



2021 ARCHITECTURAL GUIDELINES

TO: Regency Communities Homeowners

FROM: Regency Communities Board of Directors
Regency Communities Architectural Review Committee
Elite Management Professionals, Inc., Association Manager

RE: Architectural Standards and Construction Specifications

Your Regency Communities Architectural Review Committee has completed and approved these amended Architectural Standards and Construction Specifications are intended to be guidelines for you to follow in planning exterior changes to your property.

Please retain these Standards as part of your permanent papers for reference now and in the future. You should make these Standards available to any tenants/ residents of your home. They are posted for your convenience at www.RegencyCommunities.com.

You are requested to submit the Application for Architectural Review of Exterior Changes/Additions to the address indicated on the application. No application for a change will be considered if not submitted on the proper application form with appropriate exhibits. Please note that e-mailed submissions are preferred. You will receive automatic updates and the fastest response if you provide an e-mail address where the association may reach you.

The date the application was received will be recorded. This date will be the first day of and the review and approval period. While the legal documents allow the committee a 60 day review period, the volunteer members of the committee know your time is valuable. They make all efforts to answer applications as expediently as possible, with an average response time of less than 10 days for many applications. All applications go immediately to the Regency Communities Architectural Review Committee for their review and comment and then back to the Architectural Review Committee for review.

Please read and follow these Standards. Approval **MUST** be obtained IN WRITING from the Architectural Review Committee BEFORE the start of any exterior change. Please do not commit labor or materials until you have received written approval.

Your cooperation and adherence to these standards will not only be appreciated but also will be in the best interest of Regency Communities as a whole.

ARCHITECTURAL STANDARDS AND CONSTRUCTION SPECIFICATIONS

Adopted by the Board of Directors of the Regency Communities November 1995. Revised May 2021.

The Regency Communities Architectural Review Committee present the following Standards designed to assist homeowners in complying with the Declaration of Covenants and Restrictions of the Regency Communities Association, Article V. Architectural Control of obtaining prior approval for exterior changes on any property owners in Regency Communities. It is the intended effect that these Standards will result in equitable and consistent handling of all applications for Architectural Review Committee review and approval so the necessary value judgments will be kept to a minimum.

I. INTRODUCTION

In a planned community such as Regency Communities, the question naturally arises as to how to maintain a harmonious, quality development as the community matures. The following Standards attempt to provide a meeting ground between private interests and the broader interest of the Regency Communities as a whole.

Basic control for maintaining the quality of design is through the Declaration of covenants and Restrictions of the Regency Communities Association. The Covenants run with the land and are binding on all homeowners and renters and should be fully understood. The fact that each homeowner is subject to these Covenants should assure all homeowners that the Standards of design quality will be maintained in order to enhance the community's overall environment and to protect property values.

The Declaration established an Architectural Review Committee to be comprised of 3 or more representatives appointed by The Board of Directors. Article V of the Regency Communities Declaration requires the Developer's (now ARC's) prior written approval of any exterior change, addition or alteration to any property. Such changes include any building, fence, wall or other structure that may be added or altered. It further requires that the plans, specifications and location showing the nature, kind, shape, height, and/or materials be approved in writing as to the harmony in external design and location in relation to surrounding structures and topography. Each property owner should read the Declaration to obtain a full understanding of the Architectural Standards And Construction Specifications requirements.

The Architectural Review Committee is charged with conducting the review of all applications for exterior changes and with rendering a decision to the applicant in writing within 60 days of receipt of the application. If the Committee fails to approve or disapprove a request for a change within 60 days after receipt of the application, then approval will not be required and Article V of the Declaration will be considered to have been waived.

The Standards which follow are the procedures and guidelines applied by the Committee 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 of the Regency Communities.

