BellaCasa

ARCHITECTURAL CONTROL GUIDELINES

Last Update 5-20-2026

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Section I: General

INTRODUCTION

WELCOME to the Bella Casa Community. Bella Casa is an exciting and vibrant place to call home. The goal of these guidelines is to preserve the value of your investment in your home and enhance your enjoyment of the property and improvements.

Bella Casa is a planned unit development (PUD). This means that the original tract of property was site-planned, designed, and approved as a self-contained, deed restricted community with its own set of covenants and conditions under which all property owners will live and abide. Conditions and restrictions define the neighborhood aesthetics and preserve congruity, appearance, and safety. Each homeowner can have some degree of assurance that the actions of community members will not adversely impact their quiet enjoyment or property. In effect, Bella Casa is a "mini city" with a mayor (Declarant or Board President), a city council (Board of Directors), a city manager (Property Manager), advisors (Committee Members), and citizens (Homeowners). The ultimate goal is a community where its owners maintain their homes, and, ultimately their investments through active participation in the association's governance of the community.

This document sets forth the guidelines and procedures for submitting an application for changes to the exterior of your home or yard. Some changes do not need prior Architectural Review Committee (ARC) approval, such as the following:

1. Temporary play equipment such as plastic forts or houses do not require approval, but only one such structure is allowed per yard and must be placed in the back yard behind the home and not visible from the street. It is suggested that temporary play equipment be removed from view during prolonged periods of non-use. The size of play equipment shall be proportional and consistent with the surroundings.

2. Tall Fescue, Bermuda, Zoysia and Centipede grasses are allowed to be used in creating a well-manicured lawn and do not require ARC approval. This mix of year-round green and drought-tolerant grasses provides a range of options for Bella Casa residents and applies to both the front and back yards. Any other types of grass require ARC approval.

3. Removal of trees that are diseased or have diameter less than 6" measure 18" above the ground surface.

4. House or mailbox numbering may be replaced, provided it complies with guidelines given herein.

5. Portable basketball goals do not require committee approval. Portable goals should be stored out of sight or at least pulled up against the house when not in use. Failure to properly store portable goals may result in possible violations and fines. Further, portable goals should be sufficiently secured when in use to prevent injury or property damage. Portable goals should be positioned to avoid impact to adjoining property, streets, and personal safety.

6. Trampolines do not require ARC approval provided they are placed in the rear yard and located at **least 12' away** from neighboring property lines. On smaller properties where 12 feet is not possible, trampolines should be no closer to neighboring property lines than the house. Due to safety concerns, it is highly recommended that trampolines be in fenced yards.

7. Certain signs and flags. See section V for details.

8. Temporary wading pools. Wading pools are inflatable pools with a water depth capacity which does not exceed twenty-two inches (22"). Wading pools can be deflated and stored away and do not include, require or employ any type of filtration system.

All other exterior modifications must be approved by the ARC, including any that are not covered in this booklet.

Please review the following and familiarize yourself with the information contained herein.

GOVERNING ARTICLE: COVENANTS, CONDITIONS, AND RESTRICTIONS

(The following is reprinted from the Declaration of Covenants, Conditions, and Restrictions, a copy of which you should receive at the time you contracted for your purchase). You may review your Covenants, Conditions and Restrictions by visiting the Omega Management website.

ARCHITECTURAL CONTROL

Purpose: The primary purpose and foremost consideration of these restrictive covenants is the creation of a community which is aesthetically pleasing, functionally convenient, and protective of the Owners' investment. Please revert to The Declaration of Covenants and Restrictions Bella Casa Subdivision, Article VII Section 1.

ARCHITECTURAL REVIEW COMMITTEE

An Architectural Review Committee shall consist of the Declarant, and such persons as designated or appointed by the Declarant or Board of Directors until such time, not later than the sale or transfer of all the Property by the Declarant, as the Declarant turns this responsibility over to the Association. The committee shall consist of at least three persons who are appointed by the Declarant or Association's Board of Directors and is responsible to the Board.

PURPOSE OF THE ARC

The ARC shall regulate the external design, appearance, and location of improvements on the Properties in such a matter to:

(i) promote those qualities in the environment and that bring value to the Properties and

(ii) foster the attractiveness and functional utility of the community as a place to live, including a harmonious relationship among structures, vegetation, and topography.

The ARC shall be subject to the approval of the Board of Directors of the Association, develop and promulgate policy guidelines for the application of the design review provisions in this Declaration. The policy guidelines shall include:

(i) review procedures
(ii) objectives of review, and
(iii) principles and criteria used as standards in determining the achievement of their required objectives. The policy guidelines may also include specific design practices that, though optional, are generally acceptable methods for achieving the required objectives in particular design problems frequently encountered in the Properties.

The policy guidelines are intended to assist the ARC and the Owners of Lots in the ongoing process of community design. They may be modified and supplemented from time to time on due notice to the Owners and subject to the approval of the Board.

