



## **Heritage Gates Architectural Guidelines, Rules & Regulations, and Landscaping Services**

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### **LIVING IN HERITAGE GATES**

Heritage Gates is a residential community in Rolesville, NC that has restrictive covenants binding on all owners. These covenants establish a Homeowners Association that will: own and maintain HOA property, provide certain services to homeowners, provide architectural control of all properties within the HOA, pay various HOA expenses, etc.

This document is intended to help our homeowners understand:

1. the services provided to homeowners by the Heritage Gates HOA and,
2. certain homeowner responsibilities as part of the broader community.

Heritage Gates is somewhat unique for two reasons. First, our HOA provides regular landscaping services for all homeowners (see below for more details). Not all HOAs do this. Second, Heritage Gates is also a part of the larger Heritage Three community. As such, our homeowners are subject to both the "Gates" Declaration and the "Three/East" Declaration. Where the two Declarations differ, for example, on leasing, the more restrictive covenants will apply. This also applies to property standards and architectural guidelines adopted by the Boards of each HOA.

The four documents that govern all owners and residents in Heritage Gates are:

1. The Declaration of Covenants, Conditions and Restrictions (aka the CC&Rs) for Heritage Gates (as amended),
2. The CC&Rs for Heritage Three/East (as amended),
3. Heritage Three Property Standards & Architectural Guidelines,
4. Heritage Gates Architectural Guidelines, Rules & Regulations, and Landscaping Services (i.e., this document).

Please note that the CC&Rs are not in any way altered by this document. Rather, this is intended to give homeowners supplemental information concerning community standards, requirements, and homeowner responsibilities as adopted by your Board.

## **LANDSCAPING SERVICES PROVIDED BY OUR HOA**

The Heritage Gates HOA provides the following landscaping services to all homeowners:

- Regular, usually weekly, services during the growing seasons, and bi-weekly during the winter (as needed). This includes:
  - Grass cutting.
  - Edging sidewalks and driveways.
  - Blowing off driveways, sidewalks, steps, and decks.
  - Spraying weeds in garden beds (along the edges and areas that are relatively barren only; to avoid damage to other plantings), sidewalks, and cracks.
- Lawn fertilizer and weed control will be applied four times per year during the growing season (typically between March and October). The timing is determined by our landscaping company.
- Pine-straw and mulch will be put down once per year in areas that have previously received pine-straw or mulch. Homeowners who wish to change any areas from pine-straw to mulch (or vice versa) must do so at their own expense on an ongoing basis.
- Shrubs will be pruned two times per year.

- All crepe myrtles on homeowners' properties will be pruned once per year, usually in February or March.
- Leaf clean-up will occur in the fall (Sep, Oct & Nov).

## **ABOUT PROPERTY STANDARDS AND ARCHITECTURAL GUIDELINES FOR HERITAGE GATES**

It's natural to want to spruce up your home with a new paint job, a fence, new exterior décor, a new tree, a home addition, etc. At the same time, we all want to live in a place that we love to call home. That's why both of your HOAs have defined sets of property standards and architectural guidelines that address various aspects of exterior home and landscaping maintenance and improvement.

The best way for you to avoid an accidental violation of our standards and guidelines is to familiarize yourself with all of our governing documents. To help ensure that any changes you propose to your property align with the community's standards and guidelines, please feel free to ask questions before submitting your Architectural Request Form to the Heritage Gates Architectural Control Committee (commonly referred to as the ARC). Please direct your questions to our HOA representative from Charleston Management, currently Melissa Jenkins - [mjenkins@charlestonmanagement.com](mailto:mjenkins@charlestonmanagement.com).

## **ADDITIONAL DETAILS AND CLARIFICATIONS ABOUT OUR GUIDELINES**

### **General Landscaping**

- Any changes to landscaping, hardscape, and building exteriors must be approved in advance by the Heritage Gates Architectural Control Committee (aka ARC).
- "Natural areas" (i.e., in the woods) will not be maintained by our HOA.
- The berm is not considered a "natural area" with one exception: Those parts of the berm facing Rogers Road that are not adjacent to mowed grass are considered "natural areas."
- Installation or expansion of vegetable gardens must be approved in advance by the Heritage Gates ARC. In general, vegetable gardens are permitted in the rear yard of

a home, and they must be appropriately screened from view if they are easily seen from a nearby street. The Heritage Gates HOA will not provide maintenance services for vegetable gardens, and homeowners must maintain them in a reasonably neat manner.

- Our HOA is not responsible for replacing pine-straw or mulch that has washed or blown away because of heavy rain or other issues.
- As with most landscaping services, our goal is good quality, not perfection.

