

ARCHITECTURAL CONTROL GUIDELINES

Property standards for

**FOREST SPRINGS TOWNHOME
OWNERS ASSOCIATION, INC.**

Updated on June 27, 2025

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Back/Rear Yard Landscaping Refurbishment Policy

To maintain the aesthetic consistency and overall quality of the community, the following policy has been established regarding the upkeep and care of the original landscaping in the rear yards of townhomes when refurbishment is needed:

Homeowner Responsibility:

Homeowners are responsible for maintaining the original landscaping in the rear yards of their townhomes. When areas become worn, damaged, or in need of significant refurbishment, it is the homeowner's duty to initiate the improvement process in accordance with this policy.

Architectural Review Committee (ARC) Application Required:

Prior to beginning any landscaping refurbishment, the homeowner must submit an ARC application outlining the proposed changes to the rear yard. This is to ensure consistency with community standards and guidelines.

Evaluation by HOA Landscaper:

Upon receipt of the ARC application, the HOA's contracted landscaper will visit the property to evaluate the condition of the area and assess the proposed plan. The landscaper will provide feedback or recommendations to ensure that an appropriate and effective solution is in place.

Homeowner's Choice of Landscaper:

While the HOA landscaper will review and advise on the plan, the homeowner may choose to hire a landscaper of their choice to carry out the work, provided the final result aligns with the approved ARC plan and community standards.

Permitted Refurbishment Options and HOA Financial Contribution:

Approved refurbishment materials may include sod, grass seed, or mulch, depending on the condition and layout of the yard. The HOA will cover the cost of installing sod, seed, or mulch in these areas up to a financial limit as determined by the Board of Directors. This limit will be commensurate with the condition and size of the area being addressed and must be pre-approved during the ARC review process. Any costs exceeding the HOA's approved contribution will be the responsibility of the homeowner. Any other options for the rear yard will be the responsibility of the homeowner to financially cover.

Final Approval and Inspection:

Once the work is completed, the HOA may conduct a final inspection to ensure the project matches the approved plan and meets the standards of the community.

This policy is effective as of September 1, 2024 and is intended to ensure the long-term appearance, value, and enjoyment of the community's shared aesthetic.

**Birdbaths, Birdhouses,
Birdfeeders, and Fountains**

Appearance:

All birdbaths, birdhouses, birdfeeders, and fountains will be reviewed on an individual basis. Generally, the ACC will review materials, colors, location, scale and other details to determine compliance with the architectural intent of the existing structure and the relationship of the proposed one.

Location:

All birdbaths, birdhouses, birdfeeders, and fountains shall be located in the rear of the house and not in view from the street. They must be placed in a reasonable location where they blend in with their surroundings. Birdhouses and birdfeeders shall not be mounted or displayed on fences or other areas that are adjacent to other properties or the street (e.g. corner lots).

Requirements:

Please be mindful of your neighbors. A maximum number of one (1) birdbath, three (3) birdhouses, three (3) birdfeeders, and one (1) fountain are allowed. In addition, birdbaths and fountains only need to be approved by the ACC if they are installed in corner lots (where the backyard is facing the street) and/or exceed four (4) feet in height and/or three (3) feet in diameter. Owners are expected to display all items in good harmony with the Community. The Association reserves the right to request removal and/or submission of an Application for a number of birdhouses, birdbaths, birdfeeders, or fountains that exceed or do not meet the above listed criteria.

******NOTE No artificial vegetation shall be permitted on the exterior of any property. ******

Building Addition or Exterior Alterations

******NOTE: CONVERTING GARAGES INTO LIVING/CONDITIONED SPACE IS PROHIBITED. ******

Examples of additions include screened porches, sunrooms, new living space, or storage areas that are physically attached to the main structure of the existing house. Examples of exterior alterations include the addition of storm doors, gutters, shutters, window planter boxes, or similar exterior changes to the main residence.

Appearance:

All building additions, improvements, and/or alterations will be reviewed on an individual basis. Generally, the ACC will review materials, colors, location, scale and other details of the proposed improvement or alteration to determine compliance with the architectural intent of the existing structure and the relationship of the Community with specific emphasis given to the maintenance of a cohesive Community architectural style that maintain the scale, detailing, materials, massing, color(s) and design intent of the original structure.

Location:

The ACC will review each Application on an individual basis and approvals will be granted on this basis. Prior approval of an Application does not guarantee subsequent approval on the same or another property.

Materials:

Materials for use on any building improvement or alteration must meet or exceed the quality of and be consistent with the materials used in construction of the original structure. Compliance with the current edition of the City/County building codes will be considered meeting the minimum standards of construction. The ACC reserves the right to require Owners to exceed these Guidelines if it is deemed necessary to maintain the architectural intent of the original structure. In general, the ACC seeks to maintain the quality of materials and workmanship present in the original structure.

Requirements:

All building additions, improvements, and alterations shall maintain proper drainage on the site. If a building addition is planned or an improvement or alteration, which will affect drainage, Owners are required to provide a plan that details drainage patterns and runoff as a result of the improvement/alteration.

Storm Doors: Properly installed storm doors that are full height, single glass pane (full-lite) glass without cross members, white or off-white only with narrow stiles. Color must match trim or door color. Partial screen doors must be without cross members on the glass portion of the door. Any damaged screens must be replaced within fifteen (15) calendar days of the event causing damage. Full-screen doors are strictly prohibited.

Gutters: When properly installed, white, off-white, or color consistent with the house trim, aluminum gutters do not require approval. In addition, if the gutters cause a change in normal runoff patterns and quantities sufficient to impact the drainage on adjacent properties, approval from the ACC is required.

Awning: Any proposed awning must be approved by the ACC. Awnings will only be approved for the rear of the house to cover a deck or patio. Awnings should be canvas, nylon, or other fabric in the same color as either the sides or the trim of the house. Metal, fold-down awnings and canopies shall not be permitted. A picture of the color swatch of the fabric to be used on the awning is to be taken next to the house trim and siding submitted with the Application.

