

*Monroe Crossings*  
*Homeowners Association, Inc*

**ARCHITECTURAL RESTRICTIONS  
AND  
DESIGN AND DEVELOPMENT  
GUIDELINES**

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**This Instrument Prepared By:  
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**MONROE CROSSINGS HOMEOWNERS ASSOCIATION  
DESIGN GUIDELINES**

The following standards have been developed and promulgated by the Declarant in accordance with Article IX, Section 9.2.1.2 of the Declaration and are applicable to all new construction and all modifications or improvements. Except for specific City of Monroe requirements as set forth in the PUD Plan, these Design Guidelines are not part of the Declaration and can be amended by the Declarant or the Association without a vote of the Owners. The City of Monroe requirements are underlined herein.

**NOTE: PRIOR PLAN APPROVAL IS REQUIRED ALL STRUCTURES OR IMPROVEMENTS PLACED ON THE LOT BY THE HOMEOWNER, INCLUDING BASKETBALL HOOPS, PLAY EQUIPMENT, STORAGE BUILDINGS, SWIMMING POOLS AND FENCES. ANY REFERENCE TO APPROVAL OR CONSENT IN THESE GUIDELINES SHALL MEAN APPROVAL BY THE DECLARANT OR THE ASSOCIATION IN ACCORDANCE WITH ARTICLE IX, SECTION 9.2.1 OF THE DECLARATION.**

**GENERAL GUIDELINES APPLICABLE TO ALL LOTS**

**House Placement and Yard Grading.** Dwelling Units shall conform to existing grade and drainage patterns. Each Owner and/or Builder shall endeavor to retain as much of the natural woods as is practical. Builders shall be responsible to regrade the Lot to conform the drainage plan approved for the subdivision.

The following guidelines shall be used in determining placement with respect to style and elevations:

- a. There must be a minimum of a two different homes separating like front elevations on the same side of the street. Optional items, such as full porches and pediment front foyers, may be used to establish the differences.

**Dwelling Type.** No building shall be erected, altered, placed or be permitted to remain on any Lot other than one single-family dwelling and a garage for at least two cars. A single-family dwelling shall meet the following requirements:

- a. A one story dwelling structure, the living area being the first floor space only, constructed with a basement and a space between the first floor ceiling and the roof of inadequate heights to permit its use as a dwelling place.
- b. A story and a half or "Cape Cod" dwelling structure, the living area of which is on two levels connected by a stairway and constructed with a basement. The upper level is constructed within the gable portion of the roof. Window penetrations are made by use of dormers.

- c. A two-story dwelling structure, the living area of which is on two levels connected by a stairway, constructed with a basement.

**Foundations.** No more than Two (2%) percent of the Dwelling Units may be constructed on a slab foundation. A variance may be granted in certain hardship situations, including but not limited to, geotechnical conditions rendering the construction of a basement impractical at reasonable costs and/or Dwelling Units designed for handicapped or disabled occupants.

**Setbacks, Sideyards.** All Dwelling Units shall be located in accordance with the building setback lines, minimum basement elevations and yard requirements as shown on the Record Plan. The Owner and Builder shall be responsible for compliance with these standards. The Declarant shall not be responsible for any failure to comply with these standards. The definition of front, side and rear yards shall be the same as designated in the City of Monroe Zoning Ordinance. The standard for each section are set forth below.

**Roof.** All Dwelling Units shall be constructed using a minimum 5/12 pitched roof design including the roof area located over the garage. The roof area located over the porch and entrance portions of the Dwelling Unit may be constructed using a minimum 4/12 pitch design. All shingles on each Dwelling Unit shall be of a uniform color.

**Roof Overhangs.** A minimum overhang length of twelve (12) inches shall be provided over all faces of the exterior walls of a dwelling.

**Living Areas Below Grade.** All potential below grade living areas shall be constructed with poured concrete walls.

**Siding Materials. One And A Half And Two-Story Dwellings.** All one and a half and two-story Dwelling Units shall conform to the following building material and architectural specifications. The entire first floor portion of each Dwelling Unit shall be constructed of the following materials: brick, stone, cultured stone, cement siding, Hardy plank, and stucco and dryvit materials. All other exterior wall areas of the Dwelling Unit may be constructed of other building materials. The areas of the Dwelling Unit expressly excluded from the materials stated above are expressly limited to: the exterior wall area above the first floor on the front and side exteriors of the Dwelling Unit and any exterior areas of the dwelling where normal building practices prohibit the use of the materials stated above: (gas fireplace insert cantilever, gables, overhangs, kitchen and other bays, and other types of protrusions that are not reasonably practical to use the materials stated above).  
**NOTE: THIS PROVISION HAS BEEN MODIFIED FROM THE CITY REQUIREMENT TO IMPOSE A STRICTER STANDARD.**

**Siding Materials. One Story Dwelling Units.** All one-story Dwelling Units shall conform to the following building material and architectural specifications. The entire exterior wall area of a one-story Dwelling Unit consisting of the front, sides and rear walls

shall be constructed of the following materials: brick, stone, cultured stone, cement siding, Hardy plank, stucco and dryvit materials. The areas of the Dwelling Unit expressly excluded from the materials stated above are expressly limited to: any exterior wall areas of the Dwelling Unit where normal building practices prohibit the use of the materials stated above including: (gas fireplace insert cantilever, gables, overhangs, kitchen and other bays, and other types of protrusions that are not reasonably practical to use the materials stated above).

