, whether caused by erosion or vehicles. See Appendix B for guidance.
3. All builders & contractors must control trash, litter and windblown debris by using suitable fences or containers. The ARC reserves the right to require the builder to conform to this requirement within 48 hours of notification.
4. All vehicles must park uniformly on one side of the street to prevent any obstruction to traffic flow. Each job site should have an area for contractor parking as much as practical. No construction vehicles will be allowed to be parked overnight on a street unless prior permission is given by the ARC. All job site parking shall remain a minimum of 20 feet from existing mailboxes and shall not block neighboring driveways.
5. Builder must provide adequate outside portable toilet facilities and trash receptacles for construction workers during construction. Toilets shall not be located on the sidewalks or roads.

6. Construction materials shall not be stored on sidewalks, roads or common areas. Construction debris shall be placed in piles or containers and removed regularly from the site.

F. Details for Submittals

*In some cases, many attributes or details of a proposed modification will be required for the Committee to make sound, responsible decisions. In other cases, the nature of the change will be simple and straightforward, as will be the submittal. The following items should be used as a method of describing or visually depicting the requested change (as applicable).*

1. Pictures, magazine/brochure renderings, etc.
2. Color chips or samples
3. Plot plan - top down drawing showing location of existing structure(s), property boundaries, rights of way and common areas and location of proposed change(s). Try to use the official surveyed plat received in your closing package.
4. Elevation drawings - a side view that will show height and visual image of the change. Drawings should be to scale to show a relationship to location, height, etc., with the dimensions clearly marked on all drawings. For major construction projects such as additions, sun rooms, dormers, etc., for which a hired contractor will be used, the design drawings should suffice, showing roof-lines and other such detail.
5. Written description of the types of materials to be used or a contractor's bill of materials
6. Written and/or visual depiction of construction details
7. Any other aids that will assist the Committee in their review

G. Inspection

1. The Community Manager has been directed to perform random on-site inspections to assure compliance with approved submittals. Owners are asked to cooperate during such inspections. As minimum, the owner is asked to notify the ARC within thirty (30) days of the completion of the project. If deficiencies or significant deviations are noted, the owner will be notified in writing by the ARC, with a response expected within thirty (30) days.

H. Violations

1. Violations will be handled by the ARC as described in Section VII, and in accordance with the Declaration and all applicable state statutes.

## VII. VIOLATIONS AND GANDER LAKE HOA REMEDIES

There are essentially two types of violations that must be dealt with by ARC:

- Implementing a change, addition, or deletion without approval of a properly completed submittal, and
- Deviation or noncompliance with the Restrictive Covenants, these Guidelines, or an approved submittal.

### A. Homeowner Association remedies

1. Enforcement is detailed in the Declaration of Restrictive Covenants for Gander Lake.
2. Remedies include, but are not limited to:
  - a. Suspension of voting rights and privileges
  - b. Levying of penalties as approved by the ARC
  - c. Obtaining Restraining Order to prevent action
  - d. Obtaining a Court Order to require the owner or builder to remove a project
  - e. Entering a property to remove a project at the owner's or builder's expense
  - f. Submitting a lien against the property for outstanding indebtedness to the Association for nonpayment of penalties, including any fees and court cost incurred in the enforcement of these remedies allowed by the Declaration of Restrictive Covenants and the State of North Carolina.

### B. Remediation process

1. After all attempts to resolve a violation have been exhausted, including the opportunity for an appeal before the Board of Directors; the Committee will select an appropriate remedy and notify the Board of Directors of their recommended action. The homeowner will be notified by the Board of Directors of any penalties therein.

## VIII. ARCHITECTURAL GUIDELINES FOR FENCING

It is the intention of these guidelines to allow specific types of fencing so that the owner has the option of creating an enclosed or semi-enclosed background for privacy, security, protection of small children, or the restraint of pets.

The ARC shall review all proposed fence locations and details and shall have the final approval of any fence. The ARC also retains the right to grant variances. Each case shall be reviewed on an individual basis. The board shall evaluate the environmentally-sensitive, compatible, functional and aesthetically pleasing qualities of the fence design. High-quality materials and construction methods shall be employed. The following architectural guidelines for fencing will assist the committee and protect the total development.

