

Nottingham Forest South Restrictions Overview

Animals & Dog Houses	No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot except that dogs, cats and other common household pets may be kept so long as are not kept, bred or maintained for commercial purposes and do not constitute a nuisance to the neighbors or neighborhood. Subject to any more restrictive law or ordinance, in no event shall more than three dogs or cats, or combination thereof, be raised kept or maintained on any Lot.. All outside doghouses and other animal shelters or runs shall be located in the back yard, shall be up against or within two feet of the residence, shall be painted (where appropriate) the same color as the residence and shall have roofs (where appropriate) that are compatible with the residence. Dog or animal runs are not permitted.
Basketball Goals	Goals shall be placed in the front of the house on the driveway. All backyard goals will be judged by the ARC on a case-by-case basis. Goals shall not be attached to the house. Goals located in the front of the house shall not be located closer than ten (10) feet of the sidewalk. All goals shall be installed (not portable) and set in concrete, detachable, and at the same level as the driveway adjacent to the goal. All goals shall have a clear backboard without decals, except for those applied by the manufacturer. All goals shall have a black or dark green pole and be maintained properly. Nets, backboards, poles and rims shall be maintained in good working condition. No lights for the goal should be allowed. Hours of play: play shall cease after sunset and shall not commence before 9:00 a.m. All equipment including balls shall be properly stored inside of the residence each evening. No permanent markings will be allowed. Goals that cannot be located in the front of the house due to sloping conditions and as determined by the ARC shall be considered for installation behind the back building line of the house. All basketball goals shall be consistent with the standard designs and materials to be selected by the Architectural Committee. All backboards shall be clear or painted white and all poles shall be a neutral color. There shall be only one basketball goal per Lot.
Common Areas	No owner shall improve, destroy or otherwise alter any Common Area without the express written consent of the Approving Party.
Construction	Prior to starting any exterior construction on the Lot, the Architectural Committee must first be notified and approve the request for modification. No building shall be permitted to stand with its exterior in any unfinished condition for longer than five months after commencement of construction. In the event of vandalism, fire, windstorm or other damage, no buildings shall be permitted to remain in damaged condition for longer than three months.
Deck	Prior to removing, adding, or changing an exterior deck, patio, gazebo, etc, the Architectural Committee must first be notified and approve the request for modification.
Doors	All exterior doors and louvers shall be constructed of wood, metal clad and wood laminate, colored metal (other than silver) and glass, or any combination thereof. All exterior doors shall be functional. Prior to changing out an exterior door or changing colors, the Architectural Committee must first be notified and approve the request for modification.
Drainage	No water from any roof, downspout, basement or garage drain or surface drainage shall be placed in or connected to any sanitary sewer line.

Driveway	No driveway shall be constructed in a manner as to permit access to a street across a rear lot line. Prior to any changes on a driveway or sidewalk, the Architectural Committee must first be notified and approve the request for modification.
Fence	<p>All residential fences and privacy screens (other than any installed by the Developer) shall be consistent with the standard designs, heights and materials to be selected by the Architectural Committee and shall also be in compliance with the restrictions set forth in this Declaration. Before installing or replacing fences, the Owner must seek prior written approval of the Architectural Committee ("AC") and these guidelines shall control the AC's review of the Owner's application for replacement fencing. In the event an owner requests approval to replace more than one-third of existing fencing materials when existing materials don't comply with these guidelines, the entire fence must be modified or replaced to comply with these guidelines. The intent is to prohibit an owner from replacing only a one-third of a non-compliant fence with compliant fencing materials. The maximum height of all fences installed after March 10, 2000 shall be four feet. Any portion of fences installed before that date may not be replaced without compliance with this resolution and approved in writing by the AC. The maximum height of a privacy screen for a pool or hot tub shall be six feet. No stockade fences shall be approved. Perimeter fences must be of the picket design with a minimum space of at least 50 percent the width of the picket used in the fence. Fences shall be constructed on lot lines. Privacy fences shall be as close as possible to the pool deck or hot tub, or a reasonable distance from the pool or hot tub as determined by the AC. Fence posts must be on the inside of the fence or privacy screen. All fences along Antioch and the private drive leading to the subdivision clubhouse must be wrought iron or similar style metal fence in black. Fences must meet and connect to any existing fence or adjacent lots when fences are adjoined on adjacent lots, every attempt shall be made to match or blend designs and materials. Only natural wood colored stain and shellacs shall be permitted on fences and privacy screens. No color paints or stains shall be permitted. Wrought iron and similar style metal fences shall be allowed if approved in writing by AC. Plastic, PVC or similar materials will not be allowed. All fences must be constructed with the finished side out. No chain link or similar fence shall be allowed. No fence shall extend toward the front of the residence beyond the rear corners of the residence. Fences and privacy screens must comply with applicable city ordinances. Privacy screens shall be next to the pool deck or a reasonable distance from the pool or hot tub, as determined by the ARC. Fences must meet and connect to any existing fences on adjacent lots. Prior to erecting or removing a fence, the Architectural Committee must first be notified and approve the request for modification.</p>
Garage Doors	All garage doors shall remain closed at all times except when necessary for entry or exit. Garage doors shall be maintained in good condition and paint/stain kept in good condition. Prior to replacing a garage door, the Architectural Committee must first be notified and approve the request for modification.
Garage Sale	No garage sales, sample sales or similar activities shall be held within the District without the written consent of the Approving Party.
Gardens	All vegetable gardens shall be located in the back yard. Prior to installing an exterior garden, the Architectural Committee must first be notified and approve the request for modification.

