

## RESOLUTION 2005 - 2

### "PLAY EQUIPMENT"

The following items are considered play equipment for the purposes of this article:

SWING SETS  
SLIDING BOARDS  
JUNGLE GYMS - CLIMBING STRUCTURES  
SKATE BOARD RAMPS, STRUCTURES  
FORTS  
TREE HOUSES  
PLAY HOUSES  
BASKETBALL BACKBOARDS  
DOG HOUSES  
INFLATABLE SWIMMING POOLS  
TRAMPOLINES

Play structures and equipment are not buildings, fences or landscape elements, consequently they do not fall under a typical set of architectural control requirements.

They are often highly visible, however, and depending on their design, they may defeat many of the aesthetic and environmental goals that the Community has sought to achieve.

#### POLICY

It is the policy of the Architectural Committee not to require review and approval of play structures as defined by this Article. Play structures which are brought to the attention of the BMLA Board or ACC by a resident as being a visual nuisance will be observed by the Beech Mountain Lakes Association staff or ACC Board Member, and may be referred to the Architectural Committee for review as unsightly objects. The Beech Mountain Lakes Association may require removal, relocation and/or screening of the object from view.

#### PLAY STRUCTURE VS. ACCESSORY BUILDINGS

Forts, Tree houses, Playhouses, Doghouses or other enclosed play buildings and an interior height of 6'0 or less floor-to-ceiling, and with a total floor area of less than 36 square feet shall be considered to be Play Structures. Buildings exceeding either of these limits shall be considered to be Accessory Buildings, and may be regulated under other rules of the Association or the ACC.

#### PLAY EQUIPMENT GUIDELINES

1. Play equipment shall be located in rear yards only.
2. Play equipment should be finished in muted colors or natural materials (galvanized steel,

- treated wood, etc.)
3. Play equipment should be located away from property lines adjacent to other houses or streets and away from neighbors direct view where possible.
  4. Home-built Play equipment should be neat and orderly in appearance and finish.
  5. Play equipment which has fallen into disrepair or has been outgrown by children should be removed from the property.

SCREENING

If a play structure is referred to the Architectural Control Committee as an unsightly object, the Committee may require removal, relocation or screening of the structure. If screening is required, the standard requirement for screening will be to provide densely shaped evergreen shrubs, or trees of a height when planted of at least two-thirds the height of the structure, and so placed as to provide a continuous screen on the stipulated side. Planting can be in a continuous row or staggered. A variety of shrubs/trees may be used in addition to single species solutions. When plantings are required, it shall be the responsibility of the homeowner to submit to the Architectural Control Committee a plan and proposed plant types for review.

NOTE:

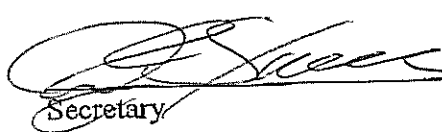
The Architectural Committee regulates only the visual impact of structures. However, another potential disruption of neighborhood quality is noise. Homeowners should exercise care and common courtesy in using play equipment that creates noise, such as basketball backboards and skateboard ramps.

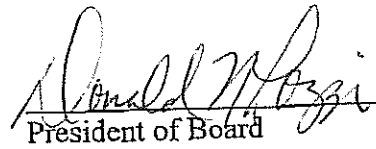
TEMPORARY TENTS OR STRUCTURES

No temporary tent, cabana, blow-up structure and etc. shall be placed or erected in the front yard of any property in the Development without obtaining a permit to erect or place the same. Such temporary structures, which do not otherwise constitute a nuisance to surrounding properties, shall be allowed to be placed or erected in front yards for a maximum of forty-eight (48) hours. There shall be no fee for the permit necessary under this section, and the same is required for the purpose of notice of proper use and timeliness only.

Adopted this 29 day of NOVEMBER, 2005, by vote of the Beech Mountain Lakes Association, Inc. Board of Directors.

Attest:

 12/05/06  
Secretary

 12/5/05  
President of Board