



Timber Creek HOA Guidelines

Revision 2, Adopted 06.28.2023

The following statements are an interpretation that our HOA Board adopts as the acceptable guidelines for reasonable conduct in Timber Creek neighborhood for the purpose of determining violations and assessing fees as allowed by our Charter 4.01A. These statements are based on the legally binding Covenants, Restrictions, Amendments and also Cleveland City Ordinances as they apply. In good faith, they are deemed to be necessary to protect the security, peace, and wellbeing of our community and to maintain the value of everyone's home. These guidelines are in addition to the Legal binding documents that govern our neighborhood. They are not meant to be a substitution nor are they all inclusive. All governing documents can be found on the website, www.timbercreekhomeowners.org. This Guideline document may be modified by a majority vote of the HOA board. Questions may be directed to any Board member or a Phase Representative.

Section 1 - Process

1.1 Violation of bylaws and restrictions - adopted by unanimous vote on Sept 23, 2022.

Grievance Communications and Fees Structure

1st Offense – verbal 2 weeks to comply

2nd Offense – written warning, 2 weeks to comply

3rd Offense - \$100 fine. Due in 30 days and Late fees \$25 monthly apply.

Liens may be assessed for unpaid fees as deemed necessary by the HOA board per bylaw section 5.09.

1.2 Grievance Process per bylaws Article 7.

1.3 ARC Approval request for changes per bylaws Article 4. The ARC Committee has 30 calendar days to respond to initial request.



Section 2 - Situational

2.1 Trash Cans – Garbage containers should be placed for collection no earlier than 3:00pm the day before, and no later than 7:00 am the morning of pickup. They should be removed from sight before 9:00 pm the day of pickup. Garbage cans should not be visible from the front of the house, except for day of garbage pickup. Garbage must be placed in lidded garbage containers as provided by the city. (See Cleveland City Ordinances)

2.2 Dogs - Pick up all waste from animals. This includes in the common areas and any open or occupied lots. Dogs must be on a leash when off owner's property, regardless of their training or perceived threat level. The owner is responsible for safe interactions of their animal with all other people and animals. Dogs are not allowed to create a noise nuisance to others or disturb the peace of the neighborhood with loud and frequent barking, whining, or howling. (Reference Cleveland City Ordinances and HOA Restrictions)

The HOA Board encourages pet owners to be conscious that urine makes brown spots in the grass and be respectful of all property.

2.3 Privacy Fences - According to the Amendment to the Restrictions dated March 25, 2013, fences will be allowed. They should be constructed of new material and approved by the HOA via ARC form. The initial intent of the developer is captured in the specifications submitted to Sothern Property Management Group dictating the detailed fence design, material (wood), and color (Sherwin William SW3542 Charwood).

At the time of taking leadership, this HOA Board recognizes that none of the fences built to date meet this specification. In an attempt to maintain some semblance of consistency throughout the neighborhood and be realistic with the existing fences, the HOA Board has set forth these guidelines for fence approval. Fence material may be wood with a natural color stain or white vinyl. Stain color preference includes: Oxford Brown, Charwood, Cedar, and Honey Oak. Fences shall be built on the lot lines and be contained to the back portion of the house, built at a maximum of 6' 5" tall, minimum of 5' with no gaps. Shared fences must have an agreement between neighbors. Conflicts will be decided by the HOA Board.

Fences of other materials (ie metal, chain, etc) that were constructed prior to the initial adoption date of these guidelines will be grandfathered into the requirements. Upon the replacement of those fences, they must comply with these guidelines set forth as of the date of adoption of these guidelines. New fences with non-preferred materials will be considered on a case by case basis.

2.4 Lawn Maintenance Ensure the grass is cut regularly and well maintained with length not to exceed 5". Weeds shall be kept to a minimum. No vegetable gardens can be visible from the



front. No fruit bearing trees to be planted in the front. Existing fruit trees will be grandfathered in as of the date of adoption of these guidelines.

Frontal landscaping shall include foundations shrubs (box woods, nandina, azaleas, etc) Annuals and perennials must be well maintained. Maintain appropriate location/space considering roots system, property lines, leaves shedding. Other acceptable materials may include mulch, rocks, and brick. Landscaping changes different from original intent must be ARC approved. (Article 3.30)

2.5 Pools In ground pools must be approved by ARC and City to ensure construction is feasible. They must be well maintained and insured. No stand-alone above ground pools are allowed with the exception of temporary inflatables. Inflatables must be hidden from view, safe, and promptly removed after use. All pools must follow all City Ordinances that apply. Any pool deemed unsafe, not hidden, or in extended use by the HOA Board will be requested to be removed immediately and thereafter subject to fines.

2.6 Sidewalks on property should be mowed, cleaned, and well maintained by homeowner. Homeowner may contact the city if repair is needed. No obstructions allowed.

2.7 Mailboxes Restrictions require the original version of mailbox specifications. Article 3.26 Must be maintained. House numbers must be visible on the mailbox.

2.8 Trailers/ large equipment Not allowed per Restrictions. The Board adds the stipulation that a utility trailer may be stored on property as long as it is not visible from the front or any open view of the road. No damage is allowed to property due to weight or access travel. Subject to review and the Board's judgement is final. Article 3.41

2.9 Boat/RV/Semi Not allowed per restrictions. Board approves the exception for loading/unloading. Parking must be less than 48 hours. It shall not restrict traffic flow or impose on neighbor's property at any time. No damage to the lot is acceptable.

2.10 Signs In general, yard signs are not allowed to be displayed in residential front yards. Political signs are allowed by TN State for a specific period of time and we honor that law.

"For Sale" signs are allowed per Article 3.38. No signs allowed on common ground without the Board Approval. Temporary Celebration signs are allowed for a period less than 2 weeks.

2.11 Parking on Street and overflow - All homeowners should make every effort to park in their garage and driveway to maintain clear access and reduce risk of vehicle damage. In the case of temporary overflow, utilize the street parking along the common grounds. No overnight parking allowed on the street.

Emergency Vehicle access dictates that parking cannot happen on both sides of the street. Must park with flow of traffic.



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2.12 Speeding shall not be tolerated. Be mindful of the children at play and the risk posed by excessive or distracted driving.

2.13 Additional Structures - ARC approval required prior to building. Must meet all stipulations set forth in convent construction guidelines. City Approvals required as deemed necessary.

2.14 Roof color – Woodland color shingles set forth in restrictions. HOA Board approved Black as an alternative color if it enhances the home built, unanimously approved June 28, 2022.

2.15 House Siding Paint Color – Houses should maintain original design intent and paint colors. Any deviations to the original design must be approved by ARC.

2.16 Artificial Turf – Artificial turf is not approved for use in Timber Creek neighborhood. This Board decision is in alignment with City Ordinance 1.6.24.A, HOA Restrictions 3.30. 3.31.