Landscaping	The owner of each Lot shall keep the lawn uniformly mowed and clipped with a length of grass not to exceed four inches properly maintain and replace all trees and landscaping. Architectural Committee approval is required for any landscaping renovation or change, including those provided by a landscape architect. All plantings and removals (to include trees) must be approved by the Architectural Committee with the exception of annuals. Homeowners must be aware of the growth potential of any planting (height, width, and heartiness) and take this into consideration. Density of plantings will be a consideration in the approval of Landscape Plans.
Leasing	
Mailbox	No mailbox or standard therefor shall be erected or installed without the prior approval of style, material, construction, and location being granted by the Approving Party.
Noise	No speaker, horn, whistle, siren, bell or other sound device, except intercoms and those used exclusively for security purposes, shall be located, installed or maintained upon the exterior of any residence or in any yard.
Play Structure	All recreational or play structures (other than basketball goals) shall be located behind the back building line of the residence. Prior to placing a recreation or play structure on the Lot, the Architectural Committee must first be notified and approve the request for modification.
Pool / Hot Tub	No above-ground swimming pools shall be permitted. All pools and hot tubs shall be fenced or otherwise adequately screened. All pools and hot tubs shall be kept clean and maintained in operable condition. Prior to placing a hot tub or in-ground pool on a lot, the Architectural Committee must first be notified and approve the request for modification.
Roof	Roofs shall be covered with wood, slate, tile, clay, concrete, or composite shingles. Tile, clay and concrete roofing materials shall be permitted on if the materials are composed 100% of tile, clay or concrete, respectively. Permitted colors/styles will be determined by the Architectural Committee. Prior to replacing a roof, the Architectural Committee must first be notified and approve the request for modification.
Satellite, panel, dish, antenna, clothes line	No television, radio, citizens' band, short wave or other antenna, satellite dish, solar panel, clothes line or pole, or other unsightly projection shall be attached to the exterior of any residence or erected in any yard. Should any part or all of the restriction set forth in the preceding sentence be held by a court of competent jurisdiction to be unenforceable because it violates the First Amendment or any other provision of the United States Constitution, the Architectural Committee shall have the right to establish rules and regulations regarding the location, size, landscaping and other aesthetic aspects of such projections so as to reasonably control the impact of such projections on the neighborhood and any such rules and regulations shall be binding upon all of the Lots. No lights or other illumination shall be higher than the residence.
Set backs	No building, exclusive of porches, patios, balconies, bay and other windows, eaves, or other similar projections, shall be located closer to the street than the building setback lines, if any, shown on the plat provided.
Storage Shed, barn, detached unit	No shed, barn, detached garage or other storage facility shall be erected upon, moved onto or maintained upon any yard. Storage shall be permitted under a deck provided such area is fenced or otherwise screened. No fuel storage tanks of any

