

# HOLLY POINTE HOMEOWNERS ASSOCIATION



## ARCHITECTURAL RULES & REGULATIONS

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## I. INTRODUCTION

There are three important documents that define the requirements for Holly Pointe.

- Declaration of Covenants, Conditions, and Restrictions, Easements, Charges and Liens for the Holly Pointe Homeowners Associations, Inc. (Declaration of Covenants)
- Restrictive Covenants for Holly Pointe Subdivision Phase 1 (Restrictive Covenants)
- Architectural Guidelines (Guidelines)

All three documents should be retained as a part of your permanent papers. They are also available for viewing on the Holly Pointe Online Portal <http://www.hollypointe.com> . You should make these Guidelines available to any renters of your home. In the event you need additional copies of these documents, please contact the management company. The Architectural Rules and Regulations are subject to change by the Board.

The Declaration of Covenants Article VIII, Architectural Control, authorizes the creation and maintenance of a set of Architectural Guidelines. These Guidelines may establish, define and expressly limit the standards and specifications which will be approved, including, but not limited to, architectural style, exterior color or finish, roofing material, siding material, driveway material, landscape design and construction technique. The Association shall not approve any Improvements which it determines, in its discretion, not to be in harmony of external design, construction and/or location in relation to the surrounding structures, topography or the general plan of development of the Subdivision.

These Guidelines are designed to maintain the standards of design quality and enhance the community's overall environment and to protect property values. The Guidelines attempt to provide a meeting ground between private interests and the broader interest of the community. They also attempt to state requirements of the Declaration of Covenants, Restrictive Covenants, and Town of Holly Springs requirements in a way to make these restrictions easier to follow.

As stated in the Declaration of Covenants, alterations of your lot/house after closing require a homeowner to submit an architectural request for all changes (the only exception to this requirement is if the change is one previously approved by the ARC as stated in the "Blanket Approvals" list contained herein). No building, fence, sign (including unit identification sign), wall or other structure shall be commenced, constructed, erected or maintained upon your Lot, nor shall any exterior addition to or change or alteration be made, nor shall a building permit for such improvement or change be made, nor shall any major landscaping or relandscaping be commenced or made ("improvements"), until plans and specifications showing the nature, kind, shape, heights, materials, color and location shall have been submitted and approved in writing by Association (additional specific requirements are stated in the Declaration of Covenants and Restrictive Covenants).

An Architectural Review Committee (ARC) has been established by the Board to review and approve Architectural Requests. The Board has also employed CAS Management to serve as our management agent to assist in management of these requests.

The rules, responsibilities and procedures outlined in these Guidelines have been approved by the Board of Directors, in compliance with the community's Declaration of Covenants.

## II. ARCHITECTURAL REVIEW COMMITTEE (ARC)

The Declaration of Covenants, Article VIII, authorizes the Board of Directors to establish an Architectural Review Committee, from now on referred to as the ARC, to be comprised of three or more persons appointed by the Board. The ARC is charged with conducting the review of all applications for exterior changes and with rendering a decision to the applicant within 30 days. The ARC will respond in writing with either an approval, approval with conditions, disapproval or a request for more information on the project. More information may be required for the ARC to make an informed decision. It is the Homeowner's responsibility to provide that information in a timely manner. If the ARC fails to render a decision (after receiving all required information) in the allotted 30 days, the application will be considered to have been approved.

### III. ARCHITECTURAL REVIEW COMMITTEE PROCESS

NOTE: The Declaration of Covenants requires prior written approval for any improvements to an owner's lot. Therefore, do not commit labor or materials until you have received written approval.

Many design changes require a permit and the City/County/State may not issue a permit without the written approval of the ARC. Please plan in advance. THE ARC HAS 30 DAYS TO REVIEW ALL REQUESTS, AFTER ALL THE APPROPRIATE INFORMATION IS SUBMITTED. It is strongly suggested that the City/County/State be contacted to determine what permits or approvals are required. ARC approval does not substitute for approval by the City/County/State. It is the homeowner's responsibility to acquire appropriate approvals, permits, etc. from the City/County/State as applicable for the change.

