

HONEYCUTT OWNERS ASSOCIATION, INC.



ARCHITECTURAL GUIDELINES

Adopted:
December 16, 2019
Amended:
January 29, 2020
March 5, 2021
August 5, 2021

**THIS DOCUMENT REGULATES THE DISPLAY OF POLITICAL SIGNS
AND REGULATES THE DISPLAY OF THE FLAG OF THE UNITED
STATES OF AMERICA OR STATE OF NORTH CAROLINA.**

ABLE OF CONTENTS

Architectural Control and Guidelines

Introduction	3
Procedure for Requesting Architectural Approval	3
Review Period	4
Appeal	4
City/County Approval	5
Impervious Allowance	5
Implementation of Approved Plans	5
Time to Commence and Complete	5
Changes after Approval	6
Maintenance of Construction Activities	6
Enforcement, Due Process Hearings, and Fines and Fees	6
Fees Associated with Enforcement	7

Architectural Design Standards

Landscape Maintenance	7
Interior Streetscape Design	9
Exterior Appearance of House	9
Decks and Patios	9
Satellite Dishes and Antennas	10
Awnings	10
Garbage and Recycling Bins	10
Storm Doors	11
Landscape Bed Edging Material and Mulch Installation	12
Exterior Home Modification	13
Lighting: Exterior and Seasonal Decorations	13
Fences	14
Flags	17
Play, Playground, and Recreational Equipment	17
Basketball Goals	18
Grills, Outdoor Fireplace, Fire Pits, Fire Bowls, Contained Fires	18
Home Based Business	19
Pools, Hot Tubs, and Spas	19
Storage Sheds	19
Screened Porches and Deck Enclosures	20
Vegetable Gardens, Water Gardens, and Seasonal Flower Installations	20
Parking	22
Pets	22
Dog Pens, and Houses	22
Signs	22
Solar or Energy Saving Systems	23
Clotheslines	23
Yard and Decorative Components (Birdbath, Birdfeeders, Birdhouses, Fountains, Statuary, etc.)	23

Architectural Control and Guidelines

Introduction

Honeycutt Farm (“Honeycutt” or “Community”) is an exciting and vibrant place in which to live, and to protect, maintain, and enhance property values and way of life for its members and residents, legal documents have been produced to provide an overall framework and comprehensive set of standards and procedures for aesthetic development and protection of the Community.

As a site-planned community, Honeycutt is deed restricted, with its own homeowners association, commonly referred to as a HOA, the Honeycutt Owners Association, Inc. (“Association”). The Association’s legal documents detail, amongst other things, rules and restrictions by which each property Owner (“Owner”) must abide. One legal document is called the Declaration of Covenants, Conditions and Restrictions (“DCCRs”), a document recorded with the Wake County Registry in Book 17617 Page 1 and may be amended and supplemented from time to time. The DCCRs for Honeycutt sets rules of aesthetics, appearance, and safety by which Owners are obliged to follow.

The Architectural Guidelines (“Guidelines”) developed by the Board of Directors (the “Board”), support the DCCRs, and further set out and detail rules and restrictions for the Community. The DCCRs along with these Guidelines form the basis by which all aesthetic and appearance goals for the Community are based and enforced. The DCCRs authorizes the Board to establish an Architectural Control Committee (the “ACC”), also known as the Architectural Review Committee (the “ARC”), to administer and enforce these rules and restrictions.

The Architectural Guidelines outlines and describes procedures for making an Application for changes to the exterior of the home or yard. **All exterior changes must be submitted in writing to the ACC for approval prior to the beginning of any work, including any exterior changes that are not covered in this booklet.**

The Architectural Guidelines may be amended from time to time by the Board. If a topic is not covered within these Guidelines or if you have any questions please contact the Property Management Company, RealManage, LLC, at (866) 473-2573 for further direction or visit www.realmanage.com

Procedure for Requesting Architectural Control Committee Approval

Prior to beginning any modification, alteration, addition, or improvement to the exterior of an Owner’s property (“Lot”) must complete an *Architectural Change Request Form* Application (“Application”) to the Property Management Company and wait for approval from the ACC prior to beginning work. The Application may be obtained from the Association’s Property Management Company (RealManage, LLC) by either downloading the Application from the residential portal at www.realmanage.com or by contacting RealManage, LLC at the email listed below or via telephone at 866-473-2573. The completed Application should be sent to the Property Management Company at HONEYCUT@ciramailrealmanage.com. Only Applications submitted by Lot Owners will be considered.

Review Period

Each Application and plan submittal shall be **approved or disapproved within forty-five (45) calendar days of receipt of the completed Application with required attachments and all detailed information required by the ACC.** The ACC's decision shall be based upon a majority vote of the ACC members and shall be rendered in one of the following formats:

1. "Approved" The entire Application as submitted is approved.
2. "Approved with Conditions" The Application is not approved as submitted, but the ACC's direction for curing objectionable features or segments are noted. The applicant must correct the plan's objectionable features or segments and the Applicant may be required to resubmit the Application and receive approval prior to commencing the construction or alteration.
3. "Disapproved" or "Denied" The entire Application as submitted is rejected in total. The ACC shall specify the grounds upon which denial of such Application is based.
4. "Incomplete" or "Request for Additional Information." This response shall be deemed a determination that the information submitted was inadequate, and the forty-five (45) calendar days period for further ACC response shall only commence upon receipt of the requested additional information.

If the ACC fails to respond within **forty-five (45) calendar days** of receipt of a complete Application, approval shall be deemed **DENIED**.

As a condition of approval under this section, each Owner and all successors in interest, shall assume all responsibilities for maintenance, repair, replacement, and insurance to and on any change, modification, addition, or alteration.

Approval of plans for any proposed or approved modification shall not set a precedent for future Applications.

