

Woodwind HOA Rules and Regulations

Revision Date*: 2015

(Confirmed as Current by Board on 7/8/21)

The following reasonable Rules & Regulations (the “RRs”) are hereby adopted by the Association through its Board for the purposes more particularly described within the Restated Declaration of Woodwind drafted January 1, 2013, (the “**Declaration**”).

The Association expressly reserves the right to adopt additional RRs, or to subsequently change, modify, amend, or repeal any RRs now existing or adopted in the future.

No RRs shall be adopted or be enforceable which are contrary to the express terms and provisions of the Declaration.

RRs apply equally to all members of the Community. A violation of any RRs shall be deemed a violation of the Declaration for which the Association through its Board shall have the full power and authority to seek any and all available remedies provided therein or otherwise by law.

For reference purposes only each RR below may be numbered in order to refer the reader to a relevant or corresponding provision within the Declaration provided such numbering shall not be used to construe the meaning of such RRs.

3.7 Signs:

3.7a Team flags no larger than three (3) feet by five (5) feet in size may be displayed on game day.

3.7b “For Sale” real estate signs no larger than thirty six (36) inches by twenty four (24) inches may be displayed on for-sale property only.

3.8 Exterior Signs:

3.8a Lighting used occasionally and briefly, such as floodlights that provide lighting for guests, is permitted.

3.8b – Christmas / Holiday lighting and decorations are permitted between Thanksgiving and January 15th of the following calendar year.

3.9 Vehicle Repair/Restoration, Storage, and Parking:

3.9a – Temporary parking is allowed for a limited period of time to the extent reasonably necessary to accommodate guests.

3.9b – Parking or storage of vehicle(s) or recreational equipment on a lot that does not have a dwelling is prohibited.

3.10 Pets:

3.10a Pets shall not be allowed to become a nuisance to other property owners as set forth in section 3:15 of the covenants. Dogs shall not be allowed to run free in the neighborhood and shall be leashed or otherwise under the control of the owner, some member of the owner’s family or some other responsible person with the owner’s permission. Pet’s waste must be cleaned up by the owner or person who is in charge of the pet if the waste is deposited on someone else’s property or is otherwise in plain view on the road or road right of way.

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3.13 Temporary Structures:

3.13a - Tents or other temporary shelter used for recreational purposes only are permitted for a limited period of time as may be defined hereafter by the Board.

3.13b - Campers or motor homes parked for the purpose of preparing, loading or unloading when being used by a resident for a travel vacation is permitted for a limited period of time as may be defined hereafter by the Board.

3.14 Unsightly or Unkempt Conditions:

3.14a – Depositing of trash or abandoned appliances, vehicles or other items anywhere in the community is prohibited.

3.15 Nuisances Prohibited:

3.15a All outside burning must be attended at all times, conducted in a safe manner with the fire contained, the area around the fire cleared of all flammable material, and a source of water or a suitable fire extinguisher available within reach.

3.18 Lease Restrictions:

3.18a The minimum term of any lease shall not be less than twelve (12) months, provided any hold over of any lease by the same tenants thereafter shall be deemed an extension of the original lease term for purposes of this RR.

7.0a Woodwind Construction and Modification Standards

7.0b **General:** In order to maintain the existing quality in Woodwind's architecture and environmental appearance, the following standards are established. It is one of the Architectural Control Committee's (ACC) objectives to approve those requests that are harmonious with existing architecture and environmental surroundings and in compliance with these standards. Another objective of the ACC is to prevent unusual, radical, curious, odd, bizarre, peculiar or irregular structures from being erected in the Community. It is the intent of the ACC to restrict the construction allowed upon each lot to no more than one single-family dwelling.

7.0c **Dispute, Arbitration and Enforcement:** The Board of Directors shall have the authority to enforce decisions of the ACC and shall be the arbitrator in the case of a dispute or no decision.

7.0d **Parameters:** To assure compliance with these standards there shall be no construction or modification of any structure, including site preparation, clearing, excavation, tree removal in excess of five (5) inches diameter (except dead or obviously hazardous trees), changing of exterior color, exterior remodeling, or additions without prior approval from this committee.

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7.0e Construction Type and Style:

7.0e(1) Structures shall be limited to single-family dwellings with a garage. No mobile trailers or mobile homes, roundels, geodesics, condominiums, townhouses, duplexes, apartments, or apartment complexes shall be permitted.

7.0e(2) Structures must be set on a permanent exterior wall foundation. Exterior pillar foundations will not be approved for a family dwelling.

7.0e(3) Modular construction must meet or exceed the North Carolina building codes for such structures, and be built by a contractor licensed by the North Carolina Board of General Contractors.

