

KELLY WEST HOMEOWNERS ASSOCIATION
c/o CAS, Inc.
1930 N. Salem Street
Apex, NC 27523
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**KELLY WEST ARCHITECTURAL STANDARDS &
CONTROL SPECIFICATIONS**

CLOTHESLINES

1. Exterior clotheslines are prohibited.

MAILBOXES

1. All new mailboxes or replacements shall conform to the mailbox style approved for the community.
2. Planting around the base of a mailbox is allowed, provided that the guidelines for landscaping are followed.

PARKING

1. No commercial licensed vehicles, trucks, tractors, or inoperable vehicles, may be parked on the lot or on common property or within any right-of-way of any street in or adjacent to the Subdivision as stated in the Declaration of Covenants.
2. The association may regulate the parking of all recreational vehicles such as campers, boats, trailers and motorcycles.

STORAGE

1. No trade materials or inventories may be stored upon any lot.
2. Temporary storage of materials for modification projects should be discreetly placed and maintained in an orderly manner.

AWNINGS

Items Requiring Architectural Approval:

All awnings require architectural approval.

Information Required on Submittal:

1. Plot plan showing location of awning.
2. Elevation showing location of awning.
3. Description and sample of material (s) to be used.

Guidelines:

1. Fabric to blend with color of house.
2. The awning material shall be fabric only.
3. Can be either retractable or stationary.
4. Upon deterioration, the awning will be repaired or replaced.
5. Must be attached to house, not free standing.

BASKETBALL GOALS

Items Requiring Architectural Approval:

1. Basketball goals mounted on poles or on the house require approval.
Permanent and portable basketball goals are not allowed along the Street right-of way.

SWING SETS,PLAY HOUSES,JUNGLE GYMS

Items Requiring Architectural Approval:

The Architectural Committee prior to placement must approve all permanent play equipment.

Information Required on Submittal:

1. Plot plan showing location of play equipment and distance from the property lines.
2. Drawings or pictures of the play equipment.

Guidelines:

1. Permanent play equipment must be installed to be as inconspicuous as possible and should be placed out of view of any street. It cannot be placed any closer to the property lines than ten (10) feet. The preferred location is in the rear, directly behind the house, but each request will be reviewed on its own merit.
2. Screening may be required in order to block the view and/or noise from neighboring lots. Landscape plans should accompany the submittal.
3. Non-permanent play equipment must also be placed inconspicuously so that it does not detract from the neighborhood surroundings.
4. Wooden swing sets only.

PETS, PET HOUSES, AND PENS

No animals, exotic animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that:

Dogs, cats or other household pets may be kept provided that they are not bred or maintained for commercial purposes.

Guidelines for the Housing of Animals:

1. Pet pens must be at least 10 feet from the property line.
2. They must be located in the back or side yards (whichever is least conspicuous).
3. Screening should be provided as much as possible.
4. No chain link or metal fencing is allowed, the fencing must be one of the approved fence styles.

Information Required on Submittal:

1. Plot plan showing the location of the proposed structure.
2. Description of the materials to be used.
3. Descriptions of the type size and number of animal (s) to be enclosed.
4. Description of the plantings to be provided for screening.

COLOR CHANGE TO EXTERIOR OF HOUSE

Items Requiring Architectural Approval:

1. A change of color from the existing color must have Architectural approval (submit color samples with your application).

Items NOT Requiring Architectural Approval:

1. Replacing with existing color does not require approval.

SKYLIGHTS AND ATTIC FANS

Items Requiring Architectural Approval:

The Architectural Committee must approve the addition of a skylight or attic fan that alters the exterior of the roof.

Information Required on Submittal:

1. Plot plan showing the location of the addition.
2. Description of style, size and materials to be used.

SWIMMING POOLS AND HOT TUBS

Items Requiring Architectural Approval:

Only in-ground pools allowed.

All in-ground swimming pools must have architectural approval. Hot tubs must also be approved.

Information Required on a Submittal:

1. Plans and specifications showing the nature, kind, shape, height, materials, and location must be submitted.
2. Plot plan showing the location of the pool or hot tub.
3. Plan for screening (fencing or landscape screening)

Guidelines:

Any wood support structure must be the same color as the house or deck.

1. Pool or hot tub cannot be located within a buffer or easement.
2. All Health Department regulations must be met.
3. Pool or hot tub must be screened from view from any street or adjoining property.