Permanent Barbecues and Outdoor Cooking Areas: Permanent barbecues and outdoor cooking areas may be permitted but should not be a dominant feature on the landscape and should be located so they will blend as much as possible with the surrounding area. Supplemental planting should be provided to soften the visual impact of the barbecue, particularly when little or no natural background or screening is available. No permanent barbecue or cooking area may be installed without prior ACC approval, unless included in the original construction of the house by Declarant/Builder.

Decks, Back Porches, and Balconies

Materials:

All decks and back porches shall be constructed of #2 or better pressure-treated lumber with galvanized hardware. A clear water seal is recommended but not a requirement for approval for a wooden deck. However, it is recommended to use clear water seal or natural-colored stain for wood deck maintenance. In addition to wood, other materials, such as composite decking may be considered as alternatives to

wood, in which case color coordination with the rest of the house is very critical. Deck post may be made of brick, pressure treated wood or other suitable material.

Appearance:

Deck height is not restricted but is recommended to be no more than fifteen feet (15') in height from the ground. The size and styling of decks, back porches, and balconies must complement the dwelling structure and be in proportion to the dwelling structure. Decks, back porches, and balconies must remain natural in finish color. Clear sealants/protectants should be applied at the Owner's discretion to protect the wooden materials and may be applied without prior approval of the ACC.

You may apply a Semi-transparent or Semi-Solid stain that allows the natural wood grain of the wood material to still be visible 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 home. A color picture of the existing dwelling must be submitted with the Application so that the stain selected matches the existing color scheme of the house (house trim and siding). Painting or solid-color/solid-bodied/non-transparent/opaque staining of decking materials is not permitted. Solid/Opaque stains are considered paint and therefore not allowed. ALL STAIN COLORS, even those listed below, must be approved by the ACC prior to application.

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

**Banyan Brown (Sherwin Williams #3522), or equivalent color in another brand; and
English Walnut (Sherwin Williams #3574), or equivalent color in another brand; and
Charwood (Sherwin Williams #3542), or equivalent color in another brand.**

Only the following **Semi-Solid Stains** may be used on decks, back porches, and balconies in the Forest Springs TH community:

**Hawthorne Brown (Sherwin Williams #3518SS), or equivalent color in another brand;
English Walnut (Sherwin Williams #3574SS), or equivalent color in another brand; and
Charwood (Sherwin Williams #3542SS), or equivalent color in another brand.**

Location:

All decks and covered back porches must be confined to the rear of the dwelling structure and must not protrude past the sides of the building. Decks and back porches must be within the minimum setback requirements of the City as shown in the Plot Plan/Final Map Survey; however, final placement and approval will be determined by the ACC and may be more restrictive than the City set back requirements.

Requirements:

A building permit must be obtained from the City or County and all required inspections successfully completed. All decks and back porches must meet the building requirements for the City or County, in addition to this guideline. Proper drainage must be maintained around the deck or back porch and away from the foundation. The area under the deck or back porch must be properly maintained (e.g. grass). Otherwise, if the deck or back porch is low on the ground, the area under the deck or back porch must be treated with weed and grass killer and covered with landscape fabric and mulch or gravel. A lattice (wood or vinyl) may also be an option around the deck or back porch but it needs to be included with the

Application for approval. Color/material coordination with the deck or back porch and the house will be a significant factor in approving this type of screening. In addition, shrubs are expected to be planted around the deck or back porch to soften its appearance.

Note: It is a violation to use the space under the deck or back porch (with or without privacy screening around it) as a storage area! The space under the deck must be clean, well-organized, and not visible from the street or any neighboring properties, if used for storage of outdoor items, such as garden hoses.

Drainage

Requirements:

Drainage of the Lot must conform to all City and County requirements. All drainage and grading must be indicated on the plans approved by the ACC. There shall be no interference with the established drainage pattern over any property except as approved in writing by the ACC, subject to such approval of the Owner of the Private Amenity as is required pursuant to the Declaration. The established drainage pattern is defined as the drainage pattern as engineered and constructed by the Declarant or approved builder prior to (or in some cases, immediately following) conveyance of title from Declarant or approved builder to the individual Owner. Owners may make minor drainage changes to their Lots if they **do not alter the established drainage pattern and water is not redirected towards neighboring properties.**

Landscape plans shall conform to the established drainage pattern, shall cause water to drain away from the foundation of the house, and shall prevent water from flowing under or ponding near or against the house foundation. Water should flow fully over walkways, sidewalks, or driveways into the street. The ACC may require a report from a drainage engineer as part of landscaping or improvement plan approval. Sump pump drainage should be vented a reasonable distance from the property line to allow for absorption.

Fences

Location: The fence shall start from the rear corners of the house structure in a direction toward the closest side property line and run toward the rear property line, enclosing only the rear yard. Variances may be made on an individual basis to allow the fence to start on the side of the house, but not to exceed more than ten feet (10') from the rear corners of the house, no exceptions. All variances must be approved in advance by the ACC. Fences shall be installed either within one inch (1") from the property line or no less than three feet (3') from the property line, allowing sufficient space for Owner, or the Association's

landscaper if that service is a benefit of your membership, to maintain their property and/or fencing without trespassing onto adjacent properties. However, any corner lot and lots bordering a roadway or alleyway are required to have a setback of five feet (5') from the sidewalk or 8 feet (8') from the curb if there is no sidewalk present on the side of the lot facing the street or alley.

A minimum clearance of three feet (3') must be maintained between a fence and any utility box/pedestal or sanitary sewer manhole located on a Lot. No fencing is allowed over easements or sight distance triangles on any Lot. There are restrictions for installing fencing over landscape buffers on any Lot and is addressed on a case-by-case basis by the ACC. Existing trees or shrubs shall not be removed to place the fence without prior approval from the ACC. The ACC will determine the final placement of the fence for each Lot based on the Architectural Guidelines' restrictions and the overall Community's aesthetics.