II. WHAT MUST HAVE ARCHITECTURAL REVIEW COMMITTEE APPROVAL?

The Committee's prior approval is required for ANY CHANGE in the exterior of a property pursuant to Article V, Section 2, Controls; as quoted below from Declaration:

“(A) No building, fence, or other structure shall be erected, placed, or altered, nor shall a building permit application for such improvement be made on any Lot in Regency Communities until the proposed building location, specifications, exterior materials and color or finish, plot plan (showing the proposed location of such building or structure, drives, and parking areas, exterior shape, size and height) shall have been approved in writing by the Declarant, or by the Architectural Review Board of the Association if such review responsibility has been delegated to the Association by the Declarant. In addition, the Declarant may require prior written approval of a landscape plan. The Declarant further reserves the right to promulgate and amend from time to time architectural standards and construction specifications (hereinafter referred to as the “Architectural Standards and Construction Specifications”) for specific neighborhoods and areas or for all Properties within Regency Communities and such Architectural Standards and Construction Specifications shall establish, define, and expressly limit those standards and specifications which will be approved in said neighborhoods and areas or within the Properties, including, but not limited to, architectural style, exterior color or finish, roofing material, siding material, driveway material, landscape design, and construction technique. Refusal or approval of plans, location, exterior color or finish, or specifications may be based by the Declarant upon any ground, including purely aesthetic considerations, which in the sole and uncontrolled discretion of the Declarant shall seem sufficient. No alteration in exterior appearance of any building or structure, including exterior color or finish, shall be made without like prior written approval by the Declarant. One (1) copy of all plans and related data shall be furnished to the Declarant for its records. In the event approval of such plans is neither granted nor denied within sixty (60) days following receipt by the Declarant of written demand for approval, the provisions of this paragraph shall be thereby waived.”

This requirement applies to every homeowner’s private property and any common areas.

The Declarant assigned Declarant’s rights to the Association upon transition of the association to owner control.

III. REVIEW CRITERIA

The Architectural Review Committee evaluates each application on the individual merits of the application. The Committee’s decisions are based upon the standards in the following sections:

Validity of Concept The basic idea of the exterior change must be sound and appropriate to its surroundings.

Landscape and Environment The exterior change must not unnecessarily destroy or blight the natural landscape or the achieved man-made environment.

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.

Protection of Neighbors The interest of neighboring owners and renters 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; dog pens may cause undesirable noise or infringe drastically on views of neighboring property. The Architectural Review Committee should consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governing in each specific application.

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.

- A. Scale: The three-dimensional size of the proposed change must relate satisfactorily to adjacent structures and their surroundings. For example, a detached storage shed of a disproportionate size to the area in which it is intended to be placed would NOT be satisfactory.
- B. Materials: Continuity is established by use of the same or compatible materials as are used in the existing home. For example, an added storage shed should be made of the same or similar material as the home; likewise, the shingles should be the same or similar.
- C. Color: Color may be used to soften or intensify visual impact. For example, the color of a fence should blend in with the surrounding natural environment or be painted to be in continuity with the existing home. A storm door should be painted to match the entrance door or the house trim color. A shed should be painted to match the existing home.

Workmanship The quality of work must be equal to or better than that of any existing structures. Poor practices may cause the owner problems and may be visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must contain a proposed maximum time period from start to completion of construction. If the proposed time period is considered unreasonable, the Architectural Review Committee may disapprove the application.

IV. DESIGN APPLICATION REVIEW PROCEDURES

The procedures for application, review, inspection, and enforcement of design review are outlined in this section.

Objective

The Architectural Review Committee, in examining each application for design approval, considers whether or not the exterior change is in conformance with Article V. Architectural Control, Section 2. Controls of the Declaration and the guidelines outlined herein and briefly outlined below:

- A. To create a community which is aesthetically pleasing and functionally convenient, and
- B. To maintain a harmonious relationship among structures, vegetation, topography and the overall design of the community.