RESTRICTIONS

No building, fence, or other improvement shall be constructed, erected, placed, or altered on any lot until the building plans and specifications (including but not limited to architectural style, construction techniques, exterior materials, colors, and finishes, roofing material, driveway material, and landscape design), and plat showing the proposed location of same have been approved in writing by the ARC, in its sole discretion and based upon such grounds as it deems sufficient, so as to ensure the goals above as well as conformity and harmony of exterior design and construction with existing structures and improvements in the development and the intent of these covenants. The plat shall also show location, topography, finished elevation, drainage, and setbacks.

REVIEW

In the event the ARC fails to approve or disprove the complete set of plans, specifications, and plat in writing thirty (30) days after submission, the covenant will be deemed fully complied with. The ARC may retain all plans, specifications, and plats submitted to them. The applicant may appeal an adverse ARC decision to the Association's Board of Directors.

Section II: Procedure for Requesting Architectural Approval

APPLICATION INSTRUCTIONS

STEP 1. Prior to **any** alteration, addition or improvement for which approval of the ARC is required pursuant to the Declaration, the Lot Owner (and not a contractor or third party) must complete a Request for Architectural Approval form (the "Application"). This form may be obtained by request from the Association's management company or copied directly from the Omega Management website.

Applications will not be deemed complete until all required documents are provided.
The completed form is to be sent or emailed to the management company at:

bellacasa-arcs@omegamgmt.com

Fax to: 919-461-0106

Omega Association Management
160 NE Maynard Road, Ste. 210
Cary, NC 27513
Attn: Bella Casa Architectural Review Committee

STEP 2. The Management Company, upon request, will promptly forward to the Lot Owner the Application.

STEP 3. The Application must be completed, together with any supporting documents that are both required by the Declaration or by the architectural standards of the Committee and returned to the Management Company at the address shown above. Applications will not be deemed complete until all required documents are provided. All documents must be on standard letter or legal size paper. **All applications must be accompanied by current photos of the area where work is being proposed.** Applications will not be processed for any homeowner over 60 days delinquent in their homeowner assessments. Incomplete applications will be returned and not eligible for review until fully complete. This completion period will not be considered as part of your 30-day review period.

STEP 4. The Management Company will mark and record the date the application is received. The Management Company will then copy and distribute the completed application to the ARC. The Management Company will contact the homeowner by phone or letter within 10 business days to provide a confirmation of receipt. The application is not considered received until confirmation is given to the homeowner at the time the application is sent to the ARC.

STEP 5. Applications will be received Monday through Friday during regular business hours. Applications must be received no later than 4:00 pm on Wednesday of each week. They will be sent to the Architectural Review Committee the following Day to begin the review process (30-day review period). If the complete Request is not received by Wednesday at 4:00 pm, it will be held until the following Wednesday and will not be considered received for ARC review until that time. The purpose of this rule is to allow the ARC to duly consider and act upon all applications received within a given time-period on a regular and periodic basis.

STEP 6. The Architecture Review committee will review the **complete** submitted application. The Committee has up to 30 days to approve an Architectural Application from the date Omega notifies you it was received. The Committee may:

(i) approve an application;
(ii) conditionally approve an application if such conditions for approval are stated;
(iii) deny an application if the reasons for denial are stated; or
(iv) return an application and request additional information about the proposed project from the Lot owner.

The ARC's decision on an application and the date of that decision shall be stated in writing either on the application or in a separate document that refers to the application.

STEP 7. Upon receiving the Committee's decision about an application, the Management Company will note the date and forward the decision to the Lot owner.

STEP 8. A Lot owner who is not satisfied with the ARC's decision on an application may
(i) submit another, different application, in which case the review process begins again, or
(ii) appeal the decision as provided below.

STEP 9. In order to appeal the ARC's action on the application, the lot owner must submit to the Management Company, within thirty (30) days of the date that the decision is forwarded to the Lot Owner, a written appeal which encloses a copy of the application and the ARC's decision thereon and which sets forth the basis for the Lot Owner's appeal. The Management Company will record the date the appeal is received.

STEP 10. In the event of a conflict between these Rules and Regulations and the Declaration, the Declaration shall control and take precedence. A copy of the current Application form with instructions is available for download at The Omega Website under the Documents/Architectural section. A copy can also be obtained by contacting the management company.