	kind shall be permitted. Prior to placing an exterior structure on any Lot, the Architectural Committee must first be notified and approve the request for modification.
Structure - Exterior	No Exterior Structure shall be erected upon, moved onto or maintained upon any Lot except (i) with and pursuant to the advance written approval of the Architectural Committee, and (ii) in compliance with the additional specific restrictions set forth in subsection (b) below; provided, however, that the approval of the architectural Committee shall not be required for any Exterior Structure erected by or at the request of the Developer or any exterior Structure that has been specifically approved by the Developer prior to the issuance of a temporary or permanent certificate of occupancy as part of the residential construction plans approved by the Developer and has been built in accordance with such approved plans. No residence or Exterior Structure shall ever be placed, erected or used for business, professional, trade or commercial purposes on any Lot; provided, however, that this restriction shall not prevent an Owner from maintaining an office area in his residence in accordance with the applicable ordinances of the City of Overland Park, Kansas.
Trash	No noxious or offensive activity shall be carried, on with respect to any Lot, nor shall any trash, ashes or other refuse be thrown, placed or dumped upon any Lot or Common Area, nor shall anything be done which may be or become an annoyance or a nuisance to the neighborhood. Each Owner shall properly maintain his Lot in a neat, clean and orderly fashion. All residences and Exterior Structures shall be kept and maintained in good condition and repair at all times.
Utilities	All residential service utilities shall be underground.
Vehicles	No vehicle, trailer, bus, van, camper, boat or similar apparatus shall be parked, left or stored in any yard. No truck or commercial vehicle shall be parked, left or stored in any driveway or street for more than an eight-hour period. No trailer, bus, van, camper, boat or similar apparatus shall be parked, left or stored in any driveway or street for more than a 24-hour period. It is the intent of the parties hereto that all automobiles shall be kept in an enclosed garage whenever possible. Motorized vehicles shall not be operated on any Lot or Common Area, other than in the street.
Walls	All exterior basement foundations and walls which are exposed in excess of 12 inches above final grade shall be painted the same color as the residence or covered with siding compatible with the structure. Prior to painting, staining, or changing the exterior appearance of a home, the Architectural Committee must first be notified and approve the request for modification.
Windows	All windows shall be constructed of glass, wood, metal clad and wood laminate, or any combination thereof; provided, however, that storm windows may be constructed of colored metal (other than silver).

Declaration Information:

EXTERIOR STRUCTURE: The term "Exterior Structure" shall mean any structure erected or maintained on a Lot other than the main residential structure or any structural component thereof, and shall include, without limitation, any deck, gazebo, greenhouse, doghouse or other animal shelter or run, outbuilding, fence, privacy screen, boundary wall, bridge, patio enclosure, tennis court, paddle tennis court, swimming

pool, hot tub, basketball goal, swingset, trampoline, sand box, playhouse, treehouse or other recreational or play structure.

Procedure when making Modification to Exterior

In undertaking any changes to the exterior of the home and on the Lot, the Architectural Committee must first be notified and approve the request for modification. Owner shall:

1. Complete a Modification Request Form and submit to the Architectural Committee for review.
2. Comply with the Nottingham Forest South Procedure for Modification of Lots/Homes.
3. Receive approval from the Board prior to the commencement of work.

Architectural Committee

(a) If possible, no more than two Architectural Committee members shall be from any one particular plat located within the subdivision of Nottingham and no more than two members of the board shall serve on the Architectural Committee at any positions on the Architectural Committee shall be divided into two classes with staggered two-year terms. No committee member shall serve for more than two consecutive terms (a full term being defined as 18. or more months). The provisions of this subsection (a) shall not apply until after July 1, 1990. Until such date, the Developer shall serve as the Architectural Committee.

(b) The Architectural Committee shall meet at least once each calendar month to consider applications with respect to any Exterior Structures that require the approval of the Architectural Committee as provided in Section 8 above. Any application that is not acted upon by the Architectural Committee within 45 days of the date on which it is filed shall be deemed to have been approved. A majority of the members of the Architectural Committee shall constitute a quorum for the transaction of business at a meeting and every act or decision made by a majority of the members present at a meeting at which a quorum is present shall be regarded as the act or decision of the Architectural Committee.

(c) At each meeting, the Architectural Committee shall consider and act upon applications that have been submitted to it for approval with respect to Exterior Structures. In making its decisions, the Architectural Committee may consider any and all aspects and factors that the committee members, in their absolute discretion, determine to be appropriate to establish and maintain the quality, character and aesthetics of the Nottingham neighborhood, including, without limitation, the plans, specifications, exterior colors, materials, location, elevation, landscaping and use of the proposed Exterior Structure. All decisions of the Architectural Committee shall be in writing and delivered to the applicant, who shall be responsible for keeping the same. The Architectural Committee may establish in advance and change from time to time certain guidelines and conditions that it intends to follow in making its decisions.