Application Procedure

Complete the application form and attach all required exhibits. Include full details of the proposed change. If the change is structural, fencing or grading, submit a sketch or plan and outline specifications. Talk to your neighbors about your change. They may be able to offer valuable input. Be sure to include such information as type of material, size, height, color, location, etc. Provide a plot plan of the lot and indicate the location of the building, pen, fence, etc., as it relates to the home and lot. E-mail, fax, mail or deliver the application form to the Management Firm whose address is shown on the application form. Electronic submissions are preferred.

Incomplete applications will be returned which will cause a further delay in obtaining approval.

The application review process will be completed within sixty (60) days. The 60 day period begins when the management firm has confirmed receipt of the completed application.

An application with all necessary information will be considered on each application's individual merit, using these Standards as a basis for making a decision. The review process is outlined below.

Review Procedures:

During the consideration of an application, the Regency Communities Architectural Review Committee members may view the site and may talk to the applicant or neighbors. A quorum of the Architectural Review Committee is a majority of the total number of people currently serving on the Committee.

The Architectural Review Committee considers the application and any data or comments received from immediate neighbors. After review of the application as submitted, the Architectural Review Committee will approve, approve with conditions, or deny the application as submitted. In cases of conditional approvals, or denials, applicants will be provided in writing with the reason or reasons for such. Each applicant will receive written notice regarding the Committee's decision. Written appeals may be made to the Board of Directors within 30 days of denial.

Conditional approval means that work may proceed as contained in the application if the conditions are followed. The Committee may inspect work in progress and request (either orally or in writing) that the applicant corrects any non-compliance with the approved design.

Final Approval and Walkthrough

In case of conditional approvals, final approval will be given once the Architectural Review Committee has reviewed the complete project.

Correction Procedures

Remedies: An exterior change made without the required approval of the Architectural Review Committee constitutes a violation of the Declaration. A violation will require removal or modification of the work at the expense of the property owner or renter or payment of damages incurred by the Association in having the work removed or modified.

Reports: The Architectural Review Committee will inspect authorized construction in progress as well as the community in general to identify apparent and flagrant violations. Additionally, all homeowners have the right to notify the association via the management firm of apparent violations of any provisions of these Architectural Standards and Construction Specifications.

V. DESIGN GUIDELINES

This section of the Standards provides specific guidance regarding particular design situations frequently encountered in Regency Communities. Generally acceptable methods for achieving the required objectives and standards are indicated below. These are suggested methods rather than mandatory methods. Additionally,

design methods that are generally NOT acceptable are also included. Merely following these guidelines does not guarantee approval; all requests must follow the stated approval process. Repairs

Owners are responsible for repairs to existing structures, additions, etc. No application is necessary to affect repairs and restoration to original condition.

Shed/Storage Buildings

Detached freestanding storage sheds are discouraged. Where possible, storage sheds should be attached to the house. In most cases this is less expensive than a freestanding structure and would be more aesthetically pleasing as well as more convenient. However, if an owner feels he has inadequate storage and there is no structural way to add a storage shed attached to the house, the following minimum criteria applies to freestanding sheds:

1. Siding must be the same color and composition to the home.
2. Roof must have the same pitch, the same materials and the same color as that of the home.
3. Sheds must have a suitably constructed floor system and/or foundations.
4. Maximum size of any storage shed is 120 square feet (i.e.: 10' x 12').
5. Placement of a detached shed in relation to the house should be to the rear of each lot and not in the side yard areas that are highly visible from the street. They must also be located at least 10' from the neighboring property lines.

Dog Pens and Dog Houses

1. Exterior finish with the exception of brick should match the house, i.e., siding, roof shingles, and color.
2. Should be located on the property in an area that is not highly visible from the street and must be located at least ten (10) feet from a neighbor's property line (not located in side yard areas that are visible from the street). They must be properly maintained and kept in good repair and free of material that may create unpleasant odors.
3. Only one (1) dog house per yard.
4. The fencing for a dog pen has the same requirements as all fences (i.e., no chain link, welded wire, etc. allowed).

