



Cotswold Community Association, Inc.

Cary, North Carolina

Architectural Guidelines

Revision 9

August xx, 2020

Approved September xx, 2020

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Revision History

Revision Date	Rev No.	Section	Change
1999	0	All	Original Guidelines by Centex/Charleston Management (developer of Cotswold)
July 2002	1	All	First set of Guidelines by homeowner controlled Board of Directors
		Introduction and Contents	Sections added
		Submittal & Approval Process	Revised to add a process for proposing and approving changes to the Guidelines, including changes requested during an appeal of a denied architectural request
		Architectural and Structural Changes to House	Revised to allow the ARC to grant time extensions for complex projects
July 2005	2	Decks, Patios, Arbors & Screens	Revised to allow decks and railings to be stained to match the trim of the house
		Fences	Revised to allow alternate fence placement extending beyond ten feet from the rear corner of the house on a case-by-case basis. Revised to allow substitution of anodized aluminum in lieu of wrought iron on a case-by-case basis.
		Landscaping	Revised to clarify landscaping that does not require ARC approval. Revised to clarify height restrictions on bedding borders and decorative retaining walls.
		Appendix A (Fence Styles)	Revised to include more detailed descriptions and photos of approved fence styles
June 2009 August 2015	3	General Maintenance and Appearance	Revised to clarify roofing should be maintenance and kept in good condition and free of stains.
		Basketball Goals	Revised to add portable basketball hoops must be stored at least 10 feet from the curb when not in use
		Decks, patios, Arbors and Screens	Revised to add TREX as an approved alternative deck material.
	4	Reordered pages	Reordered pages to group similar items in a logical order
		Violations and Penalties	Added text addressing reporting of possible violations of Covenants.
		Areas to Maintain	Revised to remove extra verbiage about keeping roofing free of stains.
		Roofing Material	Section added describing maintenance of roofing, and approved alternative roof materials.
		Doors and Storm Doors	Added text specifying replacement of home and garage doors.
		Storm Water Collection	Added section describing permitted storm water collection.
		Landscaping	Addressed lawn clippings. Clarified restriction on storage of trailers
		Fencing	Revised to permit temporary fencing permitted around gardens.
		Antennas	Revised to provide guidelines for transmission antennas.
		Vegetable Garden Plots	Additional text to specify maintenance of fruit trees, bushes, and vines. Additional restrictions specified regarding compost.
		Appendix A (Fence Styles)	Revised to display sample of Temporary decorative wire fencing permitted around gardens.
August 2016	5	Garbage Can Storage	Addition of Garbage and/or Recycling Bin storage methods
		Portable Basketball Goals	Revised to clarify acceptable placement and storage of portable basketball goals.
		Addition of Town of Cary Code of Ordinances	Addition of select Town of Cary Ordinances as Appendix B.

August 2017	6	Roof and Wall Maintenance	Added text to roof maintenance guidelines. Added new section regarding exterior wall maintenance.
		Mailboxes	Replacement mailboxes will be black, with white posts. Updated text.
		Trees	Large tree removal requires approval. Removed front yard tree must be replaced.
August 2018	7	Driveways, Patios	Driveways and Patios may be constructed with stamped concrete patterns. Patios/Walkways may be constructed with dyed concrete.
		Replacement Mailbox Posts	Replacement posts may be natural wood color only if replacing existing natural wood color post.
		Backyard composting and fencing.	Permitted backyard composting clarified. Support structure for garden fencing and trellises described.
		Added new fence style	New fence style exception was granted for one home, and it turned out very well.
August 2019	8	Submittal and Approval	Homeowner responsible for researching wetlands, easements and buffers
		Roofs	Clarifications on roof replacement.
		Gutters	New section added to address gutter color.
		Garbage Can and Recycling Bin Storage	Cans and bins must not be visible from street. Storage on side of house is permitted with screening vegetation or structure.
		Storm water collection	Clarification. Specification of size limit of water collection barrels.
		Tree removal	ARC approval required for removal of living trees over 6" in front yard. Trees must be replaced by next growing season.
		Signs in Yard	Clarification on placement of security signs.
		Fences	Minimum Setbacks
		Pets	Pets must be on leash when walked. Owners must clean up pet waste when in public areas.
		Leaf Collection	New section to address leaf collection.
		Maximum Penalty	Amended maximum penalty for violations now reads \$100 per day.
August 2020	9	Painting of Shutters and Doors	Clarification regarding maintenance of shutter and door paint.
		Shutters	Guidelines for replacement of shutters
		Solar Collectors	Clarification of piping requirement
		Sheds	Clarification of shed screening requirements
		Basketball Goals	Clarification of basketball goal limitations
		Treehouses	Added text to address treehouses