### A. General Guidelines

1. All fence designs or proposals shall include the following information:
  - a. The proposed fence style must be chosen from the approved *Standard Fence Details and Specifications*. See Appendix A.
  - b. Any deviation from the *Standard Fence Details and Specifications* shall be submitted with a photograph, detailed section and elevations to scale, or a rendering of the proposed fence.
  - c. All proposed material types shall be stated.
  - d. A plot plan of the lot showing all existing buildings, drives, walks, natural area or specific tree locations of the fence or fences with exact dimensions to property lines or right-of-ways. All roadway buffers and common areas shall be shown on this plan. The plot plan should be drawn on 8½" x 11" sheet with horizontal scale of 1" to 30'; a legal plat drawing may be used in lieu of a drawing.
  - e. Landscape planting plans for the purpose of screening the fencing as required along specific roadways within Gander Lake shall be submitted for review and approval. Plant types, sizes and spacing shall be described and or graphically illustrated on the required fencing site plan.
  - f. All proposed fencing shall be flagged or staked in the field for review by the ARC, if requested.
2. No trees of significant size (6" diameter or greater) shall be removed during the installation of the fence without prior approval of the ARC.
3. Variations or deviations in the *Standard Fence Details and Specifications* may be considered by the ARC on a case by case basis. Design consistency, architectural compatibility, fence placement, intent and purpose shall be important factors for granting a variance.
4. No fence shall run adjacent or parallel to any pond or lake edge unless a minimum fifteen feet (15') offset from the body of water is maintained. The ARC retains the sole discretion of requiring an increased set back as is deemed necessary on a site-specific basis. Existing topography, vegetation, flood plain and/or adjacent lot relationships are factors to be analyzed in determining an additional set back requirement.
5. All fencing along roadway buffers shall be set back from the recorded property line a minimum of five feet (5') to allow sufficient room to install and maintain the necessary landscape screening required. Evergreen plant material to be planted on minimum 5' centers, to be installed at an initial height of 24" to 30", reaching a mature height of 48" or greater within four (4) growing seasons. This material shall be planted along the exposed or right-of-way side of the proposed fence.



6. All interior lot fencing shall be no higher than 60" above natural grade, unless otherwise approved by the ARC, See Appendix A – *Standard Fence details and Specifications*.

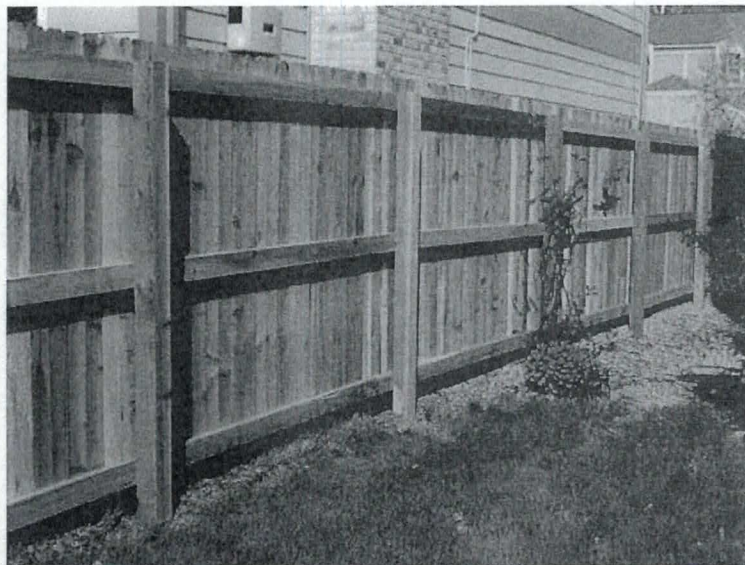
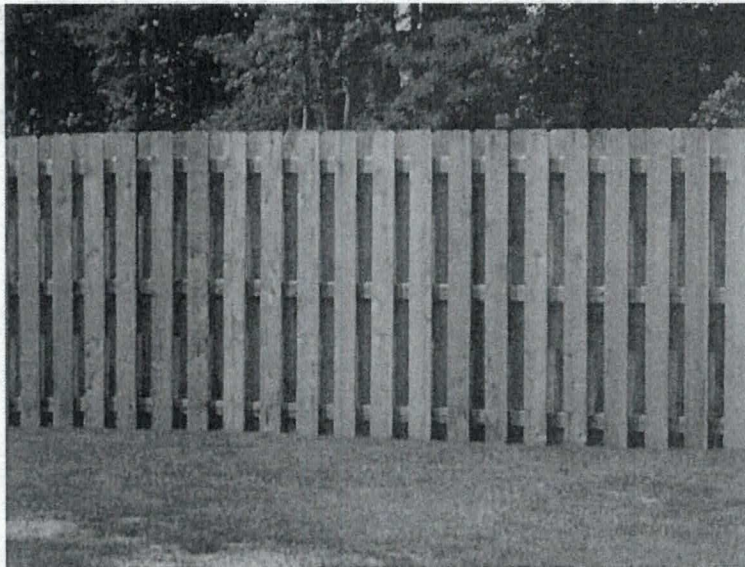
B. Gander Lake Neighborhood fence restrictions