Fences/Walls

Barrier Fences:

Please note that "barrier fences" (i.e. fences which are owned and maintained by individual residents, but were installed by the developer with an intent to appear consistent from the street over several lots) may fall under different guidelines than the general ones shown below. The Committee does not intend to approve changes to a barrier fence if such changes would cause one owner's portion of the fence to appear significantly different than the attached continuous fencing of that owner's neighbors when seen from the public right of way. Exceptions may be granted where landscaping screens the view of the fencing from the right of way.

All Other Fences:

1. All fences should be natural treated finished wood, painted or finished with a natural (neutral wood tone) stain or wrought iron or wrought iron "look" constructed of aluminum. If the fence is to be stained or painted, a color sample must be submitted for approval.
2. No fence may extend past the front corner of the house.
3. Wrought iron or wrought iron "look" constructed of aluminum is preferred. Other suggested fence types are picket with a minimum of 1-1/2" - 2" spacing between pickets or shadow box. No wire or split rail fences are allowed. Stockade fences (including any fences that have no gaps such as privacy or board on board fences) will only be considered for screening trash bins and utilities. Stockade fences that have written ARC approval are considered grandfathered providing that the fence is kept in proper repair and appearance and when replaced, the replacement must adhere to the current guidelines adopted and in force at the time of replacement.
4. Construction shall consist of vertical members supported on horizontal members with horizontal members on inside (house side) of fence.
5. Maximum fence height is 66 inches when measured from the ground to the highest point, picket, or post on the fence.
6. With regard to Kensington, Lots 10-20 and 35-45 on Devonhall Lane and Lots 21-34 on Evanvale Court, fencing options will be a) wrought iron "look", or wrought iron "look" constructed of aluminum; b) wrought iron, or wrought iron "look", constructed of aluminum with stone or brick columns; or c) all brick or all stone.
7. Fences will be evaluated on a case by case basis and not all fences applied for will be approved.

NOTE: Some lots in Regency Communities are in a flood plain and as such may be subject to additional regulation as determined by the Town of Cary and or Corps of Engineers. Depending on these requirements, the Association may require some type of landscaping in order to maintain the aesthetics of the neighborhood.

Decks

1. A deck should not extend past the side of the house. If the house has a side entrance toward the back of the house immediately adjacent to the deck, then a four-foot extension expressly for the purpose of allowing a stairway to the side entrance will be allowed.
2. All decks should be on the rear of the house (no side or front decks).

Lamps & Yard Lights

1. One walkway/entrance light on post allowed no to exceed six feet in height to base of light fixture. The post shall be wood or metal painted black or house trim color. The lamp should be similar to or match existing house exterior lights (such as those on front porch/stoop, not floodlights).
2. Halogen, mercury vapor, sodium, etc, high power lamps are not permitted.
3. Low level landscape lights, e.g., uplighting on trees or shrubs is permissible.

Clotheslines

1. Clotheslines are not permitted.

Play Equipment

1. All play equipment must be in rear of house, not on side or front.
2. No single unit should exceed 18 feet by 10 feet by 15 feet high.
3. Typically, one constructed unit per house (small, low items such as sandboxes are excluded).
4. Tree houses are discouraged, but individual plans may be considered.
5. Play equipment should be located at least 5' from property lines.

Basketball Goals

1. Basketball goal must be installed on the rear third (toward house) of the driveway or parking pad.
2. All goals should be mounted on a single pole.
3. The backboard should be predominantly white, clear or gray in color.
4. Recommend only one (1) per house.
5. Goal must be maintained in good condition and will require repair, replacement, or removal if it appears broken, rusted, or otherwise in disrepair (i.e. torn net, broken backboard, etc.)