Contact Information

Management Company:

Direct all architectural requests, correspondence and inquiries to the Management Company as listed below:

R S Fincher & Co., LLC
315 S. Salem Street, #500,
Apex, North Carolina, 27502
Office: (919)362-1460
Fax: (919) 362-1462

Cotswold Community Association:

www.cotswoldhoa.org

Introduction

Cotswold Community Association, Inc. (the “Association” or “HOA”) is a not-for-profit North Carolina Corporation formed and managed solely for the benefit of its member homeowners in the Cotswold subdivision located in Cary, North Carolina. Cotswold is a neighborhood of 202 houses developed by Centex homes that includes common areas; entrance features on Kildaire Farm Road and Arthur Pierce Road; and a community pool facility. Covenants recorded by the developer, along with the Association’s Bylaws and Articles of Incorporation, impose certain conditions and restrictions on the use of property in Cotswold and describe a governing process for the Association. Article VIII of the Covenants as excerpted below specifically provides for the “Declarant” to issue Architectural Guidelines. (Note that “Declarant” in the Covenants originally referred to Centex Homes, which transferred its rights to the Association through its Board of Directors). Additionally, the Covenants provide for the formation of an **Architectural Review Committee (“ARC”)** that reports to the Board of Directors on matters of architectural control.

“No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made, nor shall a building permit for such improvement or change be applied for or obtained, nor shall any major landscaping or re-landscaping of any Lot be commenced or made (such construction, alteration and landscaping are hereinafter referred to as the “Improvements”) until plans and specifications showing the nature, kind, shape, heights, materials, color and location of same shall have been submitted to and approved in writing by the Declarant. The Declarant shall have the right to promulgate and from time to time amend written architectural standards and construction specifications (hereinafter the “Architectural Guidelines”) which may establish, define, and expressly limit the standards and specifications which will be approved, including, but not limited to, architectural style, exterior color or finish, roofing material, siding material, driveway material, landscape design, and construction technique. The Declarant shall not approve any Improvements which it determines, in its discretion, not to be in harmony of external design, construction and/or location in relation to the surrounding structures, topography or the general plan of development of the Subdivision.”

I. Submittal and Approval Process

1. Submit the completed Architectural Request Form and all required attachments to the management company. Incomplete or illegible submittals will be returned to the member. The current version of Cotswold's Architectural Guidelines and the Architectural Request Form ("Exhibit A") are posted on the Cotswold Web site.
2. The management company will forward complete submittals to the ARC.
3. The ARC will review the submittal using Covenants and Architectural Guidelines.
4. The ARC is not empowered to make exceptions to either the Covenants or Guidelines. Homeowners who wish to meet with the ARC regarding their submittal should contact the management company to be placed on the agenda for the next scheduled meeting.
5. The management company will complete a standard response letter indicating the final decision. The ARC will respond to all submittals within 30 days of receipt.