Requirements: There shall be a minimum of one walk-through gate at least forty-eight inches (48") wide for access. Gates must be self-closing. An additional gate may be required to allow for the Owner's and/or Association's maintenance accessibility for any portion of a Lot not enclosed by a fence. The ACC may require the installation of wider or additional gates for maintenance/inspection accessibility to the Association's Private Easements. All fencing must be maintained in an aesthetic and safe condition. Note: Owner must obtain approval from the City to install fencing over a Public Easement.

Fence shall follow the natural topography of the land. For privacy style fences, at least two inches (2"), but no more than three inches (3"), must be left between the bottom of the fencing panel and the ground to allow for the natural flow of water.

Some municipalities require Owners to obtain a fencing permit prior to the installation of a fence on their lot. It is the sole responsibility of the Owner to inquire with the City as to this requirement.

Materials: All fasteners are to be galvanized. In order to maintain a uniform style of fencing throughout the Community, the only **APPROVED FENCING STYLES** allowed to be constructed by an Owner on their Lot: **48" OR 60" BLACK FLAT TOP ALUMINUM FENCE**

Appearance: All fencing must be maintained in an aesthetic and safe condition. Fencing is required to be cleaned of debris, dirt, mold/mildew, etc. on an as-needed basis to maintain the overall appearance.

INVISIBLE FENCING:

Underground "Invisible" fencing does not require approval, as long as all removed grass is replaced, landscaping is returned to its original state, and the wires are installed as to not encroach upon property owned by others.

Flags and Signs

***Flags (other than flags of the United States of America and the State of North Carolina) and similar items must be approved by the (ARC) Architectural Review Committee.**

One portable, removable United States flag may be displayed in a respectful manner and consistent with 36 U.S.C. Sections 171-178, as amended, on each Lot without approval.

****Free-standing flagpoles (either permanently installed in the ground or removable) are prohibited.****

Appearance of Flags:

Board will allow all small garden flags (12x18) that are patriotic, decorative, religious, group affiliation, holiday, seasonal, welcome, college, sports etc. without approval as long as they are not offensive, in any way, to individuals or specific groups

For larger flags, board will allow seasonal / holiday flags 3 weeks before the season/holiday/event and shall be removed 2 weeks after season/holiday/event with approval .

Patriotic, Decorative, Religious, Group Affiliation, welcome, sports or college flags will also require prior written approval of the ARC prior to installation , and shall not be offensive, in any way, to individuals or specific groups.

Location of Flags:

A maximum of two (2) large flags and (2) small flags per Lot. Large flags are allowed to be attached to the main house and/or freestanding. Those flags must be hung from a pole, mounted on the main residential dwelling structure (siding or trim) or front porch column and shall not exceed the eaves of the main dwelling structure. A maximum of two smaller flags are allowed in other locations in the yard (in the existing landscape planting bed areas), as long as they are secured to the ground or any other structure. Yard flagpoles are prohibited.

Flag Sizes:

Maximum allowed size for flags mounted on the residential dwelling structure is 4x6 feet. All other flags, as displayed in the yard, must not be more than 18x24 inches. Flags that do not meet the proposed specifications must be approved by the ARC. Owners are expected to display flags in good harmony with our community. The Association reserves the right to request removal and/or submission of an application for a flag that does not meet the above-listed criteria.

Signs:

Except as otherwise required by the Town of Holly Springs, no sign, including a political sign, of any kind shall be displayed to the public view on any Lot except for signs used to advertise Lots for sale during the development construction and sales period, one sign of not more than ten (10) square feet advertising the property for sale or rent, and signs of not more than ten (10) square feet expressing support of or opposition to political candidates or other issues which will appear on the ballot of a primary, general or special election, provided that such political signs shall not be placed on a Lot earlier than sixty (60) days before such election and shall be removed ,within seven (7) days after such election. No sign of any kind shall be displayed in or on the Common Property without the prior written consent of the Association. Notwithstanding the foregoing, Declarant shall have the right to erect and maintain signs of any type and size on any Lot which it owns and on the Common Property in connection with the development and sale of the Property. All signs maintained on any portion of the Property must comply with all applicable federal, state and local laws and ordinances. No sign shall be nailed or otherwise attached to trees, street light poles or street signs.

Garbage/Recycling Can Containment, Privacy Panels/Screens, and Other Enclosures

Appearance: Privacy panels/screens and enclosures that are installed adjacent to the house must match house trim or siding color of the house to blend in with the existing color scheme of the main residential dwelling. Wooden screens and other enclosures that remain natural in color require a stain as listed in Section 3.06 Fences or Section 3.03 Decks within three (3) months of installation. If the screen/enclosure is to be painted or stained a color not in Sections 3.06 or 3.03, a color sample must be submitted with the

Architectural Request Form Application. All screens/enclosures must be maintained in good condition (pressure-washing, painting, staining, etc.) as needed. If a screen is installed on a wooden deck, wood or vinyl lattice may be used, but the screen must match the deck materials and its surroundings (color, appearance, etc.). Application must be submitted and approved prior to installation of the screening. Screens and enclosures shall be constructed of #2 or better pressure treated yellow pine or vinyl. All fasteners are to be galvanized. See designs below. Alternative materials will be considered by the ACC on a case-by-case basis.

Location: Screens/enclosures shall not be placed in the front yard. Garbage Can Area Screens are to be located on the garage side or back side of the house. However, they may not be located where the use, including, but not limited to the entry, of said area requires trespassing upon adjacent/neighborhood property. Those screens should be placed as far away from the front of the house as possible. The ACC will determine the final placement of the enclosure based on aesthetics and screening requirements.

Other enclosures, such as patio privacy panels/screens, A/C containment screens, under deck screens, etc., must be no larger than the area they are supposed to contain (e.g. the size of the existing A/C units). Privacy panels/screens must be confined to the rear of the dwelling structure and must not protrude past the sides of the building. Privacy panels that enclose grass in the backyard fall into the “fence” category (see Section 3.06).