**Garages.** A minimum two car garage is required. Detached garages of any size are not permitted. All overhead garage doors shall be constructed using a raised panel door design.

**Windows and Doors.** No Dwelling Unit shall be constructed with aluminum windows or aluminum primary exterior doors.

**Yards, Driveways and Walks.** Front yards shall be grass and landscaped as soon after completion of the Dwelling Unit as is practical under weather conditions. Rear Yards shall be defined as that portion of the Lot which is behind the rear elevation of the Dwelling Unit extended to each Lot line. All driveways shall be paved with concrete, paver bricks or paving stone. Gravel, asphalt or dirt driveways are prohibited.

**Underground and Log Houses.** Underground and log structures are prohibited.

**Porches, appendages and additions.** No porches, appendages, or additions shall be permitted unless they are of a size, style, color and type compatible with the original design of the house and shall match the house material and coloring exactly. Porches, appendages or additions must be integrated into the design of the house. Compatibility shall be at the discretion of the Declarant or the Architectural Review Committee.

**Front Storage.** No front porch shall be used for the storage of any items except normal porch furniture. No front yard shall be used for the storage of any item of any kind.

**Awnings.** No metal or plastic awnings for windows, doors, decks or patios may be erected or used. Canvas awnings may be used subject to prior approval of size, color, location and manner of installation for the particular lot in question.

**Solar Panels.** No solar panels shall be permitted.

**Chimneys.** Any direct vent chimney and / or furnace flues, hotwater heater or any other flues shall be vented only to the rear or side of the Dwelling Unit. The entire exterior areas of chimneys used for masonry wood-burning open flame fireplaces shall be constructed of the permitted exterior materials provided for above.

**Water Discharge.** Storm water must be disposed in accordance with the drainage plan for the subdivision and city regulations. Sump drain and downspouts must discharge to the rear of the lot or the sump drain line provided. Curb cuts and or discharge to the street of right-of-way or curb is prohibited.

**Skylights.** Skylights may be used on a back roof facing the rear of a lot. Other locations may be approved for a contemporary design house depending upon the design and the particulars of the lot.

**Entrance Structures.** No additional driveway entrance structures shall be permitted.

**Pools.** No above ground swimming pools shall be permitted, except that small portable “kiddie” pools shall be permitted in Rear Yards so long as said pool is not in place for more than seventy-two (72) consecutive hours. In-ground swimming pools must be pre-approved as to style and may only be placed in an approved location in the rear yard which is at least ten feet (10’) from any property line and does not unreasonably hinder the flow of surface water on the Lot. Pool equipment shall be placed in a location approved by Declarant and screened in such a manner so as to provide minimum visual impact from the street and other Lots.

**Swing Sets & Playground Equipment.** The process for approval for appurtenant structures shall include a review of the following criteria:

- Size of the structure
  - Structure Materials
  - Color
  - Location - Including Visibility from Street and Adjoining Lots
  - Affect of Use - Including Noise/Endangerment, Etc.
  - Written approval requests must be accompanied by a sketch containing all of the above information.
- a. **Size** The base area of the equipment shall be confined to a rectangular area of 300 square feet or less. Equipment shall not exceed more than 12 feet in height.
  - b. **Materials** The principle part of the structure shall be of wood and polyvinyl only. Steel parts may be included. Plastic parts such as swing seats, slides, rings, etc., are permitted. Canvas or plastic tent canopies are permissible.
  - c. **Metal Swing Sets.** Are prohibited.
  - d. **Color.** The structure may be left a natural wood color or stained an earth tone color.
  - e. **Trampolines.** May be prohibited on certain Lots where the structure would be visible from the street. Landscaping may be required.

- f. **Location.** Structures shall be a minimum of 15 feet from any property line on regular lots. On corner lots the structure shall be a minimum of 15 feet from any property line and 15 feet behind the building line on the street side of the lot. In all other cases, the structure shall be a minimum of 20 feet behind the house.
- g. **Landscaping.** The Declarant or Board of Trustees may require as a part of an approval the placement of evergreen trees or other screening, especially on corner lots.