Notes:

- Approval of any submittal or portion thereof does not ensure the approval of similar submittals, as each submittal will be considered on its own merits. Any alteration or deviations may require a re-submittal.
- When submitting an architectural request for work to be done in your yard, the homeowner is required to submit a survey of their property. The homeowner has the responsibility of researching to find out if there are any wetlands, easements and/or buffers on their property. It is up to each individual homeowner to understand the restrictions and requirements on their individual property. Please contact The Town of Cary and the Department of Environmental Quality to help you identify any restrictions on your property.
- No construction or work shall begin without written approval.
- Town building permits may need to be obtained and will be the responsibility of each member. Obtaining required permits shall be a condition of any approval.
- **Allow enough time for processing and approval in planning for construction.**

A. Appeals to the Board of Directors

A member may appeal a decision of the ARC to the Board of Directors by submitting a written request for appeal to the management company. The appeal should include specific and detailed information that clarifies why the submittal should be reconsidered. In all cases, the Board of Directors holds final authority for architectural control.

There are two categories of appeal:

1. Appeals resulting from an administrative denial (e.g., incomplete forms or submittal).
The member may request a meeting with the Board of Directors to further discuss the submittal. Please contact the management company to be placed on the agenda for the next Board of Directors meeting.
2. Appeals resulting from a request that is inconsistent with the Architectural Guidelines.
The member may request a change to the Guidelines as outlined in the following section.

B. Changes to Guidelines

The Covenants assign the responsibility and authority for issuing Architectural Guidelines to the Board of Directors. Only the Board may issue or change the Guidelines. This section describes the process by which a member may request a change.

1. Request a change by submitting an “Architectural Guidelines Change Form” (see “Exhibit B”) which is available on the Cotswold Web site. The member should carefully describe any special circumstances or provisions to support the change.
2. The member will submit the form, along with any supporting documentation, to the management company, who will review it for completeness and forward it to the ARC.
3. The ARC will review the form, meet with the member and provide comments either for or against the change. The ARC will respond in writing within thirty (30) days of receipt.
 - a. If the ARC supports the proposed change, the management company will include the proposal on the agenda of the next annual meeting of members.
 - b. If the ARC does not support the proposed change, the member must complete the petition section of the form by obtaining names, addresses and signatures from ten (10) Cotswold members (no more than one person per household) who support the proposed change. The member will then return the form to the management company who will include the proposed change as an agenda item on the next annual meeting of members.
4. Notice of the next annual meeting will include a description of the proposed change. The ARC is responsible for preparing a brief description of the proposal, including the requesting member's supporting comments.
5. At the annual meeting, the Chairman of the Board of Directors will facilitate a brief discussion of the proposal. The discussion shall include the member's supporting argument, comments from the ARC and input from other members who are present.
6. Within thirty (30) days of the annual meeting the Board will vote on the proposed change. Their vote shall be recorded in the Board's official meeting minutes and conducted in accordance with Association's Bylaws. The Board's decision is final.

Notes regarding changes:

1. Proposed changes that violate the Covenants are not eligible for review or consideration by the Board. Covenants can be modified only under extraordinary circumstances.
2. If a member of the Board of Directors is proposing a guideline change, then that member shall abstain from voting on the proposed change.
3. The Board, at its discretion, may choose to schedule a special meeting of the members to review change requests if the volume or timing of requests would materially interfere with the annual meeting's agenda.

II. Violations and Penalties

The Board of Directors has the responsibility and authority to enforce the Covenants. The Board and the Management Company make every effort to become aware of violations of the Covenants, but since Homeowners see more of the subdivision on a day to day basis, they are encouraged to report problems so the Board of Directors may make a determination if corrective action needs to be considered.

To emphasize the importance of these Covenants and to assist in their enforcement, penalties have been established for violations. This section defines the steps that will be taken by the Board in the event of a violation of the Architectural Standards and Guidelines, or restrictive Covenants relating to Architectural control. Failure to submit an application prior to beginning a project shall be considered a violation and subject to penalty.

“Penalty” is defined as up to \$100 per day based on the violation.

Step One

A letter will be issued to the owner noting the violation with a request that it be brought into compliance within thirty (30) days. A written response to the management company's office from a member expressing a good faith effort to resolve the violation will result in a reasonable extension.

