

Article VII Architectural Control

Section 1. Architectural Committee An Architectural Committee consisting of three (3) persons shall be appointed by Declarant at or prior to the sale and transfer of title to the first lot. This right shall continue until January 1, 2014 or until Declarant has sold one hundred percent (100%) of all properties at any time subject to this Declaration. Thereafter, the Architectural Committee shall be appointed by the Board of Directors of the Association.

Section 2. Plan or Design Approval No site preparation or initial construction, erection or installation of any improvements including but not limited to, dwelling units, outbuildings, fences, walls, signs, antennas (including satellite dish antennas), clotheslines and other structures, excavation or changes in grade shall be undertaken upon any lot unless the plans and specifications therefore, showing the nature, kind, shape, height, materials and location of the proposed improvements shall have been submitted to the Architectural Committee and expressly approved in writing. No subsequent alteration or modification of any existing improvements or construction, erection or installation of additional improvements may be undertaken or allowed to remain on any of the lots without the review and express written approval of the Architectural committee.

Section 3. Effect of Failure to Approve or Disapprove. In the event that the Architectural Committee fails to approve or disapprove the design of any proposed improvements within thirty (30) days after plans and specifications therefore have been submitted the received, approval will not be required, and the requirements of this Article will be deemed to have been fully satisfied; provided that the plans and specifications required to be submitted shall not be deemed to have been received by the Architectural Committee if they contain erroneous data or fails to present adequate information upon which the Architectural Committee can arrive at a decision.

Section 4. Right of Inspection. The Architectural Committee shall have the right, at its election, to enter upon any of the lots and improvements on any lots during preparation, construction, erection or installation of any improvements to determine that such work is being performed in conformity with the approved plans and specifications and in a good and workmanlike manner utilizing approved methods and good quality materials.

Turner Farms Home Owners Association Architectural Guidelines Version II
September 2005

A Supplement to the Turner Farms Homeowners Association Covenants and Bylaws.

Purpose:

The purpose of this document is to assist the homeowners and builders in obtaining approval for improvements to their property from the Turner Farms Home Owners Association Architectural Committee as is stipulated in the Covenants and Bylaws.

What must be approved?

The covenants and bylaws are very broad and encompassing, and should be read and understood. According to these documents approval must be obtained for, "*any structure*". This includes but not limited to: arbors, gazebos, swings, pools, dog pens, playground equipment, antennas, satellite dishes, storage buildings, fences, and propane tanks.

A structure is defined as, "that which is built; building; manner of building; arrangement of parts or elements; organization."

The following guidelines attempt to provide a meeting ground between private interests and the broader interest of the Turner Farms community.

Control for maintaining the quality of design is through the Declaration of Covenants and Restrictions of the Turner Farms Home Owners Association. The covenants run with the land and are binding on all homeowners (members) and renters and should be fully understood.

The fact that each homeowner is subject to these covenants should assure all homeowners that the standards of design quality would be maintained, enhancing the community's overall environment and protecting property values.

The standards, which follow are the procedures and guidelines applied by the Architectural Review Committee and the Board of Directors to assist the Association and its members in the design review process. It is hoped that these specifications will serve as a positive tool to assist each homeowner in the full and free use of their property in a manner consistent with the aesthetic and harmonious development to the Turner Farms community.

This requirement applies to every homeowner's private property and any common areas.

Review Criteria

The Architectural Review Committee evaluates each application on the individual merits of each application. The Architectural Review Committee decisions are based on the standards in the following sections.

Validity of Concept: The basic idea of the exterior change must be sound and appropriate to its surroundings.

Landscape and Environment: The exterior change must not unnecessarily destroy or blight the natural landscape or the achieved man made environment.

Relationship of Structures and Adjoining Property: The proposed change should relate harmoniously among its surroundings and to existing buildings and terrain that have a visual relationship to the change.

Protection of Neighbors: The interests of neighboring owners should be protected by making provisions for such matters as surface water drainage, sound and sight buffers, and preservation of views, light and air, and other aspects of design, which may have substantial effects on neighboring property. For example, fences may obstruct views, breezes, or access to neighboring property; dog pens may cause undesirable noises and odors or infringe drastically on views of neighboring property. The Architectural Review Committee should consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governing in each specific application.

Design Compatibility: The proposed change must be compatible with the design characteristics of the applicant's home and with the general neighborhood setting.

Scale: The three dimensional scale of the proposed change must relate satisfactorily to adjacent structures and their surroundings. For example, a detached storage shed of a disproportionate size to the area in which it is intended to be placed would not be satisfactory.

Materials: Continuity is established by the use of the same or compatible materials as are used in the existing home. For example, an added shed should be made of the same or similar materials as the home, likewise the shingles should also be the same or similar.