Section III: Architectural Guidelines

Structural, Architectural or Exterior Changes to a Home

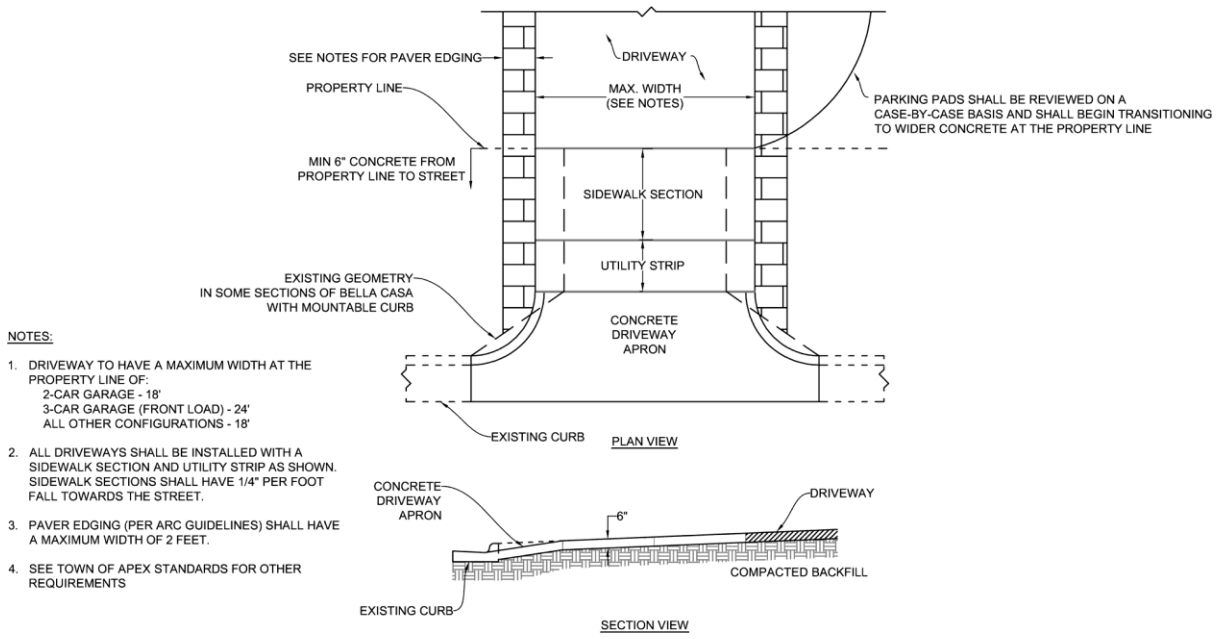
All exterior modifications to a home require ARC approval. In some instances, the ARC may require "softening" of requested modifications to maintain the aesthetics of the neighborhood.
This includes, but is not limited to, the following:

Driveways / Parking Pads

All driveways shall be paved with concrete; brick or such other all-weather material as may be approved in writing by the ARC. Ornamental trim along the edge of driveways may be installed provided materials are specifically Belgard - Cambridge Paver Tiles, in a pattern not to exceed 24" in width on each side of the driveway. Brick matching in both color and texture as the brick applied on the residence will also be permitted with ARC approval. A driveway is defined as a paved surface used for accessing a residential garage directly from the street.

Requests for driveway widening or adding a parking pad area will be reviewed on an individual basis and must receive approval of the ARC prior to construction. The Homeowner must consider the following items related to the design:

- Review your property plot map and note the utility easements at the sidewalk area / street area
- Town of Apex limits on driveway width at the property line (24 ft for 3-car garage; 18 ft for 2-car garage)
- Town of Apex standards for driveway aprons (turnouts on mountable curb driveways and minimum radius for hard curbs)
- Town of Apex code for minimum concrete depth of 6" from property line to street
- The finished material must be at least 1ft from neighboring property lines
- Some of these requirements are included in the following figures for reference:



Design Example of driveway widening with ornamental trim
Design Example of driveway parking pad

For more information about Town of Apex standards, please review:
https://www.apexnc.org/DocumentCenter/View/4036

Raised Structures- Porches / Screened Porches / Canopies / Solar Sunscreens / Awnings / Trellis / Arbors / Tents / Decks / Etc.

There shall be no additional structures, including but not limited to: screen porch, canopy, sunscreen, awning, trellis, arbor or tent attached to the front of a house. Application must be submitted to the ARC for addition of any raised structure, such as porch, screened porch, canopy, sunscreen, awning, trellis, arbor or tent or likenesses thereof, whether permanent or semi-permanent, in the backyard. A temporary party canopy for a short, specific event is permitted in the backyard without approval. *Homeowners are responsible for all necessary building permits.*

Raised structures shall be sited such that they fall within the side boundaries of the house extended towards the rear of the property.

Patios / Decks / Patio Extensions

Addition of any patio, deck or patio extension must have approval from the ARC. *The homeowner is responsible for all necessary building permits.* Careful consideration must be given to maintain drainage patterns.

When contemplating adding a wood deck or concrete / brick / paver patio to the rear of your home, it is important that you consider the following factors:

1. Water drainage pattern under or around the deck/patio
2. Distances of deck/patio to property lines and easements
3. Privacy screening (whether vegetative or other)
4. Appearance: The patio or deck should be of the same color scheme as the house.
    - Wood: Clear protectants are allowed and should be applied at the homeowner's discretion to protect wooden deck materials. Transparent stains (with natural wood coloring) are allowed with approval by the ARC. Opaque stains or paint colors will be considered on a case-by-case basis to ensure the request follows the same color scheme of the house.
    - Other: Materials may consist of natural-color concrete, flagstone, slate, or brick.