Step Two

Upon expiration of thirty (30) days, the member will be invited to a hearing; prior to being assessed a penalty. The member will receive a letter stating the date, time, and location of the hearing. The hearing will be with the Board of Directors, for the member to be heard and to present evidence. Failure to appear will result in the fine beginning to accrue on the day after the date of the hearing. If the violation is brought into compliance with the rules and regulations of the Architectural Review Standards and Guidelines and/or Declarations, no hearing will be necessary.

Step Three

After the hearing the Board will respond in writing within five (5) days. The amount of the penalty and the date it will start or started will be stated in the letter. The penalty will continue until the violation is corrected. Statement is made that the Association will continue action via applying penalty and, where appropriate, through court action by HOA to correct violation.

*It is noted that anywhere during the process that members are strongly encouraged to contact the HOA to discuss and/or arrange for compliance

III. General Maintenance and Appearance

It is the primary responsibility of each member to maintain his property in a way that does not detract from the overall beauty of the community. The Association hopes that every member will take this responsibility seriously as this can severely affect the value of all properties, both positively and negatively.

A. Areas to Maintain

Following is a list of areas that should be reviewed on a regular basis to ensure that the house and property are in good repair:

1. Roofing
2. Paint and Stain
3. Wood
4. Doors and Windows
5. Driveways and Sidewalks
6. Decks
7. Awnings
8. Garbage Can storage areas
9. Fences
10. Lawn
11. Natural Areas
12. Play Equipment

B. Deterioration

If at any time, the Board is made aware of a property that has deteriorated to the point that it is affecting the aesthetics of the community or value of any property, the management company will make a site inspection, and the Board may take action to remedy.

IV. Architectural and Landscaping Guidelines

A. Additions and Structural Changes to House

All external additions and structural changes to houses shall have ARC approval before construction begins. This includes, but is not limited to, new rooms, porches, garages, carports, etc. Also changes to windows, doors, chimneys, etc. require ARC approval.

Normal maintenance to preserve the structure in its original state does not require ARC approval.

Information required in submittal:

1. Plot plan showing location of structure and distance from any lot lines.
2. Elevations showing the planned appearance of the structure.
3. Description of materials to be used including siding, paint colors, and shingle samples, if applicable.

Guidelines:

1. No addition shall encroach upon the setbacks for the lot listed in the Covenants.
2. Additions should match the house color and style as much as possible.
3. Town of Cary building permits are the responsibility of the member.
4. Additions cannot exceed 1/3 of the size of the original home.
5. All work shall be completed within 30 days of beginning unless the ARC has specifically approved time extensions for completion of complex projects.

B. Maintenance and Changes of Roofing

Roofs shall be maintained to be structurally sound and generally attractive appearance. Slight staining of roof shingles by natural seepage of the shingle materials or growth of moss shall not be considered to require cleaning. Excessive staining, heavy growth of vegetation, accumulation of debris, or damage to the roof requires prompt attention by the homeowner.

Guidelines:

1. In repairing damaged roofs, materials used shall match the original roof material in color and pattern as closely as practical. Roof repairs do not require ARC approval. Repairs or replacement of existing roofing shingles with substantially identical materials will be considered maintenance, and does not require ARC approval. If damage to a roof requires that the roof be replaced in its entirety, and if the roof will be replaced with substantially identical materials then ARC approval is not required.
2. If replacing roofing material, variations in color or pattern may be considered by the ARC. Colors should be similar to the original roof color or surrounding roof colors.
3. Acceptable replacement roofing materials include:
 - a. Asphalt roofing shingle.
 - b. Architectural shingles (e.g.: CertainTeed architectural shingles).
 - c. Aluminum roofing shingle patterned to look like asphalt shingle.
4. Homeowner will submit a request for Architectural Review if the roof of the home will be replaced. The submission will include a description of materials to be used, including shingle samples. Replacing a roof involving a change of the roofing materials, of type, color, or materials will require ARC approval.
5. Town of Cary building permits are the responsibility of the homeowner, and shall be completed at the same time as the architectural request.
6. All work shall be completed within 30 days of beginning unless the ARC has specifically approved time extensions for completion of complex projects.