7.0f Plans and Requests:

7.0f(1) Requests for additional information may be cause to extend the committee's 30-day review period. Requests for additional information from the Chair must pertain only to these standards. Failure to respond to a committee request may constitute grounds for denial. Such denial will be communicated in writing to the requester. No response from the committee within the 30-day period will constitute approval.

7.0f(2) Descriptions of the project must be presented to the committee. Information may be submitted in the form of drawings, elevations, color samples, product literature or written descriptions. In addition to requirements outlined in this document, other information concerning tree removal, drainage plans, environmental impact, building footprint and structure site may be required if pertinent to the project. Comments for adjacent neighbors may also be required.

7.0f(3) Documentation of plans and requests will remain on file with the Woodwind Community Association. Only the portion of blueprints containing information relevant to these standards will be kept on file.

7.0g Height: No more than two (2) stories, excluding basement, will be permitted with the entry being no more than 40 inches above finished grade at the finished floor level. An attic will be considered a story when accessible by a fixed stairway and / or has seven (7) foot clear height for greater than fifty percent 50% of the floor area immediately below said attic.

7.0h Size: For new construction the minimum living area for the structure is 1,500 feet, excluding open porches, garages and basements. The minimum ground level living area of two (2) story structure is 1,000 square feet, excluding porches, garages and basements.

7.0i Roof: The roof pitch shall be a minimum of 5-in-12 but not to exceed 12-in-12. Roof colors shall be muted tones.

7.0j Location / Site: The drip line of any structure shall be no closer than 15 feet to an interior parcel line.

7.0k Color: All structures must be of muted tones.

7.0l Footprint: No more than ten (10%) percent of a parcel shall be covered by a structure.

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7.0m **Environmental Impact:** No more than twenty 20% of a parcel may be covered with impervious material, including the structure.

7.0n ****Tree Cutting and Trimming:** The cutting, felling, topping or major limb removal of any tree with a diameter of more than five (5) inches must be approved by the ACC. (The five (5) inch diameter is measured at 4.5 feet above the forest floor on the uphill side of the tree.) A tree cutting plan or ACC “walk through” must be completed prior to any construction or tree cutting or removal.

7.0p – ****Fences:**

7.0p(1) Fences in front of houses are discouraged; however, they are permitted provided they comply with the following standards and are in harmony with the informal nature of the development:

- Fences shall be only decorative of rustic, split rail construction.
- They shall be no more than four (4) feet high,
- The posts shall be no less than six (6) feet apart, and
- They cannot be used to contain any animals.
- No solid fences or walls are permitted.

7.0p(2) Fences, intended as barriers (against animals, etc.), shall be wholly behind the rear line of the main dwelling structure, at least 20 feet from any adjacent lot or roadway and not visible from the road or neighbors. The ACC must approve all such fences before construction.

7.0p(3) Any variance from the above rules must be approved by the Architecture Control Committee or the Board of Directors.

****Applications made to the ACC related to trees and/or fences shall be made using the attached “approval for Tree Cutting and Fences” form.**

**Since no updated/current digital copy of these RRs could be found, this version was created by updating the 2013 digital version with modifications shown on available paper documentation of Board Meeting Notes for 5/22/2014 and available paper copies of “Rules and Regulations - 2015”.*

Jim Brobst, Board Member, 2021

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WOODWIND COMMUNITY ASSOCIATION APPROVAL FOR TREE CUTTING AND FENCES

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If you wish to cut trees (except dead or obviously hazardous trees – **Rules & Regulations 7.0d**) or install a fence on your property, before proceeding, please obtain the signatures of neighbors whose outlook will be impacted and give the completed form to the Current Board President or to a member of the Architectural Control Committee.

Woodwind Association may impose fines on property owners who fail to obtain approval.

The cutting, felling, topping or major limb removal of any tree with a diameter of more than five (5) inches must be approved by the ACC. The five (5) inch diameter is measured at 4.5 feet from above the forest floor on the uphill side of the tree. A tree cutting plan or ACC “walk through” must be completed prior to any construction or tree cutting or removal. (**Rules & Regulations 7.0n**)

Property Owner: _____ Date: _____

Property Owner’s address/Lot #: _____

Description of Job (please include or attach diagram):

Signatures of Neighboring Property Owners whose outlook may be impacted: (Neighbor input may be considered but shall not be determinative. Neighbors with specific objections should submit their concerns in writing to the Board):

	Neighbor approval? (Initial)
Neighbor No. 1: _____	Yes___ No___
Neighbor No. 2: _____	Yes___ No___
Neighbor No. 3: _____	Yes___ No___

Approved: _____ Date: _____
Chairman Architectural Control Committee

OR

Approved: _____ Date: _____
Woodwind Board of Directors President

NOTE: This approval shall expire 12 months from date of approval per Declaration of Covenants 7.6 which states: ...all landscaping shown on plans submitted to the ACC must be completed within one year....