Appeal

Any Owner who submits plans to the ACC and disagrees with the finding of the ACC may appeal the decision to the Board by giving written notice of appeal to the President of the Board, through the RealManage within fifteen (15) calendar days following its receipt of Notice of Denial. The Board shall review the plans and hold a meeting to hear the case with the Owner and the ACC or its representative. At such meeting, the ACC or its representative shall present to the Board specific reasons why the plans were denied, and the Owner or his agent may present information challenging the findings of the ACC. The decision of the ACC shall only be overridden by a majority vote of the Board. This final appeal shall be only deemed approved if the applicant receives written notification from the Board. As the Board may only meet quarterly, approval shall not be assumed to be granted if the Board does not respond within **forty-five (45) calendar days**.

If, however, the Declarant Board is acting as the ACC, no appeal can be made by an Owner.

City / County Approval

The review and approval of plans and specifications by the ACC shall not be a substitute for compliance with the permitting and approval requirements of the City, County, or other Governmental Authorities. It is the responsibility of the Owner applicant to obtain all necessary permits and approvals.

Impervious Allowance

The City, County or other Governmental Authorities may have set limits on impervious material (items that cannot be penetrated by rainwater) allowed to be installed on each Owner's Lot. Maximum Allowance of Impervious Surface calculations for your Lot can be found on the Plot Plan/Survey Map and will be considered when reviewing your Application. Examples of impervious materials are concrete surfaces and roofing over decks. The definition of impervious is set by the municipality, and the ACC and Board will use their definition to calculate what an Owner is allowed on their Lot. Owners must reflect the current impervious surface calculation at the time of Application submittal, based on Builder installed surfaces and post-Closing additions.

Implementation of Approved Plans

All work must conform to approved plans. If it is determined by the ACC that work completed or in progress on any dwelling or Lot is not in compliance with these Architectural Guidelines or any approval issued by the ACC or Board, the ACC shall notify the applicant in writing of such noncompliance specifying in reasonable detail the particulars of noncompliance and shall require the Applicant to remedy the same. If the applicant fails to remedy such noncompliance or fails to commence and continue diligently toward achieving compliance within the time period stated in the notice, then such noncompliance shall be deemed to be in violation of the DCCRs and these Architectural Guidelines and the Owner shall be subject to being called to a hearing and also may be subject to a daily monetary fine.

Time to Commence and Complete

When construction of any Lot, structure, improvement, or addition thereto has begun, work thereon shall be prosecuted diligently and continuously until the full completion. It is a requirement that Lots under construction in the property be "dried-in" with exterior finishes installed (roofing, windows and finish siding and trim in place) within one hundred twenty (120) calendar days of the commencement of construction and that all phases of work, including execution of the landscape plan, be complete within six (6) months of the date of ACC approval. In the event that completion is delayed beyond one year from the date of ACC approval and provided the Owner is notified within thirty (30) calendar days of the expiration of the six (6) month construction period, the ACC may, upon unanimous vote of the committee, rescind the original approval and require that the Owner resubmit Plans for approval.

Changes after Approval

All proposed changes to plans, including, but not limited to, changes that affect the exterior of any building, colors, windows, grading, paving, utilities, or landscaping made after plan approval must be submitted by the Applicant and approved in writing by the ACC prior to implementation of such changes.

If the City or County, or any other authority having jurisdiction, requires that changes be made to final modification plans previously approved by the ACC, the Applicant must notify the ACC of such changes and receive approval from the ACC prior to implementing such changes.

Maintenance of Construction Activities

During the construction of any improvement to a Lot, the Lot, roads, landscaping, and common areas or limited common areas adjacent to the Lot (as approved by the ACC) shall be kept in a neat and orderly condition, free from any dirt, mud, garbage, trash, or other debris, so as not to cause an unsightly condition to exist or damage to occur. Any damage to the street, curb, sidewalk or to any part of any common areas, limited common areas or utility system caused by an Owner or an Owner's Builder shall be repaired by such Owner. Owners and their agents, employees, or contractor shall adhere to the construction standards promulgated from time to time by the Association.

In the event the Owner or his agent, employee, or contractor causes damage to the common areas adjacent to the during construction, and if curing of the damage remains unrepaired for seven (7) calendar days following delivery of written notice thereof from Declarant or the Association, Declarant or the Association shall have the right, exercisable in its sole discretion, to make needed repairs, and to remove any rubbish, refuse, unsightly debris and/or growths from the Lot and adjoining area, with the costs of the work to be reimbursed by the Owner to the Association. A lien may be placed on the Lot until the cost is paid in full.

Enforcement, Due Process Hearings, Fines and Fees

Any construction, alteration, or other work done in violation of either the DCCRs or the Architectural Guidelines, shall be deemed to be nonconforming. Upon written request from the Board, the ACC or the Declarant, Owners shall, at their own cost and expense, remove such construction, alteration, or other work and shall restore the land to substantially the same condition as existed prior to the construction, alteration, or other work. Should an Owner fail to remove and restore as required hereunder, the Board or its designees shall have the right to enter the property, remove the violation, and restore the property to substantially the same condition as existed prior to the construction, alteration or other work. All costs, together with the interest at the maximum rate then allowed by law, may be assessed against the nonconforming Lot and collected as a Special Assessment pursuant to the authority listed in the DCCRs.

Any contractor, subcontractor, agent, employee, or other permittee of an Owner who fails to comply with the terms and provisions of this Article 13 of the DCCRs may be excluded by the

Board from the Lot. In such event, neither the Association, its Officers, or Directors shall be held liable to any person for exercising the rights granted by Article 13 of the DCCRs.

When a violation is determined to have occurred, the following steps shall be taken: The ACC will investigate any reported violation and attempt to bring the Owner into compliance. Owners will be notified in writing of the violation and are expected to bring the violation into compliance within thirty (30) calendar days.

Should the Owner fail to act upon the recommendations for corrections, the ACC shall submit the matter to the Board.

The Owner shall be invited to a hearing with the Board where the Owner will have opportunity to be heard and present evidence. Failure to appear shall result in an automatic fine, which will begin to accrue five (5) calendar days after the date of the hearing. However, if the violation is brought back into compliance prior to the hearing, no hearing would be necessary.