Requirements: An Application must be submitted and approved prior to installation of the screening. It is required that all screens be softened through the use of natural landscaping materials, such as trees, shrubs, or vines on the exterior side. This is mandatory especially on corner lots, where part of the screen will be facing the road. Existing trees or shrubs shall not be removed to place the screen/enclosure without prior approval from the ACC. All screening and enclosures must be maintained in an aesthetic, safe, and good condition. Panels, screens, and other enclosures shall follow the natural topography of the land and blend in with their surroundings.

Garbage Can Area Screens shall be comprised of permanent screens. Garbage Can Area Screens, aka Trash Can Corrals, shall be no taller than 4 ½ feet, no wider than 3 ½ feet, and no longer than 8 feet, and must be fully enclosed at least on three sides (two sides of screen plus the original garage side wall). One gate no wider than 3 ½ feet may be installed on either the side or rear of the enclosure; if installed, the gate must be kept closed at all times. Garbage Can Areas must be kept neat; no loose debris shall be allowed in the Garbage Can Area. Design examples:



Trash and recyclable materials must be stored in sanitary containers. Except on trash pick-up day, all garbage and/or recycling cans should be stored in a way that it cannot be in view from the street. Garage and/or recycling cans may be placed at the curb the evening (after 5:00 P.M.) before collection day but must be removed from the curb and stored out of view from the street on the night of collection day. Garbage and/or recycling cans must be stored in a way that it cannot be seen from the street. They

must be stored inside the garage, against the back side of the house, or on the garage side of the house behind a garbage can area privacy screening that has been approved by the ACC.

Privacy Panels/Screens shall be no taller than six feet (6') and no longer than eight feet (8'). Privacy panels/screens should match the color of those panels constructed/installed by the Declarant during development of the Community, the color of the house trim, or the stain colors listed in Section 3.03 Decks, and may be constructed with #2 pressure treated wood or fencing grade vinyl material; unless a variance is granted by the ACC. Vinyl Privacy Panels should match the color of the trim of the house exterior. No more than one Privacy Panel/Screen can be installed consecutively on a Lot, or it would qualify as a fence. Design examples:



Landscaping/ Water Gardens / Vegetable Gardens / Raised Beds

Definitions:

Natural Area/ Landscaping Planting Bed Any area with ground cover other than grass. **Bushes and Shrubs** Any bush or shrub that will exceed 3'-0" in height or width at maturity. **Vegetable Garden** Any area used to grow vegetables or herbs. **Water Garden** Natural or prefabricated body of water for decorative purposes. **Landscape Buffer** Natural or landscaped area designated by City between communities or Lots within a Community with a requirement of minimum plant density.

Appearance: Natural areas and landscaping planting beds shall be made in proportion to the house and Lot. All landscaping planting beds shall be maintained to prevent overgrowth of individual plants or weeds. Landscape planting beds shall be mulched to improve appearance and aid in maintenance. Edging

around landscaping planting beds or natural areas is recommended but is not a requirement, and if used, should be consistent with the existing style and aesthetics of the Community.

Vegetable, herb, and water gardens shall be maintained regularly to prevent excessive weed growth. All plants located in a garden shall not exceed 5'-0" in height. Screening of these areas should be considered through the use of fencing or shrubs to eliminate views from the street or Common Areas. These areas should not be visually offensive to neighbors or attract pests. A Common Area is any parcel or community feature owned, managed, operated, insured, or maintained by the Association.

Grass should be mowed on a regular basis and not allowed to grow over 4" tall. Trimming around the sides of the house, mailbox (if applicable), trees, and landscape planting beds should also be done regularly. Removal of grass with an electric or gas-powered edger along the driveway, walkway, and any sidewalks should be done at least once a month during the growing season (May through October).

Location: Natural areas and landscaping planting beds may be utilized in the front, rear, and side yards. Landscaping planting beds and natural areas located in the front yards shall not encompass more than 50% of the total area available for the front yard with the remaining 50% of the front yard area shall be grass. Areas are measured from the curb to the nearest point of the house, and from one side yard property line to the other side yard property line. Corner lots will be measured from the curb to far side yard property line. Areas will exclude the existing walkway and driveway.

Landscaping planting beds, vegetable gardens, natural areas, and improvements or alterations that affect the overall impervious surface of the Lot, such as a paver patio, located in the rear yards shall not encompass more than 70% of the total area available for the rear yard with the remaining 30% of the rear yard area shall be grass.

Mature plant size shall be considered in determining locations of bushes, trees, and shrubs near property lines and the plantings set back sufficiently to account for mature growth. When bushes, trees, and shrubs are located immediately adjacent to property lines, mulch is required at the property line to provide easy maintenance for adjacent Owners.

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 on side or front yards are not allowed. Water gardens shall be planned and located to limit potentials for accidents (e.g., electrocution, drowning).

New trees shall be located away from foundations, driveway, walkways, sidewalks, and roadways to limit potential damage caused by root growth. ACC approval is required for the planting of trees by an Owner.

There are restrictions for installing improvements over easements, sight triangles, and landscape buffers on any Lot. These restrictions are addressed on a case-by-case basis by the ACC. The ACC will determine the final placement of the improvement based on aesthetics and street appearance. Landscaping and plantings in utility or stormwater easements are generally permissible, but with the full understanding that any plantings may have to be removed for utility or stormwater work in that easement without any liability on the part of the Association, municipality, or the utility company. Replacement of grass around existing driveways with rocks, stone, gravel, etc. (e.g. in order to accommodate additional parking or as an extension of the driveway) is not allowed.

Materials: In the Application, provide "common" variety names of plants that are to be used.