1. Homeowners seeking ARC approval for changes and/or improvements to their property must first submit an Architectural Review form located at the Holly Pointe Online Portal <http://www.hollypointe.com>. Please note the ARC has thirty (30) days to review the application. Should nothing be received within 30 days, please call to follow up. Occasionally items get lost in the mail and the review period does not start until Community Association's management company receives the completed application and notifies the homeowner that the application is complete and awaiting review. Complete applications will be considered on individual merit, using these documented standards as a basis for decision-making. \*\*Out of courtesy, we request you inform your neighbors of your proposed improvement(s). Note: when attaching to a neighbor's fence, written approval must be obtained from the neighbor.
2. The Architectural Review application, noted with the date of receipt by the manager, is turned over to the ARC within two working days, provided all information necessary for review is received (Management will make a review of the application and request of owner any additional information needed. The ARC may still require additional information, as detailed in 4d, below. The 30-day timetable begins when the application is complete and appropriate for review).
3. The application will be reviewed by the ARC and discussions, drive by the site reviews, and discussions with homeowner may occur as needed to arrive at a decision. The ARC chairman may request the property manager to obtain additional information from the homeowner. As long as a response has been sent to the homeowner within 30 days, even if it is a request for additional information, the ARC will have met its timeliness expectation. When the ARC requests additional information from the homeowner, the 30 day time period when the ARC must make a decision to approve or deny a request is suspended until the homeowner provides the requested information.
4. The ARC's decision will be noted on the application. The owner will be notified by the management firm of all final decisions, either:

- a. APPROVAL: The application is approved as submitted.
  - b. APPROVAL WITH CONDITIONS: The overall proposal is accepted, but with certain specified changes, limitations, or requirements that must be followed.
  - c. DENIED: The application is denied. The owner may appeal to the Board within 15 business days. (See section V)
  - d. MORE INFORMATION REQUESTED: The Committee has determined that additional information is needed for appropriate review of the application. In this case, the entire process begins again once management receives the information. The owner should follow the same submission procedure. The ARC will act swiftly on all re-submissions.
5. ARC inspection: The ARC reserves the right to visit your lot and inspect the improvement. This will be done for two specific reasons:
- a. to ensure that the application details were followed and to note problems encountered which might help other residents on similar projects; and
  - b. to learn any “pointers” that other residents may employ in more easily completing an improvement project.
6. Once work has begun on an improvement, it must be completed promptly and typically within 90 days. Applications are valid for one year from the date of approval.

## IV. REVIEW CRITERIA

1. The ARC evaluates each application on the individual merits of the application and the standards listed below:
  - a. Validity of Concept - The basic idea of the exterior change must be sound and appropriate to its surroundings.
  - b. Landscape and Environment - The exterior change must not unnecessarily destroy the natural landscape or the achieved man-made environment.
  - c. Relationship of Structures and Adjoining Property - The proposed change should relate harmoniously among its surroundings and to existing buildings and terrain that have a visual relationship to the change.
  - d. Protection of Neighbors - The interest of neighboring owners should be protected by making provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and other aspects of design, which may have substantial effects on neighboring property. For example, fences may obstruct views, breezes or access to neighboring property. The ARC will consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governing in each specific application.
  - e. Design Compatibility - The proposed change must be compatible with the design characteristics of the applicant's home and the general neighborhood setting. Compatibility is defined as harmony in style, scale, materials, color, and construction details.
  - f. Scale: The three-dimensional size of the proposed change must relate satisfactorily to adjacent structures and their surroundings.
  - g. Materials: Continuity is established by use of the same or compatible materials as used in the existing home. Siding materials and shingles must match existing structure.
  - h. Color: Color may be used to soften or intensify visual impact.
  - i. Workmanship - The quality of work must be equal to or exceed that of any existing structure. Poor practices may cause the owner problems and may be visually objectionable to others. For example, a wooden fence not properly treated and maintained can start to decay and become unsightly to the owner and neighboring property owners.

## V. APPEAL PROCEDURE

NOTE: No work may progress during this appeal process time period.

1. If an initial application is DENIED by the ARC, a homeowner may file an appeal with the Board of Directors as follows:
  - a. Within 15 days after receipt of a DENIED response, the homeowner must file a written appeal with any correspondence and pertinent information to the Board of Directors or the decision of the ARC is final for that request.
  - b. The Board of Directors shall review and discuss the information provided. They may call for a hearing if needed to determine their decision. The board will make their decision within 30 days and notify the homeowner. Board members who are on the ARC will not have a vote to approve or deny the application on appeal.