After the hearing, the Board shall respond to the Owner with a decision. Any penalties or costs relating to the violation (and the date from which the accrual shall begin, which will be no sooner than five (5) calendar days after the hearing date) shall be noted in the letter from the Board.

Fines may be levied daily, up to \$100 (One Hundred Dollars) per day, per violation, until the violation is rectified. The North Carolina Community Act effective in January 2006 allows planned residential communities the ability to fine up to \$100 per day to uphold standards that will protect and ensure Owners of maintained property values, with regard to holding all property Owners accountable for abiding by the existing DCCRs.

Fees Associated with Enforcement

Should an Owner fail to remove and restore as required hereunder, the Board or its designees shall have the right to enter the property, remove the violation and restore the property to substantially the same condition as existed prior to the construction, alteration or other work. All costs, together with the interest at the maximum rate then allowed by law, may be assessed against the nonconforming Lot and collected as a special assessment. In addition, the Board shall have the authority and standing on behalf of the Association to pursue all legal and equitable remedies available to enforce the provisions of the DCCRs and Architectural Guidelines and the decisions of the ACC.

Architectural Design Standards

Landscape Maintenance

Certain Lots in the Community receive landscape maintenance of their Lot in conjunction with their Association Assessment dues. This service will be provided by a vendor of the Board's choice, whose scope of work includes mowing and edging of turf; blowing of leaves and debris; trimming of shrubs and certain trees; weed control and fertilization program, and installation of mulch. Anything outside of this scope of work for the Carriage, Villas, and Townhome Lots is the

responsibility of the owner, including watering of turf and plants, and removal and replacement of dead plant material.

Some Single-Family detached Lots have non-accessible portions of their property due to Builder installed walls/fencing, and in that case, the Association will maintain that portion of their Lot if it would otherwise result in the Owner's trespass onto adjacent Lots to access that portion of the Lot, according to the scope of work as set by the Board.

The Association shall have no responsibility for the lawn maintenance of those Lots whose landscaping is maintained by the Association (Carriage, Villas, and Townhomes only) if the turf is not free of items included but not limited to toys, play equipment, water hoses, lawn furniture, trash/debris, pets, and pet waste (fecal matter), on scheduled lawn maintenance day. Nor will the Association be responsible for refreshing the mulch in the existing Builder/Developer installed landscaping beds if said beds are not free of the aforementioned items, and yard decorations during the scheduled mulch Application date(s).

Those Owners of Lots that do not receive landscape maintenance by the Association are required to attend to all necessary lawn maintenance including mowing, edging, fertilization of turf, trees, shrubs, and plants; removal of leaves and debris; trimming trees and shrubs; removal and controlling weeds in turf and landscape beds; and installation of approved mulching material. Owners are urged to check with the Association prior to installation or refreshing to see if approval of the type, color, and location is required. Red dyed mulch, rubber 'mulch', nor rock or pebble mulch and ground cover are not permitted in Community.

If any Owner wishes to amend the landscape plan of their Lot, either to add to it or remove anything, they are required to submit an Application with details of the plan for prior of approval by the ACC.

Grading and swales for drainage that exist on an Owner's Lot at the time of closing are to assist in drainage. Any landscaping additions which may cause grading changes to that which is existing requires an Application and ACC approval. Owners whose approved project changes the existing grade or drainage patterns may be liable for costs to repair such changes as the ACC's approval is aesthetic in nature and cannot be construed as engineering approval. Therefore, Owners will be asked to acknowledge that their project will not change drainage patterns and accept responsibility should that occur after installation.

An Application that requires soil addition must have a plan for temporary storage of that soil. Any plan that requires removal of soil (including fence installation) must have a plan for removal of soil. In no instance may soil be disposed of on any Lot or common area in the Community.

It is recommended that prior to beginning any earth movement, that the Owner contact "No Cuts" by calling 811 to locate underground utilities and wires. This is a free service.

Interior Streetscape Design

The same elevation and color scheme will not be approved within 3 Lots on the same side of the street or same distance opposite side of the street.

Exterior Appearance of House – General notes

All grills must be stored on a rear patio or deck only and covered when not in use and not extend beyond the sides of the house making said grill visible from the street.

No furniture intended to indoor use (including, without limitation, sofas, tables, plastic chairs, and shelving or organizing units) may be located or stored on any front porch unless approved by the ACC.

Not allowed to be stored in view, anywhere on the exterior of the unit include cleaning equipment such as mops, brooms, buckets; storage boxes or bins; lawn maintenance equipment; recreational items such as bikes, skates, basketballs, etc. This is a partial list as illustration only. All items should be stored out of view of the street and neighboring Lots.

Each Owner shall keep their Lot and all improvements thereon in good order and repair, including, painting, power washing, trim/wood/siding replacement, railing, masonry, roof or other appropriate external care of all buildings and improvements, if these items are not provided by the Association. This should be done in a manner and with frequency as is consistent with good property management and the precedent set in the neighborhood.

Decks and Patios

All plans to install a deck or patio requires an Application and must be approved by the ACC prior to installation. If approved, these additions will be allowed on the rear of your house only. When contemplating a project that includes adding a wooden deck or concrete/brick paver patio, please consider several factors:

Water or drainage pattern under or around the deck/patio. Improper final drainage can damage the house foundation as well as create an area for insects (for example – mosquitoes) to breed.

Distances of deck/patio to property lines and easements. Ordinances may require that such structures not encroach into easements or to within certain distances from property lines.

Any permits or inspections that the city or county may require are the Owner's responsibility.

Any impervious material calculation limits for your Lot.

All requests for decks/patios will be reviewed by the ACC in context to the house and Lot as well as surrounding Lots and easements. Please be specific on the details of the size, location, and type of deck/patio on your *Architectural Change Request Form* Application.