**Compost Bins.** Compost bins may be utilized under the following conditions and limitations.

- a. **Size.** Animal proof compost bin with hardware cloth (screened) on all framed surfaces with a lid: 4' high by 3' wide by 3' deep. Stackable slat and portable Lehigh-type compost bin: 4' high by 5' deep by 5' long. Three compartment multi turning unit compost "Bio" bin with or without a lid: 4' high by 3' deep by 9' long.
- b. **Materials.** Non-commercial compost bins may be constructed of pressure treated lumber, treated rough cedar, and screened with hardware cloth, 2" x 2" welded galvanized dog wire or wire fencing.
- c. **Color.** Non-commercial bins may be left a natural treated wood color, stained an earth tone color, or stained to match the primary structure's (house) exterior wooden deck.
- d. **Location.** All compost structures shall be a minimum of 15 feet from any property line on regular lots. On corner lots the structure shall be a minimum of 15 feet from any property line and 15 feet behind the building line on the street side of the lot. In all other cases, the structures shall be a minimum of 20 feet behind the house. Special locations can be approved on an individual basis by the Board.
- e. **Landscaping.** The Declarant and/or Architectural Review Committee may require as a part of an approval the placement of evergreen (non-deciduous) trees or other screening around the perimeter of the compost structure especially on corner lots. Trees or screening should be located at least two feet from the bin on all sides to allow adequate spacing for air circulation.

(MASS PRODUCED COMPOST BINS OR CONTAINERS)

- a. **Size.** This structure's dimensions may not exceed 40" tall by 36" in diameter.
- b. **Materials.** Mass produced compost bins may be constructed of polypropylene, plastic, galvanized woven welded wire, dog-wire or wire fencing.
- c. **Color.** Green or black
- d. **Location.** All compost structures shall be a minimum of 15 feet from any property line on regular lots. On corner lots the structure shall be a minimum of 15 feet from

any property line and 15 feet behind the building line on the street side of the lot. In all other cases, the structures shall be a minimum of 20 feet behind the house. Special locations can be approved on an individual basis by the Board.

- e. **Landscaping.** The Declarant and/or Architectural Review Committee may require as a part of an approval the placement of evergreen (non-deciduous) trees or other screening around the perimeter of the compost structure especially on corner lots. Trees or screening should be located at least two feet from the bin on all sides to allow adequate spacing for air circulation.

**Pool Pump Buildings, Sheds and Storage Buildings.** Pool Pump Buildings shall be permitted as an accessory to an approved in-ground pool. Such structures do not exceed 120 square feet in size and must be constructed with shingles and siding to match the Dwelling Unit. No structure may be located within ten (10) feet of the Lot line. **Storage sheds, outbuildings, storage buildings, whether attached or unattached, shall not be permitted.**

**Basketball Hoops.** No basketball hoop or goal/goal system may be placed on any lot, regardless of location, unless its specifications and location are in strict compliance with the below guidelines:

- a. **Specifications.** In general, any commercially available in-ground or portable goal/goal support systems will be acceptable, provided it is designed for location/use or in-ground installation outdoors and meets the strict requirements set forth in these guidelines. No home-made components are permitted. Backboards must be clear. Remaining components must be black or in subdued colors, so as to blend in with the surroundings as much as possible. All goals must be properly maintained at all times. Any backboard or goal components that become broken, damaged or in need of maintenance, must be repaired, replaced or removed within 10 days of occurrence of the condition requiring maintenance. In addition to meeting all of the above requirements, portable basketball goal systems must be stabilized by filling the base with water or sand, according to the manufacturer's instructions. All other forms of weighting are prohibited. Any lighting for the goal, if present, must be directed away from any neighboring dwelling, patio or deck areas.
- b. **Plan Approval.** Homeowners wishing to install an in-ground basketball goal must first complete and submit an Architectural Improvement/Modification Plan Application (available upon request) to the Declarant and/or HOA Board, along with the required specifications outlined on the application, for approval. Portable basketball goals meeting all requirements as specified in these guidelines do not require an Architectural Improvement/Modification Plan Application. An example of both in-ground and portable basketball goals and additional clarification is available upon request. The Declarant and the Association Board/Committee reserve the right to restrict in-ground goal installation where its presence would adversely impact the aesthetics of the community (example; corner lots). Any portable or in-ground goal that does not meet the required specifications will be considered in non-compliance of these guidelines.