C. Maintenance and Changes of Exterior Walls

Generally, brick, vinyl siding, and soffit materials are expected to last for the life of the home, with routine maintenance, including power washing, painting of trim, and routine repairs. However, if materials of the home are damaged, they will be replaced using similar materials.

1. Bricks will be of similar color and pattern of placement as the existing bricks of the home. These repairs do not require ARC review.
2. To the extent possible, damaged siding will be replaced with new siding substantially identical in pattern to existing siding on the home.
3. The siding of the entire home may be replaced using any comparable siding of approved type and pattern. An Architectural Request form will be submitted to the ARC for review, along with a sample of the new siding.
4. Damaged soffit material and trim will be replaced with similar material. Such repairs do not require ARC review.

D. Painting of Exterior of House

1. Color changes made to the existing colors shall require ARC approval. Color sample and manufacturer information shall be included in submittal.
2. Paint and stain shall be maintained in good and uniform repair (no peeling, chipping, cracking, or discoloration) on both the siding and the trim. Periodic repainting and re-staining with the existing color for maintenance does not require ARC approval.
3. Brick shall remain unpainted except to match the existing painted brick house color.
4. Fading paint can be refreshed to restore shutters and doors to their original color, as closely as may be determined. Alternatively, Shutters and Doors may be painted black. All shutters and doors are to be painted the same color. Any color other than black or restoration of original requires ARC approval.
5. All work shall be completed within 30 days of beginning.

E. Gutters

1. When replacing gutters, variations in color must be considered by the ARC and will require ARC approval.
2. If new gutters shall match existing gutters in color, ARC approval is not required.
3. If new gutters will be white, ARC approval is not required.

F. Doors, Storm Doors and Shutters

Replacement of damaged doors, ~~and~~ garage doors and shutters with similar doors or shutters do not require ARC approval. Replacement with different door or shutter styles (e.g.: windowed doors) do require ARC approval. All storm doors require ARC approval. Doors should be same color as Shutters. Non-matching colors require ARC approval.

Information required in submittal:

1. Picture of door or shutter to be installed.
2. Location of door.

Guidelines for front storm doors:

- 1 Shall be white or the same color as existing trim on house.
- 2 Shall be the full view design.
- 3 Made of Anodized Aluminum (including baked on enamel).
- 4 May not have any additional adornments or decorations.

Guidelines for back storm doors:

- 1 Shall be white or the same color as existing trim on house.
- 2 Made of Anodized Aluminum (including baked on enamel).

Guidelines for shutters:

- 1 Shall be black or the same color as the original shutter
- 2 All shutters on house will be of similar style
- 3 All windows with shutters will have matched pairs of shutters

G. Skylights and Attic Fans

The addition of a skylight or attic fan requires ARC approval.

Information required in submittal:

1. Plot plan showing the location of the addition.
2. Description of style, size, and materials to be used.

Guidelines:

1. The addition of a skylight or attic fan shall be located on the section of the roof facing the back of the lot.
2. Attic fans may not extend higher than the roof peak and no more than 12" above the roof surface.

H. Solar Collectors

All solar collectors require ARC approval.

Information required in submittal:

1. Drawing showing the location of the unit(s) on the roof.
2. Plot plan showing visibility from streets and neighboring lots.