Satellite Dishes and Antennas

No Application is required to install a satellite dish for receiving direct broadcast video service or antennas designed and intended to receive customary television transmission or radio reception signals as long as it: a) it measures no more than one (1) meter (39.37 inches) in diameter, b) has a hidden, secured to the house, or buried cable, and c) is attached to the rear roof of the house.

Townhomes may not attach a satellite dish or antennas on the roof or siding and must install on a pole as close to the house as possible in the rear portion of the Lot and install landscaping to screen the pole from the street or adjacent Lots.

An Application is required if it is determined by your satellite dish installer that an acceptable quality signal cannot otherwise be obtained with installation on the rear roof. In this case, the dish may be able to be allowed on a pole in the rear Lot, as close to the house as possible. Submit verification from your installer that a quality signal cannot be obtained in the preferred location in the Application to the ACC, as well as a plan for installing landscaping to screen the pole from the street or adjacent Lots.

No exterior antenna, receiving dish or similar apparatus of any kind for receiving or transmitting CB or Ham radio or video signals shall be allowed.

Awnings

Awnings are not allowed.

Garbage and Recycle Bins – storage, screening

Garbage and recycling bins for all Lots may be placed on the curb no earlier than 6 P.M. the day before collection and must be moved to their storage location by end of day on collection day. Garbage and recycling bins shall not be stored or placed on the driveway or next to the garage door or anywhere visible from the street or adjacent Lots.

Storage: Townhome or Carriage Attached Homes: Garbage cans and recycle bins are allowed to be stored inside the garage ONLY on non-collection day.

Storage: Single-Family Detached Homes:

Garbage cans and recycle bins are approved to be stored in the following approved locations: Inside the garage (no Application is required).

On the side or rear yard of the Lot behind an approved screening corral (“corral”). Side and rear yard location choices must be preceded by an approved submitted to the ACC. An Application must include detailed information about materials, color, dimensions, and style for the proposed corral, and include a landscape planting plan of shrubs to soften the visual impact of the proposed trash/recycling corral.

Corral must consist of two or more pieces of 48" tall vinyl stockade fence panels, white in color, at right angles against the side of the house. Overall dimensions for corral are not to exceed 8' X 3.5' X 4'. More panels may be necessary to adequately screen two (2) large bins from adjacent houses, and a combination of corral and plantings will be considered. The preferred placement of the street-facing screen is behind the front corner of the garage side of house, but other locations will be considered on a case-by-case basis. Corral fencing panels should be solid, stockade style vinyl fencing material but may or may not have lattice at the top. The finished side of vinyl fencing shall face outward from the Owner's property toward neighboring properties or street view. Corral doors are permitted, but not required. Finials on top of posts are permitted, but not required. Panels must be permanently installed in the ground by post set in concrete to assure that the screen will remain upright and even, and not blow over. No temporary or non-affixed screens are permitted.

Evergreen shrubs shall be planted at the time of the construction of the screen on the street side of the screen to soften the look. The shrubs must be no less than 40" tall from the top of the root ball at the time of installation and must be planted in such a manner that the screening corral trash cans will be fully screened from street view within one growing season. Recommended shrubs to be used are Chindo Viburnum, Cleyera, Ligustrum, and Wax Myrtle, but other plantings can be submitted for approval by the ACC.

Fencing panel samples permitted to be used for corrals only are shown below. The permitted corral fencing panels below are examples of what you can find at local home improvements stores, online, or as supplied by professional fencing installers:



Storm Doors

An Application and ACC approval required prior to installation. Screened doors will be considered for the rear of the house only.

Storm doors on the front of the residence must be full-view single pane glass/Plexiglas (with NO ornamentation, tinting, etching, screen inserts or crossbars. The trim of the storm door should match the trim of the house or the door itself. Hardware material and color must match that of the door (brushed nickel for brushed nickel, etc.).

For all Townhome Lots, approval of a storm door is conditioned on the following: Owner accepts responsibility for any defects and/or occurrence of mold, mildew, decay, wood rot etc. to the building's structure because of installation of the storm door. Owner accepts responsibility for any damage to the storm door that arises out of performing Association responsible maintenance; including but not limited to; power washing, landscape blowing,

painting, etc. (as applicable). The Owner will not hold the Association liable for any replacement and/or repair as a result.

Landscape Bed Edging Material and Mulch installation

An Application and ACC approval required prior to alteration, addition, or improvement.

The Application should include photos of the edging material desired, and the Plot Plan/Survey Map should show which beds will receive the edging. Mulch refresh can be done without Application however only brown hardwood or pine straw is allowed in the Community. **Black mulch, red dyed mulch, stones, and rubber are expressly forbidden as mulch material.**

Edging made of plastic or rubber is not permitted. Individual stones or rocks used as edging material are not permitted. Acceptable edging materials include the following, with some examples seen below.

Stone, segmental block, brick, or concrete pavers specifically designed for edging, in earth tone colors. These types of edging material and color must match that of the house. For instance, stone edging on houses which have stone facades, in colors matching the stone on the house; brick edging on houses which have brick, in colors matching the brick on the house or block edging on houses matching the color scheme of the house.

The permitted landscaping edging below are examples of what you can find at local home improvements stores, online, or as supplied by professional fencing installers:



The block or brick should be installed either horizontally or vertically, not diagonally. Construction bricks are prohibited. Steel coated edging, in an earth tone (brown is preferred). Composite bender boards (earth or brown tones preferred).

Edging should be installed so that half of the width of the paver or block is at ground level. Edging type chosen should be in keeping with the style and color themes of the house. The block or brick should be installed either horizontally or vertically, not diagonally.

Exterior Home Modifications

(Alterations to existing siding, shutters, exterior doors, and roof; including additions to)

An Application is not necessary to simply re-paint or replace exterior doors, shutters, or siding using materials and color which are the same as originally installed by the Builder, nor is an Application needed to replace existing shutters or roof materials if using materials and color which are the same as originally installed by the Builder. If endeavoring to change the existing color or material of siding, doors, shutters, or roof, an Application and ACC approval is required prior to installation or change.