Screened Porches / Deck Enclosures

Appearance: All screened porches and methods of enclosing decks will be approved on a case-by case basis. The screened porch or deck enclosure should be of the same color scheme as the house or deck. Screened porches and methods of enclosing decks must be permanent in nature. No temporary structures will be allowed. A permanent structure includes walls and a roof attached to the main structure of the house.

Location: Screened porches and methods of enclosing decks must be located on the rear of the house and may not be visible from the front of the house. The homeowner must design the screened porch or deck enclosure within the setbacks of his/her property and is responsible for obtaining all necessary building permits.

Materials: The materials for building a screened porch or deck enclosure must be of equal or better quality than the materials used to construct the home or deck. Siding, roofing and trim materials must match the existing home.

Storm Doors

Storm Doors require ARC approval and should match the color scheme of the house. A color picture of the house along with a picture of the storm door style and color should be included in the application.

Exterior Paint / Front Door / Shutters

All exterior color changes require ARC approval (see Restrictions). In order to ensure the harmony of the planned exterior design within the community, the ARC will consider applications for exterior color changes on a case-by-case basis. A color picture of the existing house along with a swatch of the requested color change(s) should be included in the application.

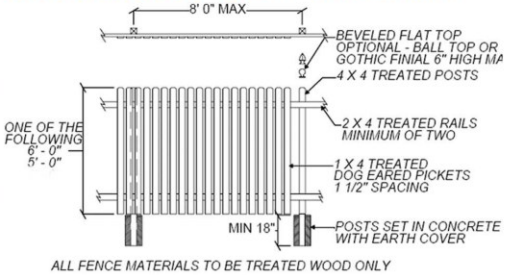
Fences

Appearance: It is recommended that fencing be "softened" through the use of landscaping on the exterior-facing side. The homeowner should be conscious of the fence placement and of adjacent homes when applying for a fence.

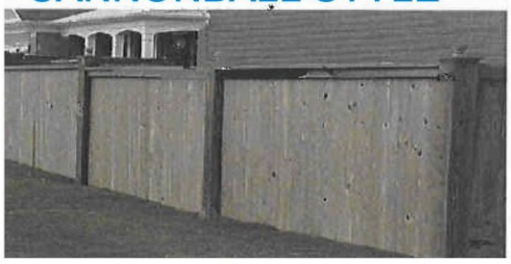
Fence styles and heights for Bella Casa are limited to the following:

- Shadow Box style:5 or 6 ft. high with dog-eared pickets in 1"x 4" or 1"x 6" width
- Cannonball Style: 5 or 6 ft. high, constructed from pressure treated wood, natural in color, constructed as pictured below.
- Lattice Accent Style: 5 or 6 ft. in height constructed from pressure treated wood, natural in color, constructed as pictured below.
- Metal fence: 48" or 54" black aluminum fence with pickets spaced 3 13/16" apart constructed as pictured below.
- Fences shall be constructed of the same type within any lot.

SHADOWBOX DOG EAR STRAIGHT TOP DETAIL



CANNONBALL STYLE



LATTICE ACCENT STYLE

BLACK ALUMINUM STLYE

PRIVACY SCREEN

TOWNES ONLY

NO OTHER FENCE TYPES ARE PERMITTED IN BELLA CASA NEIGHBORHOODS.

Note: The Town homes sections of Bella Casa may have either white or khaki/almond vinyl privacy screens between the units. Homeowners wishing to enclose their yards may either use privacy screens that match the existing vinyl **o**r the black aluminum fences, subject to approval from the ARC. Vinyl fencing of any kind is not allowed anywhere else in Bella Casa.

The height of the fence should remain uniform for the entire run of the fencing. A minimum of one three-foot wide access gate is required into a fenced-in area.

Wooden fences must be constructed of #2 or better quality pressure treated yellow pine lumber, natural in color.

Painting of fences is not permitted. Clear protectants are allowed and should be applied at the homeowner's discretion to protect the fence materials. Transparent stains (with natural wood coloring) are allowed with approval of the ARC. Opaque stains are considered paint and therefore not allowed.

Location:
Fences shall follow the natural grade of the land and no "stepping" of the fence is allowed. Wherever possible, existing trees remain. In any case, it is the homeowner's responsibility to check for any easements that may affect placement of fencing.

The fence shall be placed one inch (1") inside the owner's property line unless the fence is on the side of a house that faces the street. In a case where a fence runs along a side street, the fence must be four (4) feet inside the property line and care must be taken in order not to block a vehicle's line of vision (City and County ordinances may control the placement of the fence in some instances). The fence must be at least 18 inches from the sidewalk, if present.

The finished side of the fence (the side with the fence slats) shall face outward **f**rom the yard. Adjacent homeowners wishing to share common fencing must still receive ARC approval for fence placement.

Placement on House:
The type, height, and where the fences should attach to the house varies by neighborhood as shown in the table below.

