

Rules & Regulations

Panther Creek Association of Homeowners, Inc.

General: Notice is given to all homeowners that the rules and regulations (“*Rules*”) are directed towards individual and/or family homeowners. Special provisions and/or exceptions may apply to or be given to builders/developers working on new home construction. The following rules and regulations are intended to provide homeowners guidance to requirements within the Covenants, Conditions, & Restrictions (“*CC&Rs*”) and Bylaws of the Panther Creek Association of Homeowners, Inc. (“*PCE HOA*”), as well as certain city ordinances applying to single family residences. Enforcement of these provisions will be through the Panther Creek Estate’s Enforcement and Fine Policy. In the event of a discrepancy between these Rules and Regulations, and the *CC&Rs*, Bylaws, or City Ordinances, the City Ordinances, the more restrictive document will govern.

The Architectural Control Committee (“*ACC*”) is hereby created by the Board of Directors of PCE HOA in accordance with and pursuant to Article XIV of the Bylaws for PCE HOA. The Board of Directors shall, in its sole discretion, appoint and remove members from the ACC, with or without cause. The ACC will review all requested changes to existing properties. The purpose of this review is to ensure homeowners will be in compliance with existing *CC&Rs* and these Rules, and provide guidance to homeowners with respect to the overall desired appearance of the neighborhood. Approval of requested changes will not be withheld, unless the requested changes are in violation of the *CC&Rs*, the Rules or Bylaws. The ACC and Board of Directors may, however, provide recommendations for various items including, but not limited to, color and architecture, etc. The Board of Directors reserves the right to overrule or reverse a decision of the ACC.

Where permits are required by the City, homeowners will be required to post the permit.

Garage Sales: See *CC&Rs*, Article VII. Homeowners may have no more than two (2) garage sales of no more than two (2) days duration each during any twelve (12) month period. Garage sales may not be conducted without prior written consent of the Board of Directors. Signs relating to Garage sales will be allowed per city ordinance only, currently limited to one (1) sign located on the home owner property only. No sign may be placed on PCE HOA Common Areas, or city property.

Signs: See *CC&Rs*, Article IX Section 23. No sign of any kind shall be displayed to the public view on any lot except the following:

- A. One (1) professional security system sign of not more than one (1) square foot
- B. One (1) sign of not more than five (5) square feet advertising the property for rent or sale, or signs used by a builder to advertise the property during the construction and sales period;
- C. No more than one (1) sign per Unit, no larger than one (1) square foot in size, providing public notice of any of the following:
 - i. “No Trespassing”,
 - ii. “No Soliciting”,
 - iii. “Keep off the Grass”;

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- D. Political signs as allowed under Section 202.009 of the Texas Property Code and subject to the City's sign ordinance; and
- E. Signs that notify of the arrival of a newborn or the participation of a family member in a school activity or sport. The number of signs shall be limited to the number of newborns and/or immediate family members residing at the location where said signs are displayed.

Laundry: See CC&Rs, Article IX Section 24. The drying of clothes in full view of the public is prohibited.

Fires: See CC&Rs, Article IX Section 25. Except within fireplaces in the main residential dwelling and except for outdoor cooking, no burning of anything shall be permitted anywhere in PCE HOA.

Single Family Use: See CC&Rs, Article IX Sections 2 and 19. Each residence will be occupied by only one (1) family consisting of persons related by blood, adoption, or marriage, or no more than two (2) unrelated persons living together. No residence shall be used for business, professional, commercial, or manufacturing purposes of any kind. Owners may use a residence for quiet inoffensive activities such as tutoring or giving art lessons so long as such activities do not materially increase the number of cars parked on the street or interfere with adjoining homeowner's use and enjoyment of their residence or yards.

Exception: Builders may use a residence as a temporary sales office.

Driveways: See CC&Rs, Article IX Section 5. All driveways will be surfaced with concrete or similar substance acceptable to the City. Changes to any existing driveway must be approved by the ACC and City.

Boats, Aircraft, and Recreational Vehicles: See CC&Rs, Article IX Section 7. No boat, aircraft, or RV, camper or other similar vehicle may be parked for storage in the driveway or front yard of a dwelling. Additionally no such vehicle will be stored in the rear yard of any residence unless completely concealed from view. No such vehicle will be used as a residence or office temporarily or permanently. Storage shall mean any such vehicle parked for more than twenty four (24) hours.

Trucks/explosive cargo: See CC&Rs, Article IX Section 8 and 9. No truck in excess of one (1) ton or any vehicle with painted advertisement shall be permitted to park overnight within PCE. Additionally, no vehicle of any size which transports flammable or explosive cargo shall be permitted.

Trailers. Other business trailers may be allowed subject to city ordinance.

Animals: See CC&Rs, Article IX Section 12. No livestock, other than household pets such as dogs, cats, birds, etc, shall be allowed to be raised or kept within PCE. No more than four (4) household pets will be allowed.

Fences, Walls & Gates: See CC&Rs, Article IX; Sections 30, 30.1 & 30.2

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General.

Fences are to be maintained in a good condition. Fences deemed to be in a state of disrepair including those with chipping paint, rotting wood, missing or broken slats or leaning portions will be subject to fines as detailed in the Enforcement Policy.

Requirements for fences abutting Eldorado, Hillcrest, and Panther Creek Parkway (see CC&Rs Article IX, Section 30.1)

Fences are to be 6' Cedar board on board. See Exhibit B of CC&Rs for specific structural guidelines. Color required for the portion of the fence that faces Eldorado Parkway, Hillcrest or Panther Creek Parkway is to be Behr Deck Plus Semi-Transparent DP326 (Taupe). Other portions of the fence are encouraged to be Home Depot **solid** colors: Behr plus 10 / solid color (oil latex formula –water clean –up) #3326 Taupe.