Exterior lighting and Seasonal Decorations

All permanent exterior landscape lighting or décor requires an Application and ACC approval prior to installation. Low voltage or solar light fixtures may be used for low-level path lighting, up-lighting, down lighting, and landscape architectural accent lighting with the following conditions:

Low voltage or solar lights are allowed. Lights may be installed along a path, sidewalk, or a landscape bed but must be install in mulched area of Lot. Installation around the perimeter of the Lot or along driveway is not permitted.

If proposed in the front area of the Lot, these lights should not number more than eight (8) and should be spaced no less than four feet (4') feet apart. In-ground light fixtures may not exceed 18" in height.

Light fixtures should be similar to the architectural character of the house and constructed of high-quality material, in brown, black, or other colors or patina that will blend into the area in which it is installed. Plastic fixtures are discouraged. Brightly colored or themed lights are prohibited.

Down-lighting, up-lighting, and low voltage path lights must be installed and aimed so that the light source is not shining on streets or neighbor's property. Spotlights are not allowed.

Floodlights shall be hooded to avoid bulbs being visible from the street and adjoining property. No floodlights shall be installed on the front elevation or front corner.

If junction boxes are necessary, they should be installed below grade or screened to minimize visibility.

No lighting shall be done within the property that is an unreasonable annoyance, inconvenience or nuisance to the residents and unreasonably interferes with the quiet enjoyment of all who reside there. shining on streets or neighbor's property, thus creating a nuisance, unreasonable annoyance, inconvenience, or hazard to any neighboring Lots or street view.

The Board or the ACC reserves the right, at its own discretion, to limit number, placement, size and type of fixture, distance from each light, and to determine if the light source hardware fits aesthetically with the style of the house and overall Community.

All lights must remain in good condition, and those installed in the ground plane must always remain erect.

Seasonal decorative lights may be installed without Application thirty (30) calendar days prior to the event/holiday/celebration and must be removed fourteen (14) calendar days after the event/holiday/celebration. For example, Christmas lights may be hung on the exterior of the residence from November 25th through January 8th. Other seasonal decorations do not require an Application and are approved for two (2) weeks prior to the event until two (2) weeks after event.

Fences:

An Application and ACC approval is required prior to installation of any fencing.

Townhome Lots: Fencing is not permitted.

Carriage Lots: Black aluminum fencing only, five (5) feet high, in flat top style (see example below).

Single-Family detached Lots, including Villa Lots:

Two Approved Fence Styles:

Black aluminum fence, five (5) feet high, flat top style as shown below. See style example below.



Allowed pickets are: Standard (generally 3.7" apart); and optional "Puppy Picket" (where pickets are generally 1.5" apart).

Vinyl privacy fence, six (6) feet high, in stockade style as shown below. White in color; no other colors will be considered. Decorative cap post is optional. The finished side of vinyl fencing shall face outward from the Owner's property toward neighboring properties or street view.



Approved Fence Location and placement:

Townhome Lots: Fencing is not permitted.

Carriage Lots: Fencing may be installed starting at each back corner of the house and extend straight back to the rear property line or rear fence line. Fencing cannot be installed on or over common area. No corner Lot may fence in their side yard.

For Single-Family detached Lots, not including Villa Lots, fences may enclose the rear lot and a portion of the side yard. The placement of the fence, when enclosing a side yard, shall extend no further than 50% of the depth of the house, as measured from the rear corner of the house, excluding any screened porch, to the front wall, excluding any front porch. Fence placement on the side of the house not enclosing the side yard shall start at the rear corner of the house. Villa lot fencing may enclose the rear lot only and side placement shall start at the rear corner of the house.

Single-Family detached corner Lots, including Villa corner Lots, may have special restrictions regarding fence placement due to presence of sidewalks, sight triangles, or other Lot features or restrictions, and may require landscape installation along the side road fence line to soften a large swath of fence. Single-Family detached corner Lots may install fence no closer than 5 feet (5') from the inside edge of the sidewalk if one exists, and no closer than 8 feet (8') from the back of curb should no sidewalk exist. Fencing cannot be installed on or over common area. Where Town of Holly Springs regulations for fencing on corner lots are more strict than the standards herein, the Town regulations apply.

Notes on fencing:

Vinyl privacy fencing panels must be installed 2-3 inches above grade so that the Lot's water drainage pattern allows for the positive flow of water.

Both vinyl and black aluminum fence must be placed on 1" or 3' of the property line. Adjacent Owners shall be allowed to tie into the installed fencing if installed 1" from the shared property line.

Due to Lot restrictions as reflected on the Plot Plan/Survey Map, no fencing shall be installed in or over a public easement, common areas, tree conservation areas, or right-of-ways. With certain conditions, both black aluminum and vinyl fencing may be allowed in private easements on a case-by-case basis. Those conditions may include installation of gates (size of which is dependent on the width of easement, presence of pipe underground, etc.), and the requirement that fencing be installed perpendicular to the private easement or any Builder installed wall/fence.

All fence posts must be anchored in the ground with concrete with post footings, unless instructed otherwise by the ACC.

If a fence is installed prior to obtaining ACC approval, the Owner may be required to remove or relocate the fence at their own expense.

Chain-link and barbed wire fences are strictly prohibited.

At least one 42" gate is required for access into all fenced in areas. The ACC may dictate the placement and alternative width of the gate(s) based on the location of Lot restrictions.

By approving a fence Application, the Board, the property management company, or their representatives, shall not be responsible for resolving any disputes between neighbors related to easement, repair, nor any issues that arise from sharing a fence line. Owner is further notified that damage or removal of fence panels may be necessary should work be required in the area of the easement or wall/fence, and removal or rebuilding panels needed to be removed will be at Owner's expense.

Existing trees or shrubs located on the Lot shall not be removed to place the fence without prior approval from the ACC.