Neighborhood	Type of fence	Height	Distance from rear corners of the house
Original Section Verona Manors	Black aluminum only	48 or 54 inches	0 ft (attach at rear corners)
Siena	Wooden Aluminum	5 or 6 ft 48 or 54 inches	0 ft (attach at rear corners)
Traditions/Estates	Wooden Aluminum	5 or 6 ft 48 or 54 inches	up to 10 ft
Parkside	Wooden Aluminum	5 or 6 ft 48 or 54 inches	up to 15 ft
Townes	Aluminum Vinyl Screens	48 or 54 inches match existing	0 ft (attach at rear corners)

Submissions Requirements for Fences:
In order to facilitate the review of fence installations, please ensure that your application contains the following information:

- Plot plan with proposed fence location, indicating distance from property lines and tie in locations relative to the house
- Photos of the proposed fence style
- Fence Height
- Photos of fences on any adjacent lots (rear or side). Indicate on the plot plan where these fences are relative to your proposed fence.
- If you are connecting to a neighbor's fence, you must obtain and provide evidence of their agreement to the connection in writing.

Landscaping

General Information: Bella Casa Homeowners Association encourages its homeowners to accent their homes with landscaping elements. Homeowners are encouraged to seek professional assistance when planning extensive landscape plantings or structures. In some instances the ARC may require "softening" of requested modifications to maintain the aesthetics of the neighborhood.

Several commonly requested landscape elements that need prior approval before building/ installing on the property include, but are not limited to, the following list:

- Tree Removal
- Additional Flower beds/gardens (for flowers/plantings taller than 24")
- Gardens (water, vegetable, rain)
- Patios
- Walkways
- Gazebos
- Planters
- Retaining walls
- Landscape Lighting
- Landscape Borders/Edging

Below are a few of the major landscaping categories and some standard rules to consider.

Grading
Any submissions that include regrading of the lot shall be accompanied by a grading plan illustrating the extent of grading, elevation changes, and limits of grading work. No grading is permitted on HOA property without prior consent.

Lawn/Grass
Tall Fescue, Bermuda, Zoysia and Centipede grasses are allowed to be used in creating a well-manicured lawn and do not require ARC approval. This mix of year-round green and drought-tolerant grasses provides a range of options for Bella Casa residents and applies to both the front and back yards. Any other types of grass require ARC approval. Residents are encouraged to consult with their neighbors prior to planting the "creeping grasses" (Bermuda, Zoysia or Centipede) and are asked to take reasonable precautions if the neighbor does not want that type of grass on their property. Non grass replacements for turf such as stone or gravel are not permitted.

Residents must maintain their lawns. Failure to care for a lawn impacts not only that property but also adjacent properties both visually and physically because of runoff, drainage and weeds. Failure to properly maintain your lawn may result in possible violations and fines from the Bella Casa Homeowners Association. Please see Section VI regarding Maintenance and Deterioration.

Trees

All requests for live tree removal require ARC approval. In order to preserve the natural beauty of the community, live trees with a diameter of six (6) inches or greater on a lot shall not be cut or otherwise removed unless reasonably necessary for the placement of a house.

No trees, shrubs or other landscape vegetation on HOA property shall be impacted by a homeowner's project.

Gardens (vegetable or water)

Vegetable gardens shall be located in the rear yard and out of view from the street. (The ARC accepts the fact that this may not be possible in the case of corner lots.) Vegetable gardens should be kept clean and clear of high-growing weeds when in the off-season.
Failure to properly maintain your garden may result in possible violations and fines from the Bella Casa Homeowners Association. Please see Section VI regarding Maintenance and Deterioration.

Compost Bins

Composting is permitted only in commercially manufactured bins designed specifically for suburban composting. Any such bin must be covered at all times. The maintenance of accumulated plant waste materials is prohibited except as part of an established compost system which shall be maintained in such manner as not to be visible from the neighboring property. Compost bins may only be placed within the imaginary lines running from the sides of the home to the rear property line and no less than three feet from an ARC-approved fence in all directions. Should an adjacent property owner complain about odors or other activity associated with the composting, the association will notify the owner in writing and they must immediately remedy the situation.

Rain Barrels

Rain barrels should be located at the back of the house or screened from street view by a fence or evergreens if located at the side of the home. Rain barrels are not allowed at the front of homes.

Patios

Patios should be consistent with the grading of the property and located in the rear yard. The materials may consist of natural-color concrete, flagstone, slate or brick. The patio size, design, and setback distances to neighboring property lines should be kept in proportion to the home and property. The view of the patio should be softened from view from neighboring properties, possibly accented with shrubs/flowers.

Walkways

Walkways should be consistent with the grading of the property so as to prevent improper drainage. Walkway locations should generally be limited to the side and rear of the house. The materials used for the walkway are limited to natural-colored concrete or brick pavers.