SOLAR COLLECTORS

Items Requiring Architectural Approval:

All solar collectors require architectural approval.

Information Required on Submittal:

1. Drawing showing the location of the unit.
2. Plot plan showing visibility from streets and neighboring lots.

Guidelines:

1. Solar collectors must be installed to be as inconspicuous as possible.
2. Whenever possible, collectors should be placed on the rear of the home or on the Side that has the least public exposure.
3. Collectors must be attached to the roof, not free standing or ground mounted.
4. Every effort must be taken to camouflage the plumbing and supports of the collectors. This camouflaging may require completely encasing the collectors. All metal parts should be painted to match roof coloring. There should be a minimum exposure of piping. Piping running down the side of the dwelling is not permitted.
5. The ideal installation is one that is laid flat on the roof.
6. Any tree removal required to permit increased solar exposure to the collectors, must adhere to the tree removal guidelines.

LAWN ORNAMENTS, DECORATIONS, OUTSIDE LIGHTING SIGNS, FLAGS

Items Requiring Architectural Approval:

Lawn ornaments, free standing flagpoles, lantern poles, flood lights, security lights, and fishponds.

Items NOT Requiring Architectural Approval:

Decorations including holiday decorations, landscape or accent lighting and for sale, for rent, garage sale, yard sale, political campaign signs, as long as they are removed within a reasonable amount of time and that no sign be placed on common property.

Information Required on Submittal:

1. Plot plan showing location of item.
2. Picture or description of item.

Guidelines:

Every effort should be made not to disturb or adversely affect neighbors with the installation and operation of flood and security lights. On items not requiring approval, the committee reserves the right to request a homeowner to remove an item if surrounding homeowners complain.

Commercial advertising signs are prohibited.

MAJOR LANDSCAPING

Items Requiring Architectural Approval:

Landscaping of a minor nature such as naturalizing an area of the yard or adding low growing shrubs and bedding flowers do not require approval provided they do not encroach upon neighboring properties or common area.

After initial construction, no tree having a trunk diameter exceeding four (4) inches at a height of four feet above ground level, shall be removed without the Architectural Committee's and/or the Association Board of Directors, prior to express written approval.

Exception: A tree that is dead or diseased or poses an imminent threat or danger to persons or property does not require approval.

Other types of landscaping that are structural, or change the contour of the land, or are adjacent to a property line, or obstruct a neighbor's view, will require approval.

Information Required on Submittal:

1. Plot plan showing quantity and location of plants.
2. Description of plants.
3. Details of any landscape plan that may change the flow of any drainage/ runoff shall be submitted with details, including a Plot Plan, drawings showing the present drainage/ runoff and drawings showing the proposed change in the drainage flow as a result of the change.

Guidelines:

1. Hedges and Screen Plantings
 - a. No hedge or screen planting shall be erected on any lot closer to the front lot line than the front of the house.
 - b. Hedge or screen plantings which form a barrier between properties should have the following:

* Agreement for maintenance access

* Setback to allow for plant growth

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2. No changes or modifications are allowed to Common Property, without prior Board of Director's written approval.

Retaining walls - see guidelines for retaining walls.

Ornaments - see guidelines for lawn decorations Garden

Plots - see guidelines for garden plots.

Fences - see guidelines for fences.

RADIO/TV ANTENNAS AND SATELLITE DISHES

Items Requiring Architectural Approval:

All exterior-mounted radio/TV antennas and satellite dishes require Architectural approval.

1. Plan showing location of antenna or dish.
2. Description of plantings used to camouflage the equipment, if applicable.

Guidelines:

1. Purpose and intent: To minimize any health and safety hazards created by mounting Satellite dishes on residential buildings. To control the location and screening of satellite dishes to lessen any impact on surrounding properties. To preserve the image and character of Kelly West.
2. Procedure: All exterior satellite dish installations must receive prior approval of the Board of Directors.
3. Each request will be examined on its own merit. No previously approved installations shall constitute establishing a precedent for approval.