## VI. VIOLATIONS AND PENALTIES

NOTE: An exterior change made without the required approval of the ARC constitutes a violation of the Declaration of Covenants and ARC Guidelines. A violation may require removal or modification of the work at the expense of the property owner.

Homeowners are responsible for their renters.

The Board and its Agents shall have the right to enter upon any Lot for the purpose of correcting conditions and the cost of such corrective action shall be paid by the Owner. Such entry shall not be made until thirty (30) days after the Owner of the Lot has been notified in writing of the need to take corrective action and has failed to remedy the situation.

### 1. Notices

- a. A first notice will be sent. Homeowners will be notified in writing of the violation and are expected to bring the violation into compliance typically within 14 calendar days (14) days. A longer time period may be granted by the ARC for violations with extenuating circumstances. The homeowner must contact the ARC and obtain an approval for any extension.
- b. A second notice will be sent. Should the owner fail to act upon the recommendations for corrections, the homeowner will be sent a second notice that typically gives the homeowner seven (7) calendar days from the date of the letter to correct the violation. A longer time period may be granted by the ARC for violations with extenuating circumstances. The homeowner must contact the ARC and obtain an approval for any extension. If a violation still remains, a notice will be sent to invite the Homeowner to a hearing regarding the matter.

### 2. Hearings

- a. The association will schedule a hearing date/time, typically once a month, to adjudicate uncorrected violations. At the hearing the Owner will be offered an opportunity to address the violation and provide any information the Owner believes should be taken into consideration. If the Owner fails to appear, the Board will use the information it has to discuss the issue. No decision will be discussed with the Owner during the hearing.
- b. After the hearing, the Board will discuss and decide by majority vote on an action to be taken and forward that decision to the management company who will, in turn, generate a Notice of Hearing Decision letter to the Owner. If a violation has been resolved prior to the hearing, the Board may decide on what, if any, action will be taken on repeat occurrences of the same violation. The period of time for repeat occurrences will be twelve (12) months to cover any seasonal issues. The Management Company will send this notice to the Homeowner.

### 3. Fines/Penalties

- a. If the Homeowner is determined to have failed to correct the violation, the Owner will be fined up to a maximum of \$100 per day for each day the issue remains uncorrected. Fines will begin five (5) calendar days after the date of the notice letter.
- b. A violation may also result in payment of damages incurred by the Association in having the work removed or modified. Attorneys' fees, court costs, site assessment will also be incorporated into the fine process.

## VII. EXPLANATION OF STANDARDS

The Standards that follow are the procedures and guidelines applied by the ARC to assist the Association and its members in the design review process. It is hoped that these Standards will serve as a positive tool to assist in the full and free use of each homeowner's property in a manner that is consistent with the aesthetic and harmonious development to the community.

There are three major categories of items for specific home improvement guidelines:

- BLANKET APPROVALS
- COMMON IMPROVEMENTS
- APPEARANCE STANDARDS/MAINTENANCE

These three are very important to you because they identify which improvements are permitted and how approvals can be secured. ITEMS NOT SPECIFICALLY LISTED WITH A BLANKET APPROVAL REQUIRE ARC APPROVAL.

## VIII. BLANKET APPROVALS

Items in this category DO NOT require ARC submittal or approval, provided these guidelines are followed.

1. Plants, shrubs and flowers planted within ten (10) feet of the front of your house (or facing the street on a corner lot).
2. Plantings of flowers and shrubs around trees, along walkways, along bushes, or around a mailbox.
3. Bedding borders, if constructed of common landscaping borders not to exceed twelve (12) inches in height.
4. Mailboxes and posts, if repainted or replaced in original color, style and material.
5. All landscape lighting.
6. Hose caddies affixed to the home or enclosed in appropriate container.
7. Vegetable gardening in rear yards, provided they are not noticeable from the street and does not exceed allowed fence heights or grow through to the neighbor's yard.
8. Removal and replacement of trees that are dead (tree stump should also be removed). Replacement tree shall be the same type as what was removed, or of similar species.
9. Removal of live trees less than six inches (6") in diameter and less than six (6) feet above the ground (tree stump should also be removed).
10. Lawn furniture, barbecue equipment, toys, playhouses, bikes, trampolines, etc., if kept in good repair. Small inflatable wading pools shall be permitted. Any of these must be stored within the rear area of the home on a nightly basis when not in use.
11. Front Storm Doors - White or the same color as your existing trim; - Of the "full view" design; - Of anodized aluminum (including baked-on enamel); - Unadorned.
12. Back Storm Doors - White or the same color as existing trim; - Of anodized aluminum (including baked-on enamel).
13. Exterior Painting / Maintenance - Provided that material and color remains the same, no approval is required for standard maintenance of the house exterior.