1. No fencing made of concrete block
2. Wire fences including but not limited to, what is commonly known as “chicken wire” shall NOT be permitted in any location on any lot.
3. Fencing in the rear of the house, on interior lots must be attached to the rear corner of the house and must extend to the side lines of the lot.
4. Fencing in the rear of the house, on corner lots, must extend from rear corner of the house to the side street and extend to the rear lot line. On the opposite corner, the fence can extend to the interior side property line before turning to the rear lot line.
5. Rear fencing may be of type A, B, or C unless a variance has been approved by the ARC.

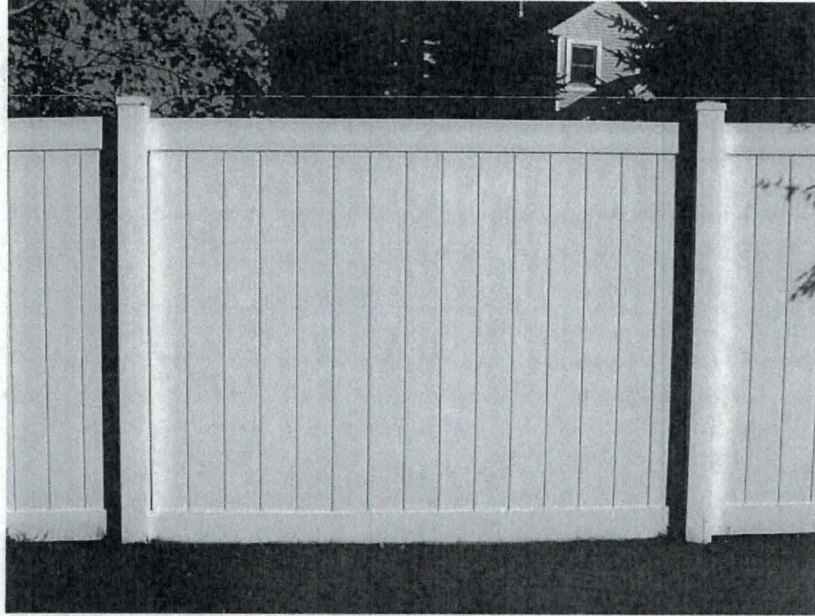
## Appendix A

### Standard Fence Details and Specifications

Type A - Solid Wood Fence (cannot exceed six feet (6') in height)



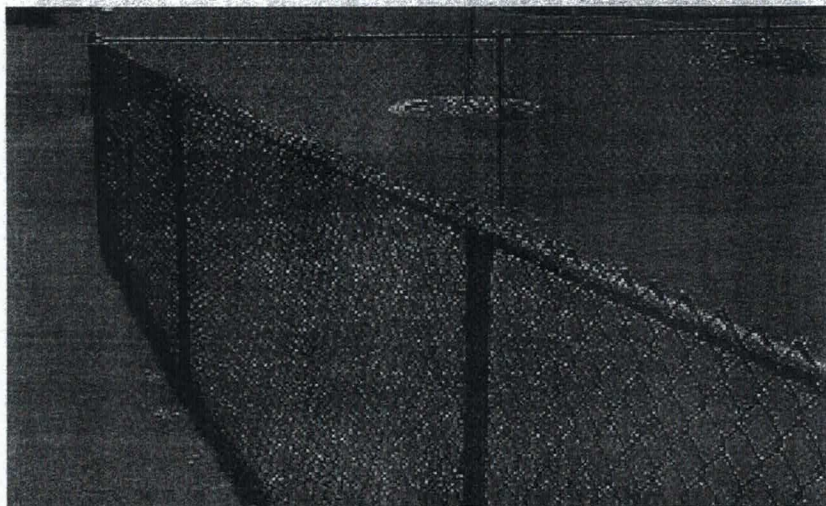
Type B - White Vinyl Fence (*cannot exceed six feet (6') in height*)