Landscape Beds

Natural areas (landscape beds) should be made in proportion to the home and property. However, all front yards should have minimum of 50% grassed area. All landscape borders must be approved by the ARC before installation.

- Functional: The low-profile landscape edging material will be considered for approval on a case-by case basis. Consideration given for the grading of the property and also proper installation to ensure the edging is low-profile.
- Decorative Borders: Materials consist of flagstone, bricks, or stone pavers. The materials must match the existing color scheme of the house. Example pictured below:

OTHER Elements
(gazebos, planters, retaining walls, exterior lighting, house numbers etc.)

A reminder to Homeowners that exterior modifications must be approved by the ARC, including any that are not covered in this booklet.

- **Exterior Lighting:** Floodlights other than the security lighting provided by the builder are not permitted. Spotlights and other exterior lights for walkways, flowerbeds, and other decorative uses require ARC approval. Care must be taken that lighting does not affect neighboring houses or be a distraction to traffic.

- **Permanent Installed Decorative Lighting:** All permanent installed decorative lighting (such as Trimlight, Govee or similar), requires ARC review and approval prior to installation. Installation is restricted to downward pointing LED lighting with limited use to provide architectural accent and security lighting on any side of the house along eaves, peaks, above windows, doors and garages.

  The installation must include a controller device, limiting only the lowest levels of cool white or warm white, in steady state, with no animation, no blinking, no colors (including bright white "blue") during non-holiday periods.

  During specified holiday periods (Federal holidays and the extended decorative holiday period between October 1st and January 15th), all colors with animation, blinking (both restricted to 50% max programmable settings) are permitted.

  Intense speed, sound or music is not permitted at any time.

- **Temporary Decorative Lighting**

  Temporary Decorative lighting installed during Federal holidays and extended decorative holiday period between October 1st - January 15th does not require ARC review and approval. All temporary decorative lighting must be removed at the end of the holiday period.

- **House Numbers:** Shall be 4 inches in height, screw-in type, and constructed of metal with a silver/nickel, black, or brass/gold color. Wooden house numbers are also permitted. No other colors or sizes will be considered.

- **Drainage**

The HOA does not handle underground drainage. However, homeowners must submit for any changes/alterations/additions that are being done regarding drainage that result or involve anything above ground as usual.

"The HOA ARC does not include review/approval of any surface/subsurface drainage affected by this project. Any review/approval is provided with the explicit understanding that water drainage or runoff resulting from project completion does not impact adjacent properties. If you have on-going drainage issues with your neighbors, you need to work with them and/or the Town of Apex to resolve. The Bella Casa HOA Board of Directors and ARC will not engage in drainage disagreements between neighbors as these are considered to be "neighbor to neighbor" issues on private property."

Solar Panels

All Solar Panels must be approved by the ARC before installation. The ARC will consider roof solar panels on a case-by-case basis. Careful consideration is given to the overall requested design, including:

- the number of panels
- the panels should be non-reflective and match the color of the roof
- the location of the panels - preference for panels to be located on the rear roof, if possible; with limited visibility from the street front. Any requests for solar panels to be placed on the front roof (as seen from the street front) will require additional documentation and evidence for the ARC to review.

Section IV: Structures and Sports Equipment

Trash Receptacles

Each owner shall maintain sufficient receptacles for garbage in an area not visible from the street front. Storage inside the garage is preferred. In the event that outside storage at the side of the home is necessary, a proper screen must be installed, and vegetation planted to diminish visual impact. Care must be maintained to minimize impact on adjacent neighbors.

ARC approval is required for any trash receptacle screen on your lot. Please include a picture of the exterior location and the materials selected for the screen in the application. Examples of commonly accepted trash receptacle screens are:

Structure Screens: (Matching the house trim, or solid wood)

Vegetation Screens:

- *Plant type: Holly or Evergreen with minimum of 5' height and minimum of 40" diameter*
- *Planters Box: Minimum 5' height combined (plantings and box) and 5' wide*

No garbage, trash, or refuse shall be burned or dumped on any lot, nor shall those items be deposited curbside, in common areas, or areas designated for storm water control, except in accordance with local ordinances.

Storage Sheds

All storage sheds must be approved by the ARC before installation. Careful consideration is given to the placement and appearance.

- **Location:** Sheds must be located in the rear yard and may not be visible from the street at the front of the home. When possible, the shed should become a permanent part of the house. It is up to the homeowner to check for easements or setback restrictions that may affect placement of the shed. *NOTE: The Town of Apex may require that a building permit be obtained for a shed of any size.* Free Standing sheds must be permanently affixed to the ground via a concrete slab floor or footing anchors in the corners.

- **Appearance:** Sheds should match the house in appearance. Storage sheds must be of the same siding and roofing materials and color scheme as the house. The shed must be in proportion to the house, but in no case shall exceed 120 square feet in total floor space. Evergreen shrubs may be required to buffer view from neighboring lots in certain situations.

Basketball Goals - General

Basketball Goals of any kind should not be within 10 feet of the street.