14. Play Equipment - All play equipment should be located in the rear of the house, not the side, front yard or porches. Play equipment must be located at least 3 feet from property lines; Metal play equipment is prohibited.
15. Seasonal decorations, displayed up to five (5) weeks prior to and three (3) weeks after the season.
16. Holiday decorations, displayed up to five (5) weeks prior to and three (3) weeks after the holiday.
17. Antennas-Satellite Dishes or Discs: Except as provided in this section, installation or modification requires a formal submittal and written approval from the ARC. No radio or television transmission or reception towers or antennas shall be erected on a Lot other than a customary television or radio reception antenna, which shall not exceed ten feet above the top roof ridge of the house. However, a satellite antenna receiver or disc will be permitted on a Lot if:
  - a. It is not larger than two feet in diameter, and,
  - b. It is located or screened in such a way that it cannot be seen from a front street within the subdivision (any screening must be approved by the Association).
  - c. Limited to one dish per lot.

## IX. COMMON IMPROVEMENTS

### NOTE:

- Many home improvement projects require a permit from the Town of Holly Springs before beginning work. If square footage is added to your home without a permit and later you want to sell your home, the project will have to be permitted and inspected before you can close on the sale. This may require the finished work to be torn out so that the rough-in and framing can be properly inspected. This can be a costly mistake that you are strongly encouraged to avoid. **The North Carolina State Building Code states, "No person, firm or corporation shall erect, construct, enlarge, install, alter, repair, move, improve, remove, convert or demolish any building, structure, or service system without first obtaining a permit for such from the Inspections Department having jurisdiction."**
- Please refer to <http://www.hollyspringsnc.us/115/For-Homeowners> for a helpful explanation of current Town requirements.
- In addition to any Town permit requirements, many items in this category require ARC approval. Any application submitted should meet these guidelines. Approval is not necessarily limited to the guidelines listed here, but is much more likely to be given if the stated requirements are met.

### 1. Installation or Changes of Fences/Walls

NOTE: Fencing requests must comply with ALL the standards set forth by the following:

- Town of Holly Springs Department of Planning & Zoning requirements. Please refer to <http://www.hollyspringsnc.us/624/Resident-Info-Do-I-Need-a-Permit> for a helpful explanation of current Town requirements. A formal submittal and written approval is NOT required from the Town.
- Holly Pointe Restrictive Covenants AND Architectural Guideline. A formal submittal and written approval IS required from the ARC.
  - a. Fence location:
    - A front yard fence is not allowed (except for a corner lot which is considered to have two front yards – a fence can be placed on the yard bordering the side of the house).
    - Maximum height of a fence on a side lot of a corner lot (facing the street) is four (4) feet. Maximum height of a back yard fence is six (6) feet.

- Fence must enclose all or part of the back yard. Starting from the rear corner of the house, the fence will extend no further forward (towards the front of the house) than one third (1/3) the length of that side of the house.
- Fence shall not be built over any designated easement.
- No fence or wall shall be erected on any Lot closer to any street than the front or side building setback line specified for the lot. This requirement typically results in fencing that is at least twenty (20) feet from the edge of any paved street.
- Any fence that faces a street shall have landscaping between the fence and the street or paved parking lot that will immediately provide for a minimum of thirty (30) % screening of the surface area of the fence. The landscape design for meeting this requirement shall be a part of the submittal to the ARC.

b. Fence materials:

- Pressure treated wood or a composite or no-rot fencing that looks like wood grain are permitted.
- Decorative black wrought iron or aluminum fencing is allowed.
- PVC or vinyl fencing is not permitted.

c. Fence design:

- Fences must be no higher than six (6) feet or four (4) feet for street facing side on a corner lot.
- The smooth side of the fence needs to face outward.

d. Fence Maintenance:

- Fences to be stained or painted with ARC approval of color within 6-12 months of installation.
- Homeowner to maintain and upkeep fence.