Any improvements or alterations (not included resodding/reseeding as described) to your lawn must be approved by the ACC. Reseeding/resodding your lawn with the following lawn types do not require

approval on Lots: Cool-season grasses (Tall Fescue, Fine Fescue, Kentucky Bluegrass, or Perennial Ryegrass) and Warm-season grasses (Bermuda, Zoysia, or Centipede).

Landscape planting bed border edging normally does not require an Application and may consist of THREE LAYERS/LEVELS with or without a cap stone of the following: edging brick; natural stone; slate, pre-cast landscaping edging concrete blocks; or black, brown, or dark green metal; or composite straight edging no higher than 18". These materials must be landscape grade. Painted stones and other painted or stained materials require prior approval and normally will not be approved. Edging material used should consider scale, color, and proportion to harmonize with the home, existing structures, and surrounding site. Any edging timbers, stones, blocks, or bricks that are more than eighteen inches (18") high in any area will be considered a "Retaining Wall" and an Application is required.

Some examples of acceptable materials to be planting bed edging:	Illustrations of acceptable landscaping used for landscape planting bed edging:
 Retaining Wall Bricks Edging Bricks Solid Bricks	

Owners are **not permitted** to use railroad ties, plastic edging, decorative plastic or metal fencing (see Section 3.06 Fencing for examples of prohibited materials), wire fencing, tree stumps/branch slices, rock or stones typically found onsite, river rock, construction lumber, siding, Hardiplank, or construction bricks for raised garden beds or other landscaping edging.



Requirements: ACC approval is required for the removal of any trees or shrubs by an Owner. Additionally, "Street Trees" planted by the Declarant in the front yard of a Lot, or in or near the City's Right-of-Way, cannot be removed, relocated, or replaced without the written approval of the City. If a Street Tree is deceased, dead, or dying, it must be replaced with a tree of the same variety and size in the same location within three (3) months of removal of the original tree. Homeowner may also contact the City to confirm if the Street Tree is the responsibility of the City for replacement.

Only the color, type, and style of mulch (hardwood or bark mulch) as installed by the Declarant/Builder or the Association is permitted on a Lot. The installation of a mulch of a different color, type, or style is not allowed without the prior written approval of the ACC. For example, white/light gray rocks or red/black dyed wood mulch is prohibited.

All landscaping will maintain proper drainage on the site. If landscaping is planned, Owners are required to provide a plan that details drainage patterns and runoff. Plans, which cause excessive runoff to neighboring properties or Common Areas, will not be approved without a plan submitted that resolves the drainage situation.

Irrigation systems do not require approval, as long as all removed grass is replaced, landscaping is returned to its original state, and proper drainage is achieved after installation of the underground watering system. If there is any change in the drainage pattern, water flow, and/or cause neighboring properties to receive water run-off as a result of the irrigation system, The Association reserves the right to request removal of the system or grading of the property to correct the problem. If grading is necessary, an Application must be previously submitted to the ACC for approval.

The Community may include a number of landscape buffer areas on Lots. These buffer areas were installed by the Declarant as required by the City on the approved subdivision plans. It is the Owner's responsibility to maintain any landscape buffer area that is located on their property as part of their regular lawn maintenance. This includes regular maintenance such as installation of mulch (or pine straw), removal of weeds, removal of dead tree limbs, and plant pruning. Approval from the City is required for the removal or installation of trees or shrubs by an Owner within a landscape buffer. A fence can be installed within the buffer area, with restrictions as dictated by the City, provided the Owner has received ACC approval.

Landscape buffers or streetscape buffers located on the Community's perimeter that are located solely on the Association's Common Area open space are required to be maintained by the Association as specified on the approved subdivision plan. Some of these areas are intended to remain in a natural, wooded state. For additional information about the Landscape Buffer maintenance and requirements contact the City's Zoning Compliance or Planning Departments.

Flowers or plants planted in flowerpots and displayed on walkway, porch, stoop, balcony, patio, or deck do not require prior approval from the ACC with the condition that the decorative flowerpot containers are standard size as can be purchased from any nursery/garden center. Plastic nursery pots cannot be seen from the street. Flower or plant pots must be consistent with size of the house and Lot. Finished/decorative pots with flowers, shrubs, trees, grasses, vegetables, and/or herbs are limited to five (5) on the front and side portion of the house. Pots from the nursery are limited to be located in rear private area of the Lot. Color and material finish of a decorative pot must be consistent with the exterior house colors or neutral earth tone colors. Custom, oversized, or colored decorative containers must have prior approval; each Application will be reviewed on an individual basis.

***Note:** Any furniture featured in the front yard should be for outdoor use, in acceptable condition for their intended function and with an acceptable color approved by the ACC. Size and frequency of lawn furniture should be limited and approved by the ACC. Furniture in the front yard should not maintain a gathering spot, which could generate excessive and regular noise but should be free of debris from trees, and free of clutter.*

Lighting (Exterior)

Appearance:

Exterior lighting must be compatible with the architectural character of the Community. Generally, low voltage accent lighting confined to planting beds or along walkways and on decks is acceptable. Other lighting devices, e.g., floodlights, high voltage spotlights, lampposts will be reviewed on an individual basis and require written approval from the ACC prior to installation.

"Temporary event lighting" related to a holiday, religious observation, celebration, or seasonal event generally does not require approval from the ACC; however, such temporary lighting and any associated wiring must be removed within a reasonable period after such event. As a general rule, temporary event lights should not be displayed earlier than thirty (30) days prior to an event and must be taken down

within fifteen (15) days following the event. For example, “Christmas lights” should not be installed on any lot earlier than November 25th and should be removed no later than January 9th.

Location:

Generally, low voltage accent lighting confined to planting beds or along walkways is acceptable. Floodlights and spotlights will generally be limited to rear and side yards. Specific approval shall be required for spotlights, floodlights or any other type of accent lighting on driveways and some additional landscaping may be required. All exterior high voltage lighting must have locations approved prior to installation. This guideline is not meant to be construed as discouraging security lighting systems, but only to control the source and spread of the light beam that may be intrusive to adjacent Owners. The Application should include a diagram showing the proposed location of new lights and the lighted area. Electric cords shall never be located over public sidewalks. ***No more than one light lamppost will be allowed in front yards. More lights may be considered in the back yards.***

Materials:

Include a materials list and if possible, a picture or drawing of the proposed fixtures (including its exact location, with the Application. A Plot Plan/Final Survey Map and affected neighbors’ signatures in view of the light(s) are also required.

