

RIVERBROOKE II HOMEOWNERS ASSOCIATION

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STORAGE BUILDING GUIDELINES

All accessory buildings must be submitted for Architectural Review Committee (ARC) approval prior to installation. Buildings erected without approval may be at risk of removal. The authority of the ARC is found within the Declaration of Covenants, Conditions and Restrictions for Riverbrooke II Subdivision. All structures must be properly maintained.

Article XI Accessory Buildings states “No accessory building of any nature whatsoever (including but not limited to detached garage, storage building, dog houses, greenhouses, satellite disk or dishes) shall be placed on any lot without prior written approval of the Architectural Committee, with said Committee to have the sole discretion relating to the location and type of accessory building which shall be permitted on any lot.”

Building Design, Material and Color

All buildings must be architecturally compatible with the residential dwelling on the lot. Structures should match the house in color and style as much as possible and be constructed of the same or substantially the same identical materials as the residential dwelling on the lot. The roof should have a similar pitch to the existing dwelling and use the same roofing materials. A suitably constructed floor system or foundation is required. These requirements exclude any prefabricated units. The maximum size for any detached building is 120 square feet (i.e. 10' x 12'). No metal sheds are allowed. If the shed is built above flat ground then the distance between the ground and the flooring of the shed has to be covered and pleasing to the eye.

Location and Easements

Only one building will be allowed per lot. All detached buildings must be installed to be as inconspicuous as possible. The preferred location is in the rear, directly behind the house, within the building envelope. A 10-foot clearance from the neighbor's property line is mandatory. Location should be no closer to the front boundary line of the lot than the rear wall of the single-family residence located on the lot and no closer

to any side boundary line of a lot than the applicable building setback requirements, and which have otherwise been approved by the ARC.

Article V Building Location states “No building shall be located on any lot nearer to the front line than 20 feet or nearer to the rear lot line than 20 feet, or nearer to the side street than 10 feet, in the case of a corner lot. The Architectural Committee may for good cause waive a violation of the set back requirement provided for herein. This waiver shall be in writing and recorded in the Wake County Registry. A document executed by the Architectural Committee shall be, when recorded, conclusive evidence that the requirements of this paragraph have been complied with. There is no limitation on the distance a building is required to be from an interior lot line; however, each building constructed on a lot shall be at least 15 feet from the building on the adjoining lot. Those structures are considered part of the building for zoning setbacks. A minor violation is fine so long as it does not violate local government zoning regulations. All parts of all structures must be 20 feet apart. The recorded plat for subject property will designate side yard setback lines and information shown on recorded shall have priority over above setback. Declarant reserves the right to waive in writing any minor violation of this Article and for purpose hereof, any violation which does not exceed 20% shall be considered a minor violation. Said Waiver may not be possible without re-recording the portion of plat effected by said Waiver.”

Article VII Easements states “Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear 10 feet of each lot and 5 feet on each side unless shown on excess of such distance on recorded plat, in which case the plat shall control. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities and drainage facilities, or which may change the direction of flow or drainage channels in the easements, or which may obstruct or retard the flow of water through the drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements which a public authority or utility company is responsible. With the further exception that no easement shall exist along an interior lot line on any lot on which a house if constructed within an area which would otherwise be an easement, if the placement of the house is permitted in Article V of these covenants. Declarant reserves the right to waive in writing this rear and side line easement requirement.”

Revised October 31, 2006