Mixed materials (vinyl for certain sides and aluminum for others) is discouraged; however, the ACC will consider such an Application where the rear Lot/fence line abuts common area or where a Builder installed fence or retaining wall exists.

For Carriage Lots and Villa Lots that receive landscape maintenance of their Lot, 2 (two) gates of no less than a 42" wide opening must be installed on each side panel to allow for landscape maintenance access. Other gates may be required to access yard not able to be fenced in (in the case of the presence of an easement). Furthermore, the Association shall have no responsibility for lawn maintenance of those Lots whose landscape maintenance is provided by the Association unless the turf in the area enclosed by fencing is free of items included but not limited to toys, play equipment, water hoses, lawn furniture, trash/debris, pets, pet waste (fecal matter), yard decorations, etc. and the gates remain unlocked on the scheduled landscaping maintenance days.

Black aluminum fences installed in Lots that receive Association provided landscape maintenance (Carriage and Villa Lots) must install a 12” wide swath of mulch or pine straw (6” on each side) on the bottom of the fence to assist landscaping maintenance and avoid damage to the fence by mowing and edging equipment.

If a portion of any Lot cannot be fenced due to the presence of an easement, a gate may be required to allow Owner access the non-fenced area as the Owner is to maintain all portions of the Lot even those that cannot be fenced in due to the presence of an easement or preferred placement of the Owner. Required maintenance includes mowing of turf, watering turf, edging turf along all landscaping edging, driveway, walkway, sidewalk, and patios or porches, keeping turf and landscaping beds weed free. Some Single-Family detached Lots have non-accessible portions of their property due to Builder installed walls/fencing, and in that case, the Association will maintain that portion of their Lot if it would otherwise result in the Owner’s trespass onto adjacent Lots to access that portion of the Lot, according to the scope of work as set by the Board.

It is owner’s responsibility to perform usual and routine maintenance of all installed fencing including removal of debris, dirt, and mold/mildew, on an as needed basis to maintain the overall appearance and be responsible for repair.

Vegetation of any type including vines growing on Builder installed and Association owned/maintained fencing is prohibited.

Flags

United States of America and North Carolina flags meeting the following criteria are pre-approved.

Mounted on the front of a dwelling with a flag mount. No larger in size than 4 (four) feet x 6 (six) feet in accordance with §47F-3-121 North Carolina Planned Community Act. Freestanding flagpoles are not permitted.

All other flags require an Application and ACC approval. Approval is not guaranteed. Any flag which, subject to the Board’s judgment, tend to incite or antagonize are not permitted.

Flags must be maintained in good condition and shall not be displayed if mildewed, tattered, or faded.

Play, Playset, and Recreational Equipment

An Application and ACC approval required. All play, playground, and recreational equipment must be placed in the rear yard only and shall not extend beyond the sides of house and out of street view. Placement of play and recreational equipment, e.g. soccer goals, shall not be placed on the public roadway for storage or use.

Permanent playground equipment, defined as a play structure, or playsets **are allowed at the Single-Family Detached Lots only**. It must be permanently installed per the manufacturer's instructions for safety and to maintain overall appearance. Play structures and playsets are required to be made primarily of durable and quality material such as wood and composite material, and not be fabricated of plastic or metal. Colors preferred are earthen tones. Play structures and playsets should not be higher than twelve feet (12') high when installed.

Play structures of a portable, temporary nature are allowed in the Townhome and Carriage Lots if used in the rear yard only and must be put away in the garage and out of sight when not in use.

If landscape maintenance is performed by the Association for your Lot, the yard must be clear of any impediments that hinder access and/or accomplishment of these services including any temporary play equipment.

Trampolines are not allowed on any Lot.

Basketball Goals

Temporary basketball goals are not allowed.

All basketball goals require an Application and ACC approval prior to installation and must be permanently installed in the ground. Permanent basketball goals are to be placed on the rear third of the driveway or parking pad (toward the house) or placed in the rear portion of the yard and must be mounted on a single pole cemented into the ground. The field of play shall not include any portion of a street (public or private), neighboring Lots, or common area. Goal post, backboard, and netting must remain in good repair. The backboard must be without ornamentation. One goal per Lot is permitted.

Grills, Outdoor Fireplaces, Fire-pits, Fire bowls, Contained Fires

Grills are allowed if located in the rear yard of a Lot and utilized in a safe manner.

All Townhome Lots must submit an Application and obtain ACC approval prior to installation for a grill since its presence may affect the Association provided landscape maintenance and the restrictions of placement of grills when in use per the insurance policy and/or North Carolina Fire Code, the ACC may require a permanent pad on which the grill will sit.

Outdoor fires in an enclosed/freestanding outdoor fireplace, fire bowl, chiminea or other similar device specifically designed to hold and contain a fire, will be considered in the Single-Family detached Lots only and must have ACC approval. Barrels may not be used to contain a fire. In-ground fire-pits require ACC approval and are subject to allowance by the municipal authority, municipal code and/or a permit as may be required.

No fires may be left unattended at any time and such use must comply with municipal requirements.

Home Based Businesses

An Application and obtain ACC approval prior to conducting business at, on, or from the Owner's property is required. Owners may only use their Lot for residential purposes only, however, Owners may be allowed to conduct certain business or commercial activities within their residence which do not conflict with local zoning ordinance restrictions and regulations. Any home-based business may not install business-related signage on their Lot nor unduly burden traffic flows within the property or cause the parking of non-resident vehicles upon the street for unreasonable or excessive periods of time. It shall be within the discretion of the Board to determine, on a case-by-case basis, which commercial and business-related activities will be compatible with the residential nature of the subdivision.

Pools, Hot Tubs, Spas

Pools: Above ground swimming pools are not allowed on any Lot. An Application and ACC approval is required prior to the installation of any in-ground pool.

Temporary wading or baby pools, no taller than eighteen inches (18") and no wider than eight feet (8'), are allowed to be used in the rear yard only, during appropriate weather and must be emptied and stored out of sight when not in use. In the case of any Lot which has landscape maintenance performed by the Association, the yard must be clear of any impediments that hinder access and/or accomplishment of these services.