Requirements:

Beam spread from all light sources should be confined to the Owner’s Lot. On corner lots and locations where the lighting may affect drivers, care must be taken to ensure that spotlights and floodlights do not cause dangerous safety hazards by blinding oncoming traffic.

Any lamppost in the front yard shall not exceed eight feet (8’) with one lamp light (max. 60W) without the written approval of the ACC. If the lamppost is installed in the rear of the property, the total for all lights must not exceed 100W. (For example, for a 4-light post, the maximum would be 4x25W.) The maximum height is defined as the top of the post or the light(s) (whichever may be greater).

All electrical installations must be in accordance with all applicable electrical codes and regulations.

Parking

There shall be no parking upon any unpaved portion of any Lot or within the Common Area, or within the right of way of any street as written in the Covenants. Any and all motorized vehicles, golf carts or other recreational vehicles, motorcycles or other 2 or 3 wheeled vehicles, commercial vehicles, tractors, lawnmowers, utility or cargo trailers, campers, camper trailers, boats or other watercrafts, boat trailers, or any transportation device of any kind such vehicles may only be stored and parked only within a garage. “Commercial Vehicle” shall include any non-passenger vehicles with only front seats, which is used, in whole or in part, for any commercial or business purpose, regardless of its markings or signage.

Recreational vehicles, boats, watercraft, trailers, or motorcycles may be parked on driveways for up to a total of three (3) as expressly and specifically permitted in writing by the Board. Any boat, motorhome, trailer, or recreational vehicle left upon any portion of the Community for longer than three consecutive days is subject to removal upon written notice from the Association to the Owners of such boat,

motorhome, trailer, or recreational vehicle, and the costs of such removal shall be an assessment against such Owner.

Any and all vehicles and trailers parked or left on driveways shall at all times be operable and properly licensed and registered. The Board may request, and the Owner, Resident, or Tenant shall provide evidence or verification of operability or proper license.

No mobile homes, with or without wheels, travel trailers, commercial vehicles that exceed the height of the residence's garage door, or semi/tractor-trailer trucks shall be parked on any portion of any Lot, on the street, nor in any portion of the Community without written approval from the Board.

No Owner, Resident, or Tenant shall repair or restore any vehicle of any kind upon any Lot or Common Area, except for emergent repairs, and then only to the extent necessary to enable movement thereof to a proper repair facility. No garage may be altered in such a manner that the number of automobiles that could have been reasonably parked in the garage as originally constructed.

On street parking is prohibited on any Private Roads in the Community. All automobiles are subject to be towed at the automobile Owner's expense. Guest may park in the guest parking lot on Cypress Hill Lane. Owners may request of the HOA BOARD to park vehicles within the Cypress Hill Guest Parking lot. Request must be made at least **five (5) business days** in advance to the property management team.

Vehicles shall not be parked in a way that blocks pedestrian access to sidewalks or forces pedestrians into the street.

Portable storage containers, such as PODS, are permitted on a temporary basis. The container must be stored completely in the driveway. These storage containers cannot be placed over any portion of the public sidewalk. The storage container may be present in the community for a maximum of twenty-one (21) days. After this period, the container must be removed.

Overnight or long-term parking on Association private property, e.g., parking lot, is prohibited unless prior approval has been granted and a Temporary Parking Pass has been issued. The Temporary Parking Pass must be on unobscured display in the windshield, or the automobile is subject to be towed at the automobile Owner's expense.

Parking Pads and Driveways

Appearance:

The layout or design should preserve and compliment the original driveway and walkway. The surface shall be at the same level, same color and finish as the existing concrete drive and of a minimum thickness of four inches (4"). Depending upon property configuration, screening with landscaping may be required to visually block the area from adjacent Owners.

Concrete shall be the only allowable material. The preparation of the soil base shall be consistent with sound construction practices to minimize the risks of settling, excessive cracking, and improper drainage. Concrete paint/stain is not allowed!

NOTE: Driveway aprons for Lots may not be widened without the approval of both the ACC and the City. Not all properties can accommodate a parking pad. At least 50% of the front yard must be grass, when taking into consideration the current driveway, additional parking pad, and any landscape planting beds and natural areas. Replacement of grass with gravel, rocks, or any other type of material

around existing driveways (e.g. to facilitate parking or accommodate additional vehicles) is not allowed.

Location:

Parking pads and driveway extensions may be constructed adjacent to and contiguous with the original concrete driveway on the side opposite the front walkway. The parking pad shall terminate in line with the front of the house and must not require removal of the existing mailbox, if applicable.

Some municipalities restrict the widening of driveway approaches due to the easements or right-of-way requirements. It is the sole responsibility of the Owner to inquire with the City/County as to widening restrictions.

Requirements:

Dimensional limitations and Setback Requirements: Each property will be reviewed individually. Owners are responsible for consulting the City/County ordinances for maximum width restrictions. Minimum set back from side property line is eighteen inches (18”), unless more strict restrictions are imposed by the City, except that the setback may be less with specific approval of the ACC on cul-de-sac lots because of lot configuration and size.

The overall size of the concrete coverage is subject to each Lot’s impervious restrictions.

Some municipalities require Owners to obtain an impervious permit prior to the installation of a parking pad or driveway extension on their Lot. It is the sole responsibility of the Owner to inquire with the City/County as to the permit requirement.

Slope of the parking pad and that of the adjacent yard shall preserve the original run-off flow pattern and shall not cause excessive water to be directed to a neighboring property or to the house foundation.