Color: Color may be used to soften or intensify visual impact. For example the color of a fence should blend in with the surrounding natural environment. A shed should be painted to match the existing home.

Workmanship: The quality of work must be equal to or better than that of any existing structures. Poor practices may cause the owner problems and may be visually objectionable to others. For example, a wooden fence not properly treated and maintained may in a short period start to decay and become unsightly to the owner and neighboring property owners.

Timing: A property change may be built or installed by the owners or a contractor. However, projects that remain uncompleted for a long period of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must contain a proposed maximum time period from start to completion of construction of the proposed improvement.

Architectural Review Committee may disapprove the application, as a general rule of thumb minor additions should be able to be completed within 30 days whereas more labor intensive additions may take up to 90 days.

Do not apply for a building permit, purchase materials, or commit to any contractor in anticipation of instant approval by the Architectural Review Board. Applicants should wait until they have received

written application approval by the Architectural Review Board prior to purchasing or committing to such work. Homeowners should plan well in advance to allow time for application processing-

Guidelines for Architectural Requests:

- 1.) Satellite dishes must be 30 inches or smaller, the location should be inconspicuous and must be approved.
- 2.) Propane tanks over 125 gallons must be buried. Tanks of 125 gallons or less must be placed in an inconspicuous location and properly camouflaged so that tank is not visible from any street.
- 3.) Heating and air conditioning units should be screened with landscape material so the units are not visible from the street.
- 4.) Outside antennas are not permitted.
- 5.) Fences are permitted with approval. Fences are to be constructed using Wood or Plastic (Vinyl) and should be no taller than six feet in height.



The location, material (Wood or Vinyl), color (Stained or Natural), style (Scalloped, Arched or Straight) must be approved.

No fences are permitted in the front of the property. Chain link fences are Not permitted this includes wrought Iron.

- 6.) Storage buildings (Sheds) are permitted with approval. The location, material (Wood or Plastic), color (Same as house and Trim unless Brick then it should be the Trim Color), style and size must be approved.

The Roof shingles should match the color and style of the shingles on the house. Metal buildings are not permitted.

- 7.) Dog pens are permitted with approval provided they meet the same requirements for a fence. See fences (5) for more information.

- 8.) Playground equipment is permitted with approval. Recommended maximum dimensions are 13 feet high including any canopy 16 feet wide including a fort or playhouse, 10 feet deep. The location, material, color, style and size must be approved.

- 9.) Swimming pools & Hot tubs, both in-ground and above ground are structures and therefore need to be submitted to the Architecture committee for approval. The only exception to this are plastic wading pools holding not more than 24 inches of water at their deepest point.

All pools must be located behind the house in such a location that they cannot be seen from ANY street. It is possible to conceal above ground pools with decking and lattice to further reduce it's visibility from ANY street. This location must be at least 10 feet from each lot line.

All state, county, city and association guidelines must be followed. Wake County requires a fence not less than 4 feet in height. All gates must be equipped with self-closing and positive self-latching mechanisms.

Above ground pools must not be more than 4 feet in height and properly screened from any street with landscaping or with decking.

Pumps and other mechanical equipment must be screened from view to adjacent properties and shielded in some manner to prevent excessive noise.

10.) Detached garages are permitted. The location must be within 20 feet from the house.

The materials used on the Street facing side must match the existing homes material (Brick or Siding).

The Color should match the existing homes color, this includes the trim, it should match the existing homes trim color.

The size of the structure should be no larger than 1/3 the square footage of the existing home. All Wake county building codes must be followed to include pulling a Building Permit and following all setback requirements.

11.) Vehicles and Storage: Boats, campers, trailers, trailered units or vehicles of any kind not used as regular transportation may be stored behind or beside the home, placed in an area improved for storage (does not allow grass to grow up around the unit), located at least 5 feet from a neighbor's property line; and positioned to provide minimal visibility from any street.

The Architectural Committee urges you to consider your neighbor's perspective when selecting a storage site, and not to store smaller items around the unit. No commercial tractor-trailers, commercial trucks, or commercial cabs shall be parked within Turner Farms. All allowed vehicles are to be parked on a part of the lot improved for that purpose, i.e.; a garage, driveway, carport or parking pad. No campers or motor homes are to be used as a residence or as living quarters while stored in accord with this paragraph..

12.) Painting your home is permitted, but the color choice should not be offensive it should relate harmoniously among its surroundings and not be of a color that might be considered loud or that might not be a color you would normally find on a house, example (Purple, Orange or neon Green). Common sense should be used in selecting a new paint color for your home. If you are not sure of your choice please contact the Architectural Committee prior to making your selection.

The Architectural Committee urges you to consider your neighbor's perspective when making any changes to the exterior of your home.