### **Trees and Shrubs**

- Charleston Management will advise homeowners prior to pruning shrubs and crepe myrtles. Owners who wish to do their own pruning may opt out of either or both of these services by directly contacting our HOA representative from Charleston Management, currently Melissa Jenkins - [mjenkins@charlestonmanagement.com](mailto:mjenkins@charlestonmanagement.com).
- Homeowners who opt out of HOA-provided shrub pruning must make sure that their shrubs are regularly and appropriately pruned so that they do not become an overgrown eyesore. The HOA reserves the right to prune shrubbery if someone who opts out fails to maintain their shrubs in a neat and orderly manner.
- All shrubs and crepe myrtles will be pruned in a similar manner. Homeowners who want a different type or style of pruning should opt out of the HOA-provided pruning, and hire, at homeowner's expense, a landscaping company to perform the desired custom pruning services.
- Additional pruning of shrubs may be done during the year at the homeowner's expense. No pre-approval is needed.
- Tree branches hanging over sidewalks must be pruned back so that they do not constitute a nuisance. Owners are asked to maintain a clearance of at least 78" over sidewalks.
- Removal of any trees or shrubs, including those in natural areas, must be approved in advance by the ARC.
- Any trees or shrubs that have died must be removed and replaced by the homeowner in a timely manner with a similar type of tree or shrub. Replacement of dead trees or shrubs located in any "natural areas" is not required.
- Homeowners wishing to replace dead trees or shrubs with a different type/species must receive approval in advance from the ARC.
- Homeowners must either remove or grind tree stumps to ground level.

## **Solar Energy Installations**

- Proposals for solar energy installations must be approved by the ARC prior to installation.
- Solar panels or tiles must be flush-mounted, meaning the plane of the solar array must be parallel to the roof.
- All components of solar systems should be color-matched with the existing roof and siding (as appropriate) to the extent possible. Piping, conduits, electrical connections, etc., must be hidden or placed as inconspicuously as possible.
- The highest point of any solar installation must be lower than the ridge of the roof to which it is attached.
- Solar systems shall be installed only by licensed NC installers.
- In addition to the information required with all Architectural Requests, solar panel requests should include the following:
  - a. A diagram “drawn to scale” by the proposed licensed contractor showing where the system will be installed.
  - b. Photos of the roof areas where the arrays will be mounted.
  - c. If all or part of the solar installation will be visible from an adjacent street, the request must be accompanied by documentation from a licensed solar contractor indicating that the proposed locations for the panels are the only feasible locations for efficient energy production.
  - d. A manufacturer’s description of the system.
  - e. Photos of similar existing systems as examples.

## **Large Storage and Refuse Containers**

- Temporary storage containers/pods may be placed on driveways only. Such containers/pods may remain on a property for no more than fourteen days unless an exception is approved in writing by the Heritage Gates Board.
- Large refuse containers or dumpsters, such as those used during remodeling or construction projects, are permitted on driveways only, and only for the duration of the remodeling or construction project. Such containers may remain on a property for no more than 30 days unless an exception is approved in writing by the Heritage Gates Board.

## Other

- The installation of fences and walls must be approved in advance by the ARC. Proposed fences or walls that enclose portions of the landscaping must include at least two (2) five-foot-wide gates, each with a clear five-foot-wide access path, for landscaper access.
- Installation of permanent standby generators must be approved in advance by the ARC. Generators must be installed in a location not visible from the street.
- All properties, yards, and common areas must be kept free of trash, tools, garden supplies, storage containers, etc.
- Proper maintenance of mailboxes is an owner responsibility:
  - a. Mailboxes and posts should be kept in good repair. They should be repainted periodically, and new 3" gold, vinyl address number decals should be affixed.
  - b. *Post and Pickets* in Dunn, NC — (919) 772-7170 — should be able to provide replacement parts and 3" gold vinyl address number decals. Ask for the "Heritage" font, and be sure to order two sets of new decals for each mailbox; one set for each side.
  - c. The only approved color for repainting Gates' mailboxes is "Sherwin Williams Jasper SW6216 Exterior Flat." This is a dark forest green. There is a Sherwin Williams store located at 109 Capcom Ave in Wake Forest (off South Main Street).

## Procedure for Non-compliance with Heritage Gates Covenants, Standards & Guidelines

- Any exterior architectural or landscaping change made without the owner(s) receiving the required prior written approval from the Heritage Gates ARC, or non-compliance with the Covenants or Standards & Guidelines as set forth in this document, constitutes a violation.
- When a violation is determined to have occurred, the following steps shall be taken:
  1. The Heritage Gates ARC will investigate the reported violation and report its findings to the Board and the Management Company. The Management Company will communicate in writing with the homeowner(s), identifying the violation, and giving notice of a requirement for compliance and a timeline in which to comply. This notice may require the owner(s) to remove, reverse or modify the changes that were made by the owner without prior approval. The

cost of any such removals, reversals and modifications shall be paid by the owner(s).

2. If the owner fails to correct the violation as specified, the Management Company will submit the matter to the Board.
3. The Board will then invite the homeowner to a hearing, where the homeowner will have opportunity to explain the violation.
4. Following the hearing, the Board will communicate its decision, in writing, to the homeowner(s). Further requirements and penalties may be imposed by the Board, and they could include fines of up to \$100 per day to be levied upon the owner(s). Such fines would not begin any sooner than five (5) days after the hearing date.

## WHO TO CONTACT

Homeowners who have HOA questions, concerns, or complaints should contact our representative from Charleston Management, currently Melissa Jenkins - [mjenkins@charlestonmanagement.com](mailto:mjenkins@charlestonmanagement.com).

If you have complaints about our landscaping services, please do not complain directly to our HOA landscaping workers who may be working on your property.

Homeowners wishing to propose additional and/or more frequent landscaping services should contact any Board member.

Note that this document replaces and supersedes all previous versions published by the Heritage Gates HOA. The property standards; community rules and regulations; and architectural guidelines contained in this document will remain in effect until replaced or revised by the Heritage Gates HOA Board.