Pets

No animals of any kind, including livestock and poultry, shall be raised, bred or kept on any Lot.

No more than a total of three (3) dogs or three (3) cats, or a combination of dogs and cats not to exceed three (3) may be kept on any Lot and are subject to rules and regulations adopted by the Association through its Board. Provided that such pets are not kept/boarded, bred, or maintained for any commercial purpose, puppies and kittens in excess of the numbers set forth above may be kept only until old enough to be safely separated from their mother. It seems unnecessary to regulate inside pets.

The Board shall have the absolute power to prohibit any particular pet from being kept on the property, including inside a residence, if the Board in its sole and absolute discretion determines that the pet is dangerous, a nuisance, or otherwise has a negative impact on the Community.

Owners must comply with the City/County Sign Ordinances regarding the housing and Ownership of pets. This sentence seems unnecessary or not fully completed.

Fecal waste deposited by any pet on portions of the Community, other than the Lot of the Owner must be immediately removed and property disposed of by the Owner. Fecal waste deposited by any pet on or around the Lot of its Owner must be cleaned up and removed within two (2) days.

Pets are not permitted inside the clubhouse, inside the pool area, pool cabana, or inside any Association building. Pets are also not allowed within the fenced playground area.

Pets must be always accompanied by the handler. Dogs must be kept on a leash/lead at all times when not confined within the Owner's house or fencing on Owner's Lot.

Fences and Dog Runs

No wall, dog run, animal pen, or fence of any kind shall be constructed on any Lot without prior written approved from the ACC.

Play Sets, Recreational Equipment, and Basketball Goals

****METAL SWING SETS ARE PROHIBITED!****

****TRAMPOLINES ARE PROHIBITED!****

****BASKETBALL HOOPS AND GOALS ARE PROHIBITED!****

Appearance:

Playhouses, Forts, and Play Structures must be a natural wood color or plastic or match the color of main residential dwelling structure.

Location:

Playhouses, Forts, and/or Play Structures shall be located in the rear yard area only and preferably within fenced areas to prevent access by unsupervised and unattended child users and be adequately landscaped to screen from view. Otherwise, they must be properly shielded from view by landscaping surrounding areas with mature evergreen shrubs, trees, etc.

Materials:

Playhouses, Forts, and Play Structures must be constructed of wood or plastic.

Requirements:

A Playhouse, Fort, or Play Structure shall be considered an accessory building if it measures more than 24 square feet, is more than 6 feet in height from peak to ground or is constructed on a concrete slab or footing.

Only one Playhouse, Fort, or Play Structure per Lot.

Roofing/Roof Accessories and Equipment

Requirements:

Roof pitches and overhangs may vary as dictated by the architectural design of the house and the overall appearance for the Community. The approval of the ACC is required for a roof-material style or color change. Replacement of roofing materials with the same type and color as the Builder-installed roofing material does not require prior approval.

Roofing material must be architectural fiberglass or asphalt shingles, with a minimum 25-year warranty.

Flat roofs are not permitted except as described in subparagraph below. All roof pitches shall have a minimum ratio of 6:12 per Builders Guide.

Flat deck first floor patio roofs, which also serve as second floor balconies, may be approved by the ACC.

Attic vents, skylights, or other improvements on the roof should be as small in size as functionally possible and should be painted to match the roof color. They should be located generally on the area of the roof least visible from the street, and not extend above the ridgeline, unless as may be required by NC Building Code. The ACC must approve all roof protrusions. See Section 3.28 for more details.

Satellite Dishes and Antennas

Antennas: No satellite dishes, antennas, and similar devices for the transmission of television, radio, satellite, or other signals of any kind shall be placed, allowed, or maintained within the Community, except that Declarant and the Association shall have the right, without the obligation, to erect or install and maintain any such apparatus for the benefit of all or a portion of the Community, and (i) satellite dishes designed to receive direct broadcast satellite service which are one meter or less in diameter; (ii) satellite dishes designed to receive video programming services via multi-point distribution services which are one meter or less in diameter or diagonal measurement; or (iii) antennas designed to receive television

broadcast signals ((I), (ii), and (iii), collectively, "Permitted Devices") shall be permitted, provided that any such Permitted Device is placed in the least conspicuous location on the Lot (generally being the rear of the Lot) at which an acceptable quality signal can be received and is not visible from the street, Common Area, or neighboring property or is screened from the view of adjacent Lots in.

Energy Conservation Equipment: No solar energy collector panels or attendant hardware or other energy conservation equipment shall be constructed or installed unless they are an integral and harmonious part of the architectural design of a structure, as determined in the sole discretion of the Architectural Review Committee.

Seasonal Decorations / Yard Decorations

Definition: Seasonal Decorations and Yard Decorations include, but are not limited to, statues, sculptures, artifacts, inflatable decorations, signs, flags, lighting, artificial vegetation and florals, wind chimes, plaques, wreaths, potted plants, and other decorative items installed or displayed on the Lot or exterior of the home.

Requirements: Owners are expected to only install yard decorations that are in good harmony with the Community. Pink flamingos, windmills, wishing wells, larger sculptures (exceeding four (4) feet in height), or any yard decoration items without color coordination with the main residence are prohibited. No unsightly objects or nuisances shall be erected, placed, or permitted to remain on any Lot. The Association reserves the right to request removal and/or submission of an Application for yard decorations in the front, side, or back yard that exceed or do not meet the listed criteria in this Section.

Not more than a combined total of four (4) yard decorations are permitted in the front and side yard as seen from the street. Not more than eight (8) yard decorations total are allowed on any Lot. Not more than one (1) fountain of any size, not more than one (1) sculpture/statue allowed in the front yard, not more than two (2) sculpture/statue allowed in the side yards, and not more than one (1) birdbath of any size each are allowed on any Lot and all must be confined to the rear yard.

Location: No decorations may be placed by an Owner in the Association's Common Areas without specific written approved from the ACC or the Board.