Drives and Parking Areas

1. Proposed changes in drives or parking pad additions must be submitted for Architectural review.

Plants and Gardens

1. Committee approval is not required for most planting or landscaping treatments that are biodegradable. However, if any planting in hedge or row form being considered for the front or side/front yards will act as a "fence", then an application for such addition should be submitted.
2. Caution should be exercised in digging deep holes so as not to cut into any electric cable, etc. It is suggested that before digging, homeowners contact the appropriate utility company.
3. Vegetable gardens shall be in the rear yard or side yard. If located in the side yard, the garden shall not extend further forward toward the street than the front corner of the home.

Lawn Ornaments

1. All lawn decorations are discouraged in the front and side of the house unless a live growing entity. This is in addition to the existing guidelines regarding hedgerow planting, etc.
2. Certain lawn ornamentation (e.g. bird baths) that is appropriate will be permitted on an individual basis provided they do not detract from the appearance of the neighborhood.

Grading

1. Major changes to the topography of a lot could result in flooding due to improper drainage into a neighbor's yard. Therefore, such changes are required to be approved prior to being started. The Architectural Review Committee accepts no liability for any damage caused by such grading action, whether approved by the Committee or not.

Street Parking

1. No overnight street parking allowed.

Uniform Sign Regulations

1. No sign of any kind shall be displayed on any lot except “for sale” or “for rent” signs of not more than six (6) square feet in size and signs of six (6) square feet expressing support for or opposition to political candidates or referendum issues. Such political signs shall not be placed on a lot earlier than sixty (60) days before the election and shall be removed within two (2) days after the election is held.
2. Advertising/ contractor signs are not permitted.

Mailboxes

1. Must meet the “Uniform Mailbox Regulations” for Regency Communities. All mailboxes must be identical. Mailbox specifications are posted at www.RegencyCommunities.com under Resources, mailboxes.

Antennas/Satellite Dishes

1. Satellite dishes are permitted when less than 1 meter (3 feet) in diameter. It is preferable that the dish be placed so as not to be visible from the street. Should your only available reception be so as to make the dish visible from the street, an architectural application is required with a full explanation of placement and appearance to the committee. Screening may be required.

Generators

1. Screening may be required for visual and/or noise buffering purposes.

Solar Panels

1. Solar panels require Architectural Review Committee approval prior to installation.

Tree Cutting

1. No trees measuring six (6) inches or more in diameter (measured at a point two feet above ground level) may be removed without the prior written approval of the Association. Failure to follow these guidelines may result in the requirement of adding trees to your property.
2. In cases of an emergency, the following exceptions are permitted:
 - a. A tree that has fallen naturally may be removed without permission.
 - b. A tree that is dead, dying, or in danger of falling may be removed without permission, but does require that immediate notice be provided to the Architectural Review Committee. The notice must include the written assessment from an arborist that the tree was a danger to life or property, the evaluation of why (i.e. dead, diseased, etc.), the date the condition was noticed and the date of removal. In non-emergencies, prior written approval is required.

Boats, Trailers, etc.

1. Recreational vehicles and boats are not allowed to be parked on any lot except in an enclosed garage.
2. Commercial vehicles to be parked in garages only.

Garbage/ recycle bins and yard waste

1. Garbage bins, recycle bins, yard waste, and yard waste containers/ bundles may not be placed out on the curb prior to sundown the day before pickup day.
2. Garbage bins, recycle bins, yard waste, and yard waste containers/ bundles must be removed from the curb no later than sunup the day after pickup day.
3. Garbage bins and recycle bins must be stored so as not to be viewed from the street. Options are:
 - a. Stored inside the garage
 - b. Stored at the rear of the home
 - c. Stored at the side of the home, at least halfway toward the back of the home, and only when an evergreen shrub of sufficient size screens the bins from view.

VI. OTHER DESIGN DATA

Many additions to a homeowner's property may require approval of the Town of Cary and/or Wake County and certain permits may be required. It is strongly suggested that the Town of Cary and/or Wake County be contacted in order to determine whether such permits or approvals are required.