Hot Tubs, Saunas, and Spas: An Application and ACC approval is required prior to the installation of any hot tub, sauna, or spa and are allowed on the Single-Family detached Lots only. Any hot tub, sauna, or spa proposal shall be an integral part of the deck or patio area and/or the rear yard. Hot tubs, saunas, or spas shall be located at the rear of the property and not extend beyond the side corners of the house. They require screening with permitted privacy screens and evergreen shrubs. They shall be installed in such a way that is not immediately visible to adjacent property Owners and shall not create an unreasonable level of noise for neighboring property Owners. Owners are required to install safety features such as locks or covers for these items when such are not in use. Applicable City and County ordinances may govern requirements for installation and use.

Storage Sheds

Storage sheds are permitted in the Single-Family detached Lots only, and *Architectural Change Request Form* Application and ACC approval is required prior to installation. Maximum size shall be ten feet (10') by ten feet (10'). Siding and roofing materials must be similar or the same as the residence, and in similar color and composition to the residence.

The shed must have a suitably constructed flooring system or foundation (slab or masonry foundation is permitted) and be flush to the pad.

Approved shed placement is in the rear of the Lot, not to extend beyond the sides of the house to minimize visibility from the street and ideally within a fenced yard. Landscape screening along the base of the shed may be required, at the discretion of the ACC.

Any Lot restrictions, e.g. impervious allowance, easements, and building setback, may affect whether a shed can be located on a Lot.

Screened Porches and Enclosed Decks

Architectural Change Request Form Application and ACC approval is required.

All porches, screened or not, and decks, enclosed or not, must be located on the rear of the house, be of a permanent nature and not extend beyond the sides of the house. Applications to construct decks, porches, or enclose existing decks and porches will be reviewed on a case-by-case basis and are allowed in the Single-Family detached Lots only. Usually, but not always, approval will be reviewed favorably if the project is the same as that which is offered by the Builder. Any Application to screen an existing porch or deck or create an enclosure should include materials that match the color scheme and material of the house, such as the same siding and roofing materials and colors of the house.

It is the Owner's responsibility to ascertain with local municipalities re public easements that may affect placement of the porch or deck. Any permits or inspections that the governing authority are also the Owner's responsibility.

Deck stain: You may apply a light to medium colored Transparent or Semi-transparent stain that allows the natural wood grain of the wood material to still be visible and will be considered with prior approval from the ACC. The color of the stain should blend with the surrounding natural environment or be complimentary with the color scheme of the existing house.

All stain colors, even those listed below, must be approved by the ACC prior to Application. A color picture of the existing dwelling must be submitted with the Application.

Only the following **Transparent Stains** may be used on decks, back porches, and balconies in the Community:

- Cedar Tone Natural (Sherwin Williams #3556), or equivalent color in another brand;
- Heart Redwood (Sherwin Williams #3558), or equivalent color in another brand; and
- Canyon Brown (Sherwin Williams #3559), or equivalent color in another brand.

Only the following **Semi-Transparent Stains** may be used on decks, back porches, and balconies in the Community:

- Cedar (Sherwin Williams #3561), or equivalent color in another brand;
- Redwood (Sherwin Williams #3563), or equivalent color in another brand;
- Riverwood (Sherwin Williams #3507), or equivalent color in another brand;
- Gray Pine (Sherwin Williams #3560), or equivalent color in another brand; and
- Hawthorne Brown (Sherwin Williams #3518), or equivalent color in another brand.

For all Applications, please submit color chips, material samples, and a picture or brochure (if available) with your *Architectural Change Request Form* Application. Painting or solid-color/semi-solid/solid-bodied/non-transparent/opaque staining of decking materials is not permitted. Opaque stains are considered paint and therefore not allowed.

Vegetable Gardens; Water Gardens, Seasonal Flower installation

Any plan to install a garden of flowers, water gardens (fountains, ponds, etc.), or vegetables requires an Application and ACC approval prior to installation, and should detail type, and number of said plantings, with location shown on your plot plan.

Planting seasonal/annual flowering plants in existing landscaping beds or around trees located on an Owner's Lot do not require ACC approval.

Flower gardens, water, or vegetable gardens may be installed in Single-Family detached lots only, and may be limited in size, edging or border material, type of plants requested, and must be located in the rear Lot only. In general, garden areas may not exceed four (4) 4' x 4' sections, unless otherwise approved by the ACC. The ACC reserves the right to limit type of flowers or vegetables installed, final size of gardens, and the use of edging materials. Flowers or vegetable plants in pots may have further restrictions or conditions of approval.

Water gardens shall be planned and located to limit potentials for accidents (i.e., electrocution, drowning).

For Single-Family detached Lots, Vegetable, herb, and water gardens shall be confined to the rear yard out of view from public streets and common areas. Vegetable, herb, and water gardens in side or front yards are not allowed.

For Vegetable, herb, or flowers gardens may be installed by an Owner of Townhome or Carriage Lots, in pots only, and placed in the mulched area in the rear of the house. Owner is responsible for removing pots prior to the installation of yearly mulch installation by the Association. Vegetables should not achieve a height of over three (3) feet. There shall be no less than a five (5) foot radius area of grass around the garden as to not impair the Association's ability to maintenance the rear yard.

Gardens must appear neat and clean during the growing season. Debris and weeds must be removed periodically. Dead plant material must be removed once the growing season has ended.

Gardens cannot be placed in any way that would affect yard drainage, and no gardens will be allowed in swales. Rabbit/Deer deterrent fencing is not permitted.

Potted plants are limited to three (3) in the front yard area and six (6) in the rear yard area. No potted plants are allowed in the side yard or the side of the house.

Vegetation of any type including vines growing on Builder installed and Association owned/maintained fencing is strictly prohibited.