Basketball goals fall into three categories:

i) portable,
ii) permanent pole-mounted, and
iii) permanent mounted to the house.

As with all other exterior changes, homeowners are required to submit applications for permanent basketball goals and, if approved, are required to perform periodic maintenance as necessary to keep it in good condition. Slope and length of the driveway will be considered when reviewing a basketball goal installation.

Portable basketball goals do not require committee approval. Portable goals should be stored out of sight or at least pulled up against the house when not in use. Failure to properly store portable goals may result in possible violations and fines. Further, portable goals should be sufficiently secured when in use to prevent injury or property damage. Portable goals should be positioned to avoid impact to adjoining property, streets, and personal safety.

Play Equipment

Appearance: Permanent or semi-permanent playground equipment requires ARC approval. Temporary play equipment such as plastic forts or houses do not require approval, but only one such structure is allowed per yard and must be placed in the back yard behind the home and not visible from the street. It is suggested that temporary play equipment be removed from view during prolonged periods of non-use. The size of play equipment shall be proportional and consistent with the

surroundings.

Location: Dependent upon the configuration of each lot, play equipment should be placed in the rear yard out of view from the front road if possible. Please include distances from the property lines on the plat map.

Materials: Equipment constructed from treated natural wood is encouraged; however, the Committee will consider other materials. Therefore, detailed drawings, specifications, and colors shall be required with the application.

Trampolines

Trampolines do not require ARC approval provided they are placed in the rear yard and located at **least 12' away** from neighboring property lines. On smaller properties where 12 feet is not possible, trampolines should be no closer to neighboring property lines than the house. Due to safety concerns, it is highly recommended that trampolines be in fenced yards.

All Other Equipment

All other sports and play equipment that has not been specifically addressed in the preceding paragraphs must be stored out of sight when not in use.

Dog Houses

The installation of doghouses is discouraged. If a doghouse is required, a picture and details must be submitted with the ARC application, including a plot plan showing the intended location of the doghouse. Placement must be considerate of adjacent properties. No fenced dog runs, or kennels will be permitted.

Pets / Animals

No animal, livestock or poultry of any kind shall be raised, bred, or kept on any lot, except that up to three common house-pets may be kept on each lot, provided that (1) they are not kept, bred, or maintained for commercial purposes, and (2) animals shall not run at large in the subdivision or be kept in violation of applicable governmental laws and ordinances. No person shall keep, maintain or permit dangerous animals, or keep any animal which is an annoyance or nuisance to other Owners.

Section V: Flags, Statuary, Pools & Other Exterior Details

Flags

ARC approval is not required for installation of a single attached flagpole, and not to exceed six (6) feet in length which must be attached to the front portion of the house or garage entry way. Additionally, homeowners/residents may display one garden flag not to exceed two (2) feet in length and one (1) seasonal or sports flag not to exceed three (3) feet by five (5) feet.

ARC approval is not required for installation and display of flags of the United States or North Carolina, of a size not greater than four (4) feet by six (6) feet, which may be displayed in accordance with or in a manner consistent with the patriotic customs set for the in 4 U.S.C.§§5-10, as amended, governing the display and use of the flag of the United States. Installation of any other types of flag requires ARC approval.

Statuary
Statuary of any size, shape and material, including any inflatables, requires ARC approval.

Holiday Decorations
Holiday décor is permitted as long as it is temporary and seasonally appropriate. For example, Christmas decorations may be put up after Thanksgiving and must be completely removed by January 15th. Inflatables cannot be more than 10' tall and must be staked securely into the ground. All inflatables must be deflated in case of inclement weather and high winds.

Thoughtful consideration should be given to the multi-cultural residents of the neighborhood and decorations and/or lighting should not cause adverse impact to adjacent neighbors.

Signs
Residents can display a single sign, not larger than 24"x24", related to each of the following categories without requesting prior ARC written approval by placing the sign in the front porch landscape bed with no time limit:

- A professional sign related to the home security system
- A professional sign with the text "Private Residence"
- A professional sign related to the home sale ex) "For Sale" or "Sold"
- Any signs regulated and permitted by state/local statutes – which shall be removed promptly when not in use

The Board of Directors will reassess if there are issues with this new policy and revert to no signs of any kind.

Mailboxes
Mailboxes and mailbox posts installed in the Bella Casa community are standard for each section within Bella Casa. Receptacles for newspapers or other publications are not permitted except as part of the approved mailbox design. No other style is allowed. Mailboxes are to remain as originally installed in the original color with a red flag. Affixing flags, decals, wraps, lettering or signage to mailboxes in Bella Casa is prohibited.
Bella Casa Homeowners should contact:
Eric Hostetler
ZBox, Inc.
919-280-7506
eric@zboxinc.com
www.zboxinc.com

The homeowners must maintain their mailboxes. Rusty or broken mailboxes must be replaced, repaired or repainted as necessary. Mailbox numbering shall be maintained to match the original color and size. Should a repair or replacement need arise, the mailbox and post must be replaced/repaired with an identical box, post and color so as to maintain continuity in the community. If a situation arises in which the current standard is no longer available, an application for the closest similar model must be submitted to the ARC.