2. Parking Driveways and Parking Pads Abandoned Vehicles:

- a. All driveway extension and expansion requests must comply with the standards set forth by the Town of Holly Springs Department of Planning & Zoning. Please refer to <http://www.hollyspringsnc.us/624/Resident-Info-Do-I-Need-a-Permit> for a helpful explanation

of current Town requirements. A formal submittal and written approval IS required from the Town. A formal submittal and written approval IS also required from the ARC.

- b. Gravel driveways or parking areas are not permitted.
  - c. Vehicles may be parked and stored only on portions of a Lot improved for that purpose, i.e., garage, driveway, carport or parking pad. No parking on grass.
  - d. No mobile house trailer (whether on or off wheels), vehicle or enclosed body of the type which may be placed on or attached to a vehicle (known generally as “campers”), tractor trailer trucks or cabs, or commercial vehicle of any kind shall be parked on any street or any Lot within the subdivision.
  - e. No boat or boat trailer shall be parked on any street overnight. If on a lot, it must be screened from the street by approved materials (fence or plantings).
  - f. No vehicle of any type which is abandoned or inoperative shall be stored or kept on any Lot in such manner as to be seen from any other Lot, any street within the Subdivision or the Common Area, and no automobiles or mechanical equipment may be dismantled or allowed to accumulate on any Lot.
  - g. Parking in the recreation area parking lot during pool hours is only for those people utilizing the recreation area. During non-operational hours, personal vehicles may be parked here for up to one week, provided they are registered, in running condition with no leaks. All other rules for vehicles still apply for this area.
  - h. Additional requirements are stated in the Restrictive Covenants item 7.
3. Exterior Material or Color Changes: Any change in exterior materials or color (such as walls, roofs, dormers, shutters, doors, windows, etc.) requires a formal submittal and written approval from the ARC. The request must specify the new material and/or color you wish to use; include material description and a color sample from the store.
4. Mailboxes: Installation or modification requires a formal submittal and written approval from the ARC. No mailbox is allowed on a lot which had been provided a mail location in a mail kiosk.
5. Signage: Except as otherwise required by the Town of Holly Springs, no sign of any kind shall be displayed to the public view on any Lot except:
- a. signs used to advertise Lots for sale during construction and sales period (size restrictions are stated in the Restrictive Covenants item 10)

- b. signs expressing support of or opposition to political candidates or other issues which will appear on the ballot of a primary, general or special election (size and time of placement restrictions are in the Restrictive Covenants item 10)
  - c. No signage may be located in the common area, with the exception of those maintained by the Association, an open house or community event.
  - d. Signs may be placed in the homeowner's yard for the express purpose of selling and/or renting the property.
  - e. Security, burglar alarm, or dog fence signs shall be located discreetly in the front yard of the house.
  - f. Yard/Garage Sale signs are permitted two days in advance of the day of sale. They must be removed by the day after the sale ends.
  - g. Temporary signage during the period of home improvements is permitted. Signs must be removed as soon as the job is completed.
  - h. No signs are permitted in windows, with the exception of alarm and pet signs.
  - i. Seasonal or celebration signage displayed up to five (5) weeks prior to and three (3) weeks after the holiday or celebration period.
  - j. Homemade signs in yards are prohibited.
6. Basketball Goals - Basketball goals are allowed that meet these criteria:
- a. Installation of a basketball goal directly on the house requires a formal submittal and written approval from the ARC.
  - b. Installation of a basketball goal to be cemented in the ground requires a formal submittal and written approval from the ARC.
  - c. Cemented goals should be placed on the rear third (toward the house) of the driveway or parking pad.
  - d. Goals should be mounted on a single pole with a backboard that is predominately white or clear.
  - e. One goal per house.
  - f. Moveable basketball goals are to be located on the driveway, away from the street end when not in use.
  - g. Basketball goals need to be erect at all times.

- h. It is required that player be courteous and not hinder a neighbor's property during normal play and not impede traffic.