Parking

Vehicles must be parked in the driveway or in the garage. Parking on grass, in common area turf

and overnight parking in the amenity parking area is prohibited. Townhome residents may not use visitor parking to habitually park vehicles in those spaces. Inoperable vehicles (defined as those that mechanically cannot be driven, or those whose tags are expired) must be parked in the garage or in the driveway with a car cover. No commercial vehicles may be parked in the street but may be parking in the driveway with a car cover.

Pets

Residents are required to comply with the Wake County Animal Control Ordinance, which regulates that all animals remain under the control of their Owners at all times, whether by leash or fence.

Pet owners are responsible for immediately collecting any animal waste and disposing of it in an approved receptacle. Violators will be subject to penalties, including fines.

If you need to report an animal that is loose or that you suspect to be dangerous, DO NOT CONTACT THE ASSOCIATION, instead contact Wake County Sheriff's Office at (919) 856-6911 or Wake County Animal Control at (919) 250-1475.

Dogs, Dog Pens, and Dog Houses

Dog houses shall be allowed but require prior an Application and ACC approval prior to installation.

The doghouse must be constructed of materials like those of the residence, and in the color scheme of the residence.

The doghouse must be placed against the back of the residence and have shrubs to screen the view from the street and neighboring houses.

Dog pens or runs, defined generally as a fenced area or area with cable, chain, rope, etc. to allow a dog to run, are not allowed.

Dogs must always be under control of their Owner, by being on a leash or within a fenced yard. "Animal nuisance" (defined as noise and any disruptive or destructive actions) and improper waste disposal on common space or within the neighborhood or on Owner's Lot, will not be tolerated. Owners are responsible for immediately collecting any animal waste and disposing of it in an approved receptacle. Violators will be subject to penalties, including fines.

Signs

The following signs do not require an Application and are pre-approved provided they meet the following criteria:

A single "For Sale" sign, limited to six (6) square feet (3 feet by 2 feet). This sign may be installed on the front lawn area only and must be installed in an existing mulched landscaping bed and may not be displayed from the inside window of the dwelling.

A welcome or name sign that is attached to the house at or near the entry in a proportionate size is acceptable. The sign should not have bright or fluorescent type color or a busy design that contains many colors. No siding or trim installation of signs will be permitted on Townhomes.

One security, alarm, or political election sign, no larger than two (2) feet by two (2) feet in size, may be erected in the front lawn or landscape bed of the house. Political election signs can be displayed up to forty-five (45) calendar days before a primary or general election and must be removed by three (3) calendar days after such election.

The following signs are EXAMPLES that require an Application and ACC approval: ***Traffic Caution/Slow Down; Child Alert and/or Flags; Children at Play; Pet Warning Signs; Sign or Banner related to Holiday/Celebration/Religious Observation/Seasonal Event or Social Causes.***

The following signs are EXAMPLES that are prohibited at any location of a Lot: ***For Rent/For Lease, Signs Advertising Home Based Businesses; Advertising and Commercial Signs for Businesses, Advertising Signs for Vendors/Contractors conducting work on a Lot; Garage Sale; Signs nailed/attached to a tree; and Sequential signage i.e. Burma-Shave Style.***

Note: All signs must comply with any applicable federal, state, and local laws and ordinances. The Declarant, during the Declarant's development period, and the Association's Board reserve the right to deny the request or require removal of any sign on any Lot or common area.

Solar or Energy Saving Systems

Architectural Change Request Form Application and ACC approval is required. All solar energy or energy saving systems, including solar panels and rain barrels require an Application and ACC approval. Roof mounted solar panels are only allowed in the Single-Family detached Lots only, and must be installed on the rear roof only, regardless of house orientation. Panels must be mounted parallel to the roof edge, not extend over the roof boundaries, and not achieve an overall height or more than six (6) inches above the roof. Panel hardware, trim, pipes, and the like must be the same color as the roof.

Clotheslines

No clotheslines of any type can be installed nor will be allowed to remain on any Lot. Clothes drying on the Lot or the common area is not permitted.

Yard and Decorative Components: Birdbaths, Birdfeeders, Birdhouses: Fountains, Statuary, Wind Chimes, Weathervanes, and Other Yard Accessories

Temporary "Holiday Decorations" shall not be construed to be Yard and Decorative Components.

All statues, artifacts, and other yard or decorative components, especially in the front area, require an Application and ACC approval. Owners are limited to four (4) yard accessories in the front area of their Lot. The ACC may deny an Application for an artifact addition based strictly on aesthetic reasons.

Birdfeeders and birdhouses must not be larger than one foot (1') in width, one foot (1') in length,

and eighteen inches (18") in height; typically constructed of natural colored wood, wood, glass, acrylic, and sometimes metal. Any pole on which a birdhouse or birdfeeder is located may not exceed two inches (2") in diameter, and six feet (6') in height (including the house and feeder) or if a post-mounted, no more than 3.5" x 3.5" square, and six feet (6') in overall height.

Owner is responsible for removal of sprouted seed removal at the base of a birdfeeder and installing the birdfeeder in mulched landscaping bed is preferred, it is required if landscape maintenance is performed by the Association.

Birdhouses, birdfeeders, yard ornamentation and accessories are prohibited to be installed on Association owned or maintained fencing or to the roof, trim, or siding of Townhomes.

Approved location for installing residential-sized fountains, birdbaths, birdhouses, and birdfeeders is in the rear area of the Lot, not located close to the neighboring Lots or the shared property line. Installation in common areas is prohibited.

All statuary, hanging or other flowerpots and the like requires an Application and ACC approval. Wind chimes are acceptable either near the front entry or the rear outdoor living area if they are not oversized and are not offensive/loud to neighboring property. It should be made of natural-colored materials without bright colors, no more than two wind chimes per Lot.

Weathervanes, whether mounted on top of the house or used as a decorative feature in the yard, requires ACC approval prior to installation. No roof installation of weathervanes or any yard accessory will be permitted on Townhomes.