Pools / Hot Tubs

All pools, with the exception of temporary wading pools, MUST be approved by application and in writing by the ARC Committee prior to installation. With the exception of wading pools, all pools must be in-ground installations. Wading pools are inflatable pools with a water depth capacity which does not exceed twenty-two inches (22”). Wading pools can be deflated and stored away and do not include, require or employ any type of filtration system.

- Pools/Hot Tubs are required to be set back no less than ten feet from any property line and must be within the boundary of each side of the house extended in a straight line to the rear property line. At no time shall any pool, wading or otherwise, extend beyond the boundary of each side of the home as extended to the rear property line.
- All pools/hot tubs must meet all state, county and local codes and zoning. The homeowner is responsible for all necessary permits.
- Careful consideration must be given to maintain drainage patterns.
- Property fences must meet all state, county and local codes – in particular fence height requirements and other required safety features such as self-locking gates. Fences are to comply with the ARC Guidelines.
- The design including the surrounding patio, concrete, and landscaping must be compatible in scale, character, materials, and color with the original house and surrounding landscaping.
- The pump/motor, filter, and other associated pool equipment must not be located too close to property lines to minimize noise pollution for neighbors. The explicit location and size of this equipment must be included in any pool submission.
- Be aware that the Town of Apex Noise Ordinance limits the dB(A) of equipment noise on your neighbor’s property. At the time of writing, this limit is approximately 55 dB(A), however the latest Ordinance shall be considered at the time of pool construction. Work with your contractor to ensure you are buying the quietest equipment (lowest dB rating) on the market, to reduce neighborhood disturbance, and ensure that the Noise Ordinance is not violated.
- Natural screening must be provided around all pool equipment (i.e. pool filters, motor, etc.) and other structures related to the installation of the pool, so as to minimize the visual impact and additional noise caused by the equipment.
- A plan for surrounding landscaping to the pool and patio area, including any tree or shrub removal, must be included in any pool submissions.
- Regulations for exterior lighting within the Architectural Guidelines shall be followed for all lighting surrounding the pool area.
- Pool features, including waterfalls, diving boards, and/or other water features, shall not rise above the height of the surrounding fence. No waterslides will be approved on personal pools.
- Regular and ongoing maintenance of the pool, its equipment, and the surrounding area must be properly maintained to resemble the original appearance of the pool as installed. This includes ongoing maintenance to prevent excess algae buildup, overflowing skimmers, or other water conditions that could be unsightly to neighbors.
- The ARC recommends that you discuss any pool project with your neighbors including the location of the pool, associated features, and any pool related equipment. The use of natural screening is encouraged to mitigate effects from the surrounding sight lines.

Please be advised that any homeowner choosing to have any pool, wading or otherwise, constructed or placed on said owner’s property shall bear total responsibility and liability for said pool and use thereof. At no time and under no circumstances shall the Bella Casa HOA, the Board of Directors, the association management company or any committees of the HOA be liable for any actions or circumstances of any kind and shall be held harmless.

Water Ponds / Falls / Fountains

Decorative water pools, fountains, and falls are permitted with written approval of the ARC prior to installation. There shall be no recreational use of such decorative displays.

Satellite Dishes

Bella Casa allows satellite dishes of one meter or less per FCC regulations, and radio transmission and receiving apparatus, only when placed so as to be aesthetically pleasing. Dishes which are visible from the front street are allowed if the satellite company attests that no other location within the properties lines provides adequate reception. In such cases, the dish must be screened from view of the front street with Landscaping. Homeowners wishing to confirm acceptable screens should submit an Architectural Application. All homeowners must comply with the guidelines on placement and screening of satellite dishes. Dishes must be maintained and not interfere with other homeowners' ability to receive or transmit audio/video signals. Dishes should be promptly removed when no longer in use.

Window AC Units and Fans

Window AC Units and Fans are prohibited on or within 15' of street facing elevations.

Section VI: Maintenance

Maintenance

It is the responsibility of each homeowner to maintain his/her property in such a way as to add to the overall beauty and harmony of the subdivision. Each homeowner should take this responsibility seriously, as failure to do so can negatively affect the value of his/her property as well as the surrounding properties and subdivision as a whole.

Failure to properly maintain your property may result in possible violations and fines from the Bella Casa Homeowners Association.

Deterioration

If at any time the Board of Directors is made aware of a property that has deteriorated and is affecting the aesthetics of the community, the ARC committee will make a site inspection. The committee will then make a recommendation for action to the Board of Directors.

Based on the severity of the deterioration, the homeowner will be given a specified period of time in which to make the necessary repairs. If, after that time, the repairs have not been made to the satisfaction of the Board, the Board has the obligation of enforcement as described in the Declaration of Covenants, Conditions and Restrictions for Bella Casa.