4. A satellite dish which meets size requirements may be located on any lot zoned for residential use in Kelly West provided that it meets the following requirements:
 - a. Satellite dishes will not exceed one meter in diameter.
 - b. Satellite dish will not be located within ten (10) feet of side or rear property lines, any required yard setback or in any required buffer, whichever is greater.
 - c. No dish will be located closer than thirty (30) feet to a street right-of-way.
 - d. Satellite dishes installed at ground level must be screened so the dish is not visible from any street or neighboring property as viewed from ground level. The screen will consist of live evergreen screening. Any tree removal required must have approval. All wiring shall be properly buried.
 - e. Satellite dishes may be located on the roof of a building provided that the dish is not on the portion of the roof facing the street, and the highest point of the dish is no higher than the peak of the roof.
 - f. Satellite dishes may be mounted on the back or on the side of the homeowners building but must not be mounted on the front. If mounted on the side of the building, dishes cannot be placed within ten (10) feet of the front of the dwelling.
5. In no way shall these guidelines waive more stringent City/Town/County requirements nor waive the necessity of any permits.

ADDITIONS AND CHANGES TO HOMES

Items NOT Requiring Approval:

Normal maintenance to preserve the structure in its original state does not require architectural approval.

Items Requiring Architectural Approval:

All external changes to homes must have architectural approval before changes begin. This includes, but is not limited to, new rooms, porches, garages, attached structures or detached structures of any kind. Also, any changes to windows, doors or chimneys require approval.

Information Required on Submittal:

1. Official plat or survey showing lot boundaries, the existing building and the proposed structure.
2. Elevations showing the planned appearance of the structure.
3. Description of materials to be used including siding, paint, color and shingle samples if necessary.

Guidelines:

1. No change shall encroach upon the setbacks for the lot as listed in the covenants.
2. Changes must match the house color and style.
3. City/Town/County Building Permits are the responsibility of each homeowner.
4. No metal sheds are allowed.

DRIVEWAYS & PARKING PADS

Items Requiring Architectural Approval:

Any parking pads or changes to driveways require architectural approval.

Location and Restrictions:

1. Driveways and vehicle parking pads shall be concrete only. Any other type of pads (i.e. brick, stone, etc.) shall be reviewed on an individual basis.
2. Aggregate base, thickness, reinforcement, etc. must comply with good construction practices.
3. Close attention must be paid to structure placement, setbacks and encroachment onto buffer areas, Association owned common property and neighboring lots.

Information Required on Submittal:

1. Plot plan showing location of driveway or parking pad.
2. Elevation drawing (2) showing the measurements of the parking pad such as the length, height and width as well as any landscaping that will be added along the perimeter.

DECKS,PATIOS, ARBORS AND SCREENS

There are no predetermined styles for decks or patios. All new decks, patios, arbors, screening and under-deck enclosures, including association landscaping, require architectural approval. Any appearance change requires architectural approval.

1. Deck Materials

- a. Deck materials are generally pressure treated wood and must be weather resistant.
- b. The types and treatment of wood shall be like that of fences.
- c. Posts may be made of brick, pressure treated wood or other suitable material.
- d. Include any landscape plan/screening of the area underneath the deck.

2. Patio materials

- a. Concrete slabs, smooth finish.
- b. Bricks, with sand fill or grout.
- c. Stone, with sand fill or grout.
- d. Include any landscape plan with your request for the area around the perimeter of the patio.

3. Height of deck, arbors and screens

- a. Decks should be of a reasonable height for their intended purpose.
- b. Arbors should be no higher than eight feet above the deck surface.
- c. Free standing deck screens (i.e., lattice) shall not exceed five feet in height.
- d. Screens as part of an arbor may extend to the arbor.

Category Heading: Decks, Patios, Arbors and Screens Page Two

4. Location and Restrictions

- a. Patios should be located behind the house and may not extend around corners, or be freestanding in other areas of a backyard.
- b. Obstruction of views or breezeways of adjoining properties will be given consideration in all cases.
- c. The construction of decks or patios within buffer areas will not be allowed.
- d. Only exterior materials comparable to those on existing structures and compatible with the architectural character of the community will be approved.
- e. All permits and building codes must be in compliance with local Regulations.

Information Required on Submittal:

1. Plot plan showing the location of the deck and patio, in relationship to other structures and property lines.
2. Elevation drawing (s) showing style of deck and patio, including railing, steps, etc.
3. Description of materials used, including samples of stain or paint, if applicable.

MAINTENANCE

It is the primary responsibility of each homeowner to maintain his property in a way that does not detract from the overall aesthetics of the Community.