Type C - Black Aluminum Fence without finials  
(*cannot exceed five feet (5') in height*)



Type D - Black Chain Link Fence  
*(cannot exceed four feet (4') in height)*



## APPENDIX B

### Stormwater Runoff Mitigation and Control

Federal, State and local authorities have identified storm water runoff as a significant contributor to stream and drinking water supply contamination and pollution. Gander Lake Subdivision is in direct proximity to streams that feed into local reservoirs thus control of stormwater runoff from construction activities must be instituted.

1. When planned construction activity will be disturbing the natural ground cover vegetation, a "Stormwater Runoff Mitigation and Control Plan (SRMCP)" must be submitted to the Architectural Control Committee (ARC) at the same time as the initial request for construction approval.
2. The installation of the SRMCP shall precede any disturbance of the natural ground cover. An exception may be granted for the logging of wooded lots prior to the start of construction but the SRMCP shall be installed immediately after the logging is complete and prior to the removal of stumps. If logging is to be conducted by bulldozing of the trees or similar practice, then the SRMCP shall be in place prior to the start of any clearing operations.
3. Minimum SRMCP shall include silt fencing, installed rock drive access to the construction area, and wire rock basket protection of at least the two down-slope curb inlets from the construction site.

#### A. Silt Fencing Requirements:

Silt fencing shall be installed in accordance with the manufactures instructions. Special care shall be taken to ensure a tight contact with the natural ground to prevent silt runoff underneath the fencing. It is preferable that silt fencing shall be installed around the complete perimeter of the lot for new construction, however, if some sections of the lot are wooded or will be undisturbed during the construction, these areas need not be included within the silt fencing perimeter. In construction areas with a 4 to 1 slope or greater, retention pools shall be excavated and incorporated into the perimeter silt fencing to collect runoff pollutants. These retention pools will be excavated as necessary when their retention volume is reduced by half.

Removal of silt fencing shall not be permitted until an area at least 5 feet wide has been stabilized by planned vegetation and mulching and/or a minimum stand of 2 inch vigorous growing grass or sod has been placed inside of the perimeter silt fence. As soon as the natural vegetation perimeter is established to mitigate the stormwater runoff the contractor shall request ARC approval to remove the perimeter silt fencing.

B. Site access Requirements:

Construction equipment and vehicles entering and leaving the site frequently track soil and other pollutants onto the local roadway system. To mitigate this event, the contractor shall establish a rock covered exit point from the construction site to be used by all vehicles. This exit point from the construction site shall be a rock roadway a minimum of 50 feet long composed of 1 ½ to 4-inch clean rock (no fines) beginning at the curb line or adjacent roadway. If in the opinion of the ARC, the rock roadway becomes filled with soil and is no longer effective in preventing pollutants from the construction site reaching the local roadway system, the contractor shall restore the rock roadway to its original effectiveness immediately. The contractor shall monitor the local roadway system daily and mechanically remove any pollutants from the roadway that have been tracked there from the construction site. Flushing the roadway with water without first mechanically removing any tracked pollutants will not be permitted.

C. Curb Inlet Protection Requirements:

The contractor shall be responsible for protecting the existing Stormwater Collection System from receiving pollutants from construction sites under the contractor's control. Every effort shall be made to contain pollutants from the construction site on the site. To mitigate any effect of pollutants not contained on the site, the contractor shall make and install wire baskets containing 1 ½ to 4-inch clean rock at all curb inlets on both sides of the local roadway that may be affected by runoff from the construction site. These wire rock baskets shall be maintained in working order by the contractor until such time that the ARC gives permission to remove the perimeter silt fence. At that time the wire rock baskets shall be removed by the contractor.