- c. Location. No backboard, hoop, net, pole, or other backboard support structure, or any combination of these may be attached to any dwelling or garage. Basketball goals not located or installed on or immediately adjacent to a driveway (so that users would use the driveway as their playing surface) must be located behind the rear elevation line of the house. On corner lots, all goals (in-ground and portable) must be located at least fifteen (15) feet back from the setback line on the "side" yard adjacent to the street. All (in-ground and portable) goals must be located at least ten (10) feet back from any property line. No more than one piece of basketball equipment, to include the backboard, hoop, net, pole, and pole support system/base used in combination as one system, or any one or more of these items used separately by themselves, will be permitted on any property. **No goal shall be located in such a way that the street or sidewalk is part of the play area.**
- d. Use. Use shall be limited to reasonable play hours depending upon seasons. No use will be permitted after 11 pm, nor earlier than 9:00 am. The Board shall have the right to set different hours in the event that use creates an unreasonable disturbance.

**Air Conditioning and Heat Pump Equipment.** Air conditioning and heat pump equipment shall be located in side yards or Rear Yards. To the extent reasonably possible, such equipment shall be screened from view in a manner approved for each particular lot.

**Fencing.** No fence of any sort, may be erected until prior approval has been obtained. Standard chain link and/or perimeter privacy fences shall not be permitted. Fences may be erected only in the Rear Yard. Privacy fences will be permitted around pools, patios and spas. All swimming pool fencing shall be reviewed on an individual basis in accordance with general standard hereinafter set forth. Decorative fencing will be reviewed upon an individual basis considering the visual impact on surrounding lots. Partial fencing/screening sections/panels for the use to conceal trashcans (**ONLY**) from public view will be permissible on the side of the home, provided it meets the following specifications: Fencing/screening must be constructed of quality vinyl or treated lumber, subdued in color matching the house, placed between the mid to back portion against the house (front corner placement will be reviewed on an individual basis considering the visual impact on surrounding lots and will require corner landscaping plans), three (3) feet from the side property line. No fence/screening panels can exceed six (6) feet in height, eight (8) feet in side length, and no more than 13' total, if enclosing structure with three (3) sides. All fencing must be properly maintained at all times. Any fencing that becomes broken, damaged, or in need of maintenance, must be repaired, replaced, or removed. The Declarant and the Association reserve the right to restrict fencing in areas where its presence would adversely impact the aesthetics of the community. No fencing in excess of six (6) feet in height will be permitted.

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



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

B. **Permitted Locations.**

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

C. **Continued Maintenance.**

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

**Landscaping.** Landscaping and normal lawn are required around all houses.

**Lot Maintenance.** All lots must be kept mowed and free of debris and clutter. During any construction, each Owner and Builder shall be responsible for keeping the streets and adjacent lots clean and free of debris. No fill material shall be dumped on any lot except within five (5) days of commencement of construction. The Association shall have the right to assess any owner for the costs of mowing or clean up in the event that the owner fails to do so.

**Lot Grading.** The Builder and Owners shall be responsible to regrade the Lot in accordance with the grading plan as approved by the City of Monroe Engineer. Any deviations from such plan must be preapproved by the City Engineer and the Developer.

**Mailboxes.** All mailboxes must be of standard design.

**House Numbers.** House numbers must be placed on all mailboxes.

**Exterior Lighting.** Plans showing sufficient detail as to size, wattage and type of bulb to be used in the exterior lighting must be submitted to the Committee prior to installation. Exterior lighting must be directed in such a manner so as not to intrude into neighboring lots and houses.

**Builder Signs.** A Builder may place a standard real estate “for sale” sign on any Lot that the Builder has acquired or is under contract to acquire. No larger signs will be model at a location approved in advance by Declarant.

**Discretion.** Any discretion to be exercised in the review of plans shall be that of the Committee.

**Variations.** The developer or the committee may grant variations from these guidelines if such variance will not be of substantial detriment to adjacent lots and will not materially impair these guidelines and the overall best interest of the subdivision.

**Right to Modify Guidelines.** The Developer reserves the right to modify these guidelines, provided however, that no such modification shall be made that will materially and adversely affect the overall character of the properties as a first class development.

#### **GUIDELINES APPLICABLE TO SIXTY-FIVE FOOT LOTS**

**Dwelling Unit Size.** Dwelling Units must be at least 1300 square feet for a one story Dwelling Unit, and 1500 square feet for all other Dwelling Units.

**Setbacks, Sideyards.** Except where the Record Plan provides otherwise all setbacks and sideyards shall be as follows:

Front:	As per Record Plan
Side:	7.5' Minimum, total of 15'
Rear:	30'

#### **GUIDELINES APPLICABLE TO EIGHTY FOOT LOTS**

**Dwelling Unit Size.** Dwelling Units must be at least 1500 square feet for a one story dwelling, and 1750 square feet for a one and a half or two-story Dwelling Unit.

**Setbacks, Sideyards.** Except where the Record Plan provides otherwise all setbacks and sideyards shall be as follows:

Front:	As per Record Plan
Side:	10' Minimum, total of 20'
Rear:	30'