Following is a list of areas that should be reviewed on a regular basis to insure that your home is in good repair:

- A. Shrubbery, Trees and Lawns
- B. Driveways and Sidewalks
- C. Decks
- D. Fences
- E. Play Equipment
- F. Roofing
- G. Wood
- H. Paint and Stain
- I. Garbage Can Storage

GUIDELINES FOR THE CONSTRUCTION OF FENCES

Process

- A. Each installation will be examined on its own merit. No previously approved installation shall constitute establishing a precedent for approval. However, fences proposed for construction adjacent to existing fences are preferred to be of the same style, material, and finish as the existing fences. This may be an absolute requirement in some buffer areas that have been designated by the Town. Alternative fence styles and materials will be considered on an individual basis based on historical representation.
- B. No construction shall begin without the Board of Directors approval of the submittal.
- C. Allow enough time for processing and approval in planning for construction. **The completed application form along with the required signatures, plot plans, and construction details** should be received at CAS, Inc. no later than ten days prior to the Architectural Committee meeting. Submittals received after this deadline will be reviewed at the next Committee meeting.
- D. Approval of a fence does not constitute approval for any additional improvements (such as play equipment, playhouses or basketball equipment). These items must either be detailed on the application, or, preferably, be on a separate application that is submitted for approval.
- E. After construction, the association reserves the right to perform an inspection to ensure that the fence and any associated landscaping conform to the conditions stated in the approval.

Style

- | | | |
|----|---------------|--------------------|
| A. | French Gothic | Drawing #1 |
| B. | Stockade | Drawing #2, #3, #4 |
| C. | Picket | Drawing #5 |
| D. | Shadow Box | Drawing #6 |

THE FINISHED SIDE OF ALL FENCE STYLES MUST FACE ADJOINING LOTS

Color

- A. Natural wood
- B. White – picket only
- C. Stained

II. **Materials**

- A. Fence itself to be wood or white vinyl only. **NO METAL, WIRE, CHAIN, STONE, BRICK, OR CONCRETE FENCES ARE ALLOWED.**
- B. Styles A, B, and C and D above may be either cedar, redwood or treated pine lumber.

III. **Height**

Refer to the following table for acceptable heights. All heights are measured from the ground to the top of the posts. Fencing material may not extend beyond the height limits. Thus, the height limit shall be the higher of the posts or the fencing material. The maximum height may vary based upon the environment and application. Please contact the Architectural Committee for more information.

FENCE STYLE MAXIMUM HEIGHT OF ANY PART OF FENCE

Style A	6 ft.
Style B	6 ft.
Style C	4.5 ft.
Style D	6 ft.

IV. **Location**

- A. No fence may extend beyond the front line of the dwelling.
- B. Submit a top-down map (drawn on a copy of your survey drawing) to indicate the exact location of the fence in relation to the house and property lines.
- C. Dimensions must be included
- D. Elevations (side view) must be included
- E. Gate locations must be included
- F. Property owners are cautioned that building a fence that infringes on easements or access of right-of-ways may result in damage, destruction, or removal of the fence. Such building is done entirely at the risk and expense of the property owner.
- G. The good side of the fence must face outward. All fences must be a minimum of 6-inches inside the property line and be maintained by the property owner. Fences that face a street must have landscaping planted along the exterior of the fence. Planted screening must obscure the fence within a 3 year time span. (Amended 1.07) Planted screening must be maintained by the homeowner. The requirements of this paragraph may be modified by the Architectural Committee or by the Board of Directors in individual circumstances, such as when fences on adjoining properties are to be connected.

- H. No fences will be allowed to encroach upon common areas or designated walking trails.
- I. The use of parallel fences on adjacent lots is discouraged, in these cases, single fences are preferred.
- J. Fences must not limit or restrict adjoining residence landscaping.

V. Setbacks

- A. Additional setback requirements may be required for the sake of landscaping.

VI. Landscaping

- A. A landscape plan shall be part of the documentation required to be submitted with the application. See Section VI, paragraph D for guidelines.

VII. Construction Details

- A. All hardware is to be galvanized.
- B. For style C the slats may have a maximum 1-inch gap between vertical slats.
- C. All posts must be set in concrete.
- D. The finished side of all fence styles must face adjoining lots.

VIII. Maintenance

- A. Maintenance of the fence and all associated screen plantings is the responsibility of the property owner.