## 7. Storage Sheds & Accessory Structures

- a. All storage shed or accessory structure requests must comply with the standards set forth by the Town of Holly Springs Department of Planning & Zoning. Please refer to <http://www.hollyspringsnc.us/624/Resident-Info-Do-I-Need-a-Permit> for a helpful explanation of current Town requirements. A permit IS required.
- b. Installation also requires a formal submittal and written approval from the ARC.
- c. No larger in size than 8 x 12.
- d. A suitably constructed floor system or foundation is required.
- e. They are placed on the property behind your home so the shed cannot be seen from the road when standing directly in front of house.
- f. They must be at least 3 feet from the neighboring property line.
- g. Siding material must be similar in color and composition to the home.
- h. Roof must have similar pitch, similar materials, and similar color as that of the home.

## 8. Garbage/Unsightly Storage: All trash and rubbish shall be kept in garbage cans stored in such a manner as not to be visible from the street upon which the house fronts (additional restrictions are stated in the Restrictive Covenants item 16).

## 9. Decks/Screened Enclosures/Outdoor Living Areas

- a. All decks/screened enclosure requests must comply with the standards set forth by the Town of Holly Springs Department of Planning & Zoning. Please refer to <http://www.hollyspringsnc.us/624/Resident-Info-Do-I-Need-a-Permit> for a helpful explanation of current Town requirements. A permit IS required.
- b. Installation also requires a formal submittal and written approval from the ARC.
- c. A deck should not extend past the side of the house;
- d. All decks should be on the rear of the house.
- e. No side or front decks are permitted;
- f. They will pose no drainage problems for you or your neighbors;

- g. The materials to be used are designed specifically for patio and/or deck designs;
- h. Screened enclosures must not be visible from the front street;
- i. All decks, patios, gazebos and screened porches must blend in with the natural terrain.

#### 10. Grading

- a. Major changes to the topography of a Lot requires formal submittal and written approval from the ARC.
- b. Drainage and water flow patterns must be taken into consideration prior to the start of any grading. The Association, its Board of Directors, nor the ARC accepts any liability for any damage caused by such grading, whether or not the committee approved the request.

#### 11. Pools & Hot Tubs

- a. All swimming pool and hot tub requests must comply with the standards set forth by the Town of Holly Springs Department of Planning & Zoning. Please refer to <http://www.hollyspringsnc.us/624/Resident-Info-Do-I-Need-a-Permit> for a helpful explanation of current Town requirements. A permit IS required.
- b. Installation also requires a formal submittal and written approval from the ARC.
- c. Requests for above ground swimming pools shall meet the following criteria:
  - Must be completely surrounded by a deck which is attached to the residence
  - Area from ground to deck floor is landscaped in such a way so that the pool's exterior is not visible to neighbors.
  - Hot Tubs may not be visible from a front street.

#### 12. Lamps & Landscape Lighting

- a. Installation of lighting other than pre-approved landscape lighting requires a formal submittal and written approval from the ARC.
- b. One walkway/entrance light on a post is allowed, not to exceed 7 feet in height to base of light fixture.
- c. The post shall be of metal painted black.
- d. The lamp design should be similar to existing house exterior lights.

- e. Entrance lighting on ARC approved walls on the sides of driveway entrances will be considered providing they match existing light fixtures.

### 13. Windows

- a. Window unit air conditioners are prohibited.
- b. Fans in windows are prohibited.
- c. Appropriate window dressings are required (sheets, blankets, etc. are prohibited).

## X. APPEARANCE STANDARDS/MAINTENANCE

1. Paint and stain must be maintained in uniform and good repair (with no peeling, chipping, cracking, or discoloration) on the trim or siding. Any change in color requires ARC approval.
2. Properties should be free of any debris.
3. No doghouses should be visible from the front of house.
4. Maintenance of the yard to keep it free from offensive odors is required. Please note all homeowners are required to pick up after their pets. There is a City Ordinance that enforces this guideline. Please be courteous!
5. No clotheslines may be erected or maintained on any lot.
6. No towels or clothing left on porch or balcony to dry overnight.

## XI. YARD MAINTENANCE

NOTE: Each homeowner shall maintain the grounds and improvements on their Lot, including, but not limited to, plantings, landscaping and lawns, at all times in a neat and attractive manner. Such maintenance shall include the area of easements located on each Lot.