Step Down Requirements City of Frisco Ordinance 02-11-130

Where a fence intersects a screening wall (such as those fences along Eldorado, Hillcrest, and Panther Creek Parkway) and the height of the fence exceeds the height of the screening wall, the height of the fence shall transition to the height of the screening wall over a distance of 20 feet.

Requirements for Fences adjoining Contiguous Open spaces (also known as Green belts)

Fences are to be 6' wrought iron fence painted black..

Homeowners are highly encouraged to use the following color options when staining wood fences: Home Depot **solid** colors: Behr plus 10 / solid color (oil latex formula – water clean –up). #3326 Taupe, #306 Desert Sand

OR

Home Depot **Premium weatherproofing /wood sealer & finish**

Homeowners are highly discouraged from using the “Barn Red” colors.

See City of Frisco Ordinance 02-11-130

This section of the rules and regulations highlights and incorporates other provisions of the City’s fence ordinance. Homeowners who fail to comply with these provisions, or other provisions in the ordinance not detailed here, will be subject to fines detailed in the PCE HOA fine policy, and may also be subject to city penalties.

New or replacement fencing. Permits are required for replacement of more than 16 feet of fencing. Permits must be posted during the construction of any replacement fence.

Fences may NOT contain and/or be:

1. Continuous electrical current, although single strand wires designed to conduct electricity through an approved low voltage regulator shall be allowed along the fence’s interior base line.
2. constructed to contain barbed wire
3. plywood
4. fiberglass or fiberglass panels
5. corrugated steel or sheet iron
6. razor wire; and/or
7. any materials not deemed for use as fencing in the opinion of the City Building Official, or his/her designee

(Fences Continued)

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Repairs of any nature shall be made with materials of comparable color, size, shape, and quality of the original fence to which the repair is being made.

Should the opinion of the PCE HOA, and the City of Frisco differ in regards to “comparable size, shape, and quality”, or “materials not deemed for use as fencing”, the PCE HOA will agree with the permit as approved by the city.

Temporary Structures:

Gazebos- See CC&Rs, Article IX; Sections 1, 6, and 21 . Allowed in places which are not visible from any street contiguous with the Lot with approval of the ACC.

Temporary Patio Covers (i.e. canvas, or other moveable structures). See CC&Rs, Article IX; Section 6 - NOT Allowed..

Other Temporary Structures: See CC&Rs, Article IX; Section 1, 6, 10, & 21. Not allowed per Section 1. Additionally no temporary structure shall be used as a dwelling.

Sheds: (Relocated Structures): May be no larger than 8’ by 10’ in floor area, no taller than 8’ in height. Structures may not be visible from any street contiguous with the lot.

Arbors/Permanent Patio Covers: See City Ordinance 02-08-081

Residential Accessory buildings in Excess of 160 square feet must be of exterior materials similar to the main structure, and must meet the masonry requirements of section 36.9 of Frisco Comprehensive Zoning Ordinance.

Landscape Requirement: See CC&Rs, Article IX; Section 33(b). All lots shall maintain at minimum 2 trees within the front yard. Trees shall be a minimum of 3 and ½ inch caliper at the time of planting. Dead trees are required to be replaced. (PCE Board of Directors reserves the right to not enforce the replacement requirement for trees during times of drought)

Lawns must be maintained according to city code. Lawns not complying with city code are subject to enforcement by the PCE HOA Enforcement Policy and City of Frisco code compliance.

Pools/Spas:

New pools/spas are to be approved by the ACC and City

Garages: See CC&Rs, Article IX section 3.

Any garage door replaced should be the same as previous or by approval of the ACC.

Garage conversions- See CC&Rs, Article IX; Section 3. NOT permitted

Carports- See CC&Rs, Article IX; Section 3. NOT permitted

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Basketball Goals: Basketball goals are not to infringe upon any public street, sidewalk or alleyway.

Mailboxes- See Article IX, Section 32- any changes or planters added to be approved by ACC, FHA, VA, City, or US Postal Service as Applicable. Mailboxes are expected to be a brick structure as is common throughout the community.

Room Additions: must be approved by the ACC and City of Frisco.

Building materials: See CC&Rs, Article IX, Section 6.
Building Materials may not be stored on any property until Owner of property is ready to begin construction.

Window Air Conditioners: See CC&Rs, Article IX, Section 17. Not allowed.

Violation Procedures: See By Laws Article 10.

The following is a summary of procedures required under the PCE Bylaws. This does not supersede or replace the required notification or rights of either homeowner or the PCE HOA. The following serves only to provide general information in a concise format to homeowners. For complete details, please refer to the Enforcement Policy. In the event of discrepancy between these Rules and the CC&R's or Bylaws or the Enforcement Policy, the CC&Rs and/or Bylaws and/or the Enforcement Policy will govern.

Homeowners will be notified in writing of the following:

1. The nature of the violation.
2. Required remedies, or abatements.
3. Time period in which to remedy without further sanctions.

If a homeowner is cited for the same violation within a 6 month period the board may impose further sanctions without the notice required above.

Should the Board choose to pursue sanctions against a homeowner for non compliance of the initial notice, or a second violation within a 6 month time frame the Board will provide the following:

1. Notice of the violation and proposed sanction.
2. Notice of homeowner right to a hearing and appeal of the sanction before the Covenants Committee.
3. Notice to homeowner that they may request an appeal to the Board in writing.