Any and all Seasonal and Yard Decorations must be at least three feet (3') from the public sidewalk or three feet (3') from the curb where no sidewalk exists.

Temporary/seasonal decorative lights may be placed on trees, shrubs, fencing, decks, and the exterior of the house located on an Owner's Lot. Electric cords shall never be located over public sidewalks.

Backyard: The approval of the ACC is not required for the backyard installation of any statue, sculpture, birdbath, or fountain, which, including any pedestal, stands no more than four (4) feet tall. However, the combined total number of yard decorations, whether temporary or permanent,

in the backyard (behind the rear corner of the home) of a Lot is limited to one decorative item per ten linear feet. Decorative items which are placed on the back porch, patio, deck, or balcony are excluded from count, but may be limited by the ACC or Board.

Front and Side Yard: When placed in the front or side yard, written approval from the ACC is required prior to installation. Not more than a combined total of four (4) yard decorations are permitted in the front or side yard of any Lot and shall not exceed twenty-four inches (24") in height unless written approval from the ACC prior to installation. Decorative items which are placed on the front porch or front stoop are excluded from count but may be limited by the ACC or Board.

Seasonal Decorations: Temporary "Seasonal Decorations" related to a holiday, religious observation, national/state observation, cultural observation, celebration, or seasonal event generally does not require approval from the ACC, but must meet the criteria listed above; however, such temporary decorations shall not be displayed earlier than thirty (30) days prior to an event and must be taken down within thirty (30) days following the event. For example, "Christmas decorations" should not be installed on any Lot earlier than November 25th and should be removed no later than January 24th.

Storage or Use of Open-Flame Devices

Owners, and their Residents, Tenants, and Guests, shall at all times be in compliance with the Fire Code of the North Carolina State Building Code and any rule, restriction, or regulation adopted by the Association or the Declarant for storage or use of Open-Flame Devices upon Common Areas, including but not limited to any clubhouse, cabana, gazebo, pavilion, or other structure constructed upon Common Areas, or owned, managed, operated, insured, or maintained by the Association.

The Association prohibits the storage or use of any devices that have an open-flame, including but not limited to cooking, heating, or decorative devices fueled by charcoal, wood, or liquefied petroleum (LP), butane, kerosene, oil, or propane gas or within 10 feet of the amenity structure or any combustible building materials of structures, furniture, or assets owned, managed, operated, insured, or maintained by the Association or the Declarant. "Decorative devices" shall include but not limited to tiki torches. The storage and use of any open-flame grills or LP gas container having a capacity greater than 2.5 pounds is a fire hazard and is strictly prohibited within ten feet (10') of combustible building materials of structures, furniture, or assets owned, insured, or maintained by the Association or the Declarant. "Grills" shall be defined to include charcoal or gas fueled cooking devices.

Walkways and Patios

Appearance:

Patios and walkways (either consisting of concrete or pavers) shall be created in scale with the site and existing structures. Slope of the patios and walkways and that of the adjacent yard shall preserve the original run-off flow pattern and shall not cause excessive water to be directed to a neighboring property or to the house foundation.

Location:

Patios shall be confined to the rear yard while walkways will be confined to the side and rear yards. Locations should generally be limited to the side and rear of the house. All patios must be confined to the rear of the dwelling structure and must not protrude past the sides of the building. The front yard walkway is limited to natural color concrete, similar to the concrete installed by the Declarant/Builder. The patio and walkway size, design and setbacks to adjacent property lines shall be kept in proportion to the existing structures and site. All walkways and patios shall be a minimum of 18" from property lines. Lot size and configuration may permit reduction of the eighteen inches (18") setback in particular instances, but specific approval of the ACC is required for a setback less than eighteen inches (18").

Materials:

Generally, brick, concrete, concrete pavers, stamped concrete, flagstone, and slate will be considered as acceptable materials. Materials and color chosen shall complement the existing structures. All patios and walkways shall be reviewed on an individual basis for material, installation method, color and location. No asphalt walkways are permitted.

Requirements:

All patios and walkways must maintain proper drainage on the site. If a walkway or patio is planned, Owners are required to provide a plan that details drainage patterns and runoff. All walkways and patios (either consisting of concrete or pavers) or subject to the impervious restrictions of th

Window Coverings

Appearance:

No metallic foil or other coating, substance, or material which acts as a reflector of light shall be placed or installed on windows on a Lot. Window coverings, including but not limited to drapes, curtains, blinds, and sheers, must be a solid color, non-pattern in white, off-white, beige, taupe, or a similar light, neutral color on the side visible from outside the Lot.

No window coverings on garage door windows are prohibited. All window coverings visible from the exterior must be maintained in good working condition and appearance.

Yard Sales

Definition:

The barter, sale, or exchange of new or used personal property at any Lot, commonly referred to as "yard sales," "moving sales," "estate sales," "attic sales," "rummage sales," and/or "garage sales," will be allowed only if (a) sponsored by the Association, or (b) expressly authorized in writing by the Board.

Instructions:

Owners wishing to host a sale as described above must adhere to the following guidelines:

- The Property Management Company must be notified at least two weeks in advance of the intended sale event date.
- Each sale event may not last longer than three (3) days, for example, Friday through Sunday. At the end of each sale day, all items relating to the sale must be removed from public view (i.e. stored inside the garage or inside the house). The items may be replaced in the yard or driveway the following morning.

- The number of sale events per Lot is limited to two (2) per calendar year.
- Event sales may only be held between the hours of 6:00 A.M. and 3:00 P.M. The City's quiet hours must be observed while setting up/taking down the sale items.
- A maximum of two (2) signs advertising the sale event may be used in the Community. Signs may not have a face area exceeding four (4) square feet. Signs may be placed in Common Areas (land owned by the Association) five (5) days prior to the sale event and must be removed immediately after the completion of the sale event. Signs may be placed on another Owner's property within the Community but only with their permission.
- Noise relating to the sale event should be kept to a minimum (e.g. no loud music).