1. Each homeowner of a Lot upon which a Common Area and/or Greenway Easement lies shall obtain ARC approval prior to:
  - a. Removing any trees or vegetation within the Common Area or Greenway Easement.
  - b. Erecting gates, fences, buildings or other structures on any Common Area or Greenway Easement.
  - c. Placing any garbage receptacles on or in any Common Area or Greenway Easement.
  - d. Filling or excavating any Common Area or any part thereof.
  - e. Planting vegetation or otherwise restrict or interfere with the use, maintenance, and preservation of any Common Area and Greenway Easement.
  - f. Installing any impervious surface
2. Maintenance of the Lot falls into five general areas:
  1. Lawn Maintenance and mowing.
  2. Edging of walkways, driveways and curbs adjacent to lawns.
  3. Mulch, stone or recycled rubber applied around trees and garden or border areas
  4. Other spaces such as patios, drain ways and ornaments.
  5. Pruning of trees and bushes.

### 3. LAWN MAINTENANCE AND MOWING

- a. A complete guide to maintaining a lawn in North Carolina can be found on the internet at [www.turfgrass.ncsu.edu/guides/CarolinaLawns2008.pdf](http://www.turfgrass.ncsu.edu/guides/CarolinaLawns2008.pdf) AG-69 Carolina Lawns.
- b. This document will assist the Lot owner in understanding what is required to maintain a healthy lawn. The choice of maintaining your lot yourself or using a lawn service is strictly up to you.
- c. The majority of lawns in the Holly Pointe subdivision are either a Bermuda type grass or a Fescue type grass. Both types require frequent mowing during their growing season to maintain an orderly appearance.
- d. Mower settings should reflect the type of grass. Bermuda type is mowed fairly short whereas fescue grasses do better at higher settings. Mowing should remove no more than half the leaf length of the grass. Grass clippings may be collected and left by the curb for city of Holly Springs pick up or mulched using a mulching blade on the mower.
- e. After mowing remove all grass clippings from surrounding concrete and paved surfaces. This includes driveways, sidewalks and streets.
- f. It is recognized that during prolonged periods of rain, frequent mowing may not be possible. However, lawns in which the grass has begun to flower and seed will require immediate attention. Failure to do so will result in a notice to the homeowner stating they have seven (7) days to rectify this or the H.O.A. will have the lot mowed and the homeowner charged.
- g. Weed control is an additional responsibility to insure an Orderly Condition of the yard. Lawns may require treatment to prevent weed growth.

### 4. EDGING OF WALKWAYS DRIVEWAYS AND CURBS ADJACENT TO LAWNS

- a. Driveways, sidewalks and curbs must be edged to the original line of the concrete or paved surface. Grasses such as Bermuda will invariably encroach on the paved surface and reduce the overall width of the surface.
- b. Areas along fences or walls must also be mowed and treated to remove weeds or excessive grass growth.

5. MULCH, STONE OR RECYCLED RUBBER APPLIED AROUND TREES AND GARDEN OR BORDER AREAS

- a. Areas around trees, foundations borders, gardens and plantings may have a layer of material applied to prohibit weed growth and retain soil moisture. This material can be both organic and inorganic. **Organic** material consists of various types of tree bark or pine straw mulch placed in thickness sufficient to reduce weed growth and retain moisture.
- b. Use of large wooden chunks (greater than 2 inches) in mulch is discouraged.
- c. **Inorganic** material such as stone or recycled rubber requires greater vigilance to insure weed and grass do not invade the covered area.
- d. No matter the type of cover used, weed and grass growth in the cover must be suppressed to maintain an orderly appearance.

6. OTHER SPACES: PATIOS, DRAIN WAYS AND ORNAMENTS

- a. Patios, stone covered drain ways and use of ornamentals in the yard require attention periodically to prevent weed growth.

7. PRUNING OF TREES AND BUSHES

- a. Maintaining and orderly appearance of your yard requires periodic attention to trees and bushes or other plantings on the Lot. Trees should be pruned to prevent obstruction of walkways or streets. However, severe pruning of trees or disfiguring should be avoided.
- b. Front yard foundation shrubbery planted in front of window sight lines should not exceed height appropriate for the window line of sight.
- c. All dead shrubs or dying plants should be removed from the landscape.
- d. Pruned material should be gathered and left at edge of yard for City of Holly Springs pick up.
- e. Lastly, leaf removal is necessary in the fall and early spring to prevent damage to the lawn. Leaves may be mulched into the lawn or collected and left at edge of lawn for pick up by City of Holly Springs. It should be noted that excessive leaf mulch can change the ph of soil and damage some lawns.