Guidelines:

1. Solar collectors shall be installed to be inconspicuous as possible.
2. Whenever possible, collectors should be placed on the rear of the roof of the house or on the side roof that has the least public exposure.
3. Collectors shall be attached on the roof only; no free-standing or ground mounted collectors are allowed.
4. Every effort shall be taken to camouflage the plumbing and supports for the collectors. This camouflaging may require completely encasing the collectors. All metal parts should be painted to match roof coloring. There shall be a minimum exposure of piping ~~with no piping running down the side of the dwelling~~ with no piping being viewable from the street or camouflaged to the maximum extent possible. This camouflaging may require completely encasing the collectors and piping. That should cover piping above and alongside the exterior of the home.
5. The ideal installation is one that lies flat on the roof.
6. No topping or removal of trees on Association common areas will be allowed.

I. Detached Structures

All detached structures require ARC approval prior to construction. This includes, but is not limited to, storage sheds, potting sheds, and green houses.

Information required in submittal:

1. Plot plan showing location of structure and distance from all property lines.
2. Two elevation drawings of the proposed structure showing the relative size to the existing house.
3. Description of material(s) to be used in construction.

Guidelines:

1. A permanent structure shall be installed to be as inconspicuous as possible and should be placed out of view of any street if possible. It cannot be placed closer than 10 feet to any property line.
2. The preferred location is in the rear of the house, directly behind the house.
3. For lots where the shed would be visible from the street, screening vegetation should be planted between the shed and the street. This is intended to minimize visibility from the street.
4. The structure shall match the house in color and style. If matching the color of the house makes the shed more visible, alternative colors may be considered.
5. The structure may not be metal.
6. The structure location may not encroach on the setbacks, buffers, or easements of the lot.
7. The structure shall be properly maintained.
8. All work shall be completed within 30 days of beginning.

J. Swimming Pools and Hot Tubs

All swimming pools, permanent wading pools, hot tubs, Jacuzzis, and other similar type tubs require ARC approval.

No above ground pools are permitted.

Guidelines:

1. Any wood support structure shall be the same color as the house or deck.
2. Pool or tub may not be located in a buffer or easement.
3. All Health Department regulations shall be met.
4. Pool or tub shall be screened from view from any street.
5. All Town of Cary codes shall be met.
6. All Town of Cary permits shall be obtained as required.
7. The discharge of water shall not invade other private or common property.

Information required in submittal:

1. Plans and specifications showing the nature, kind, shape, height, materials, and location of pool or tub on the plot plan.
2. Landscape plan for screening of pool or tub.

K. Driveways and Parking Pads

Any parking pads or changes to driveways require ARC approval.

Location and Restrictions:

1. Trailers, and camping trailers, boats, and recreational vehicles shall be parked in a fully enclosed garage.
2. Motor vehicles shall be parked in driveways or on parking pads.
3. No vehicles may be parked on any lawn.
4. No vehicle, motorcycle, trailer, or any wheeled unit may be offered for sale with visible signage on common property. No vehicle may be left parked in any common area.
5. No industrial or commercial type vehicles or trucks, including, but not limited to, those with advertising signage, logos, company names, ladders, pipes, etc., or inoperable vehicles may be regularly parked on any lot (except in a fully enclosed garage). These vehicles may not be parked on common property or within any right of way street in or adjacent to the Subdivision as written in the "Declaration of Covenants."
6. No unregistered vehicles may be regularly parked on any lot except in a fully enclosed garage.
7. Construction of driveways and vehicle parking pads shall be concrete only. Aggregate base, thickness, reinforcement, etc. shall comply with Town of Cary guidelines and good construction practices. Stamped concrete may be used for driveways, but shall not be dyed any color.
8. Close attention shall be paid to structure placement. Construction on setbacks, and encroachment onto buffer areas, common property, and neighboring lots is strictly prohibited.
9. Changing color of concrete is prohibited.

Information required in submittal of proposed driveway or vehicle parking pads:

1. Plot plan showing location of driveway or parking pad.
2. Stamp pattern, if used.
3. Elevation drawing showing the measurements of the parking pad such as length, height, and width as well as any landscaping that will be added along the perimeter.
4. All work shall be completed within 30 days of beginning.

L. Decks, Patios, Arbors, and Screens

There are no predetermined styles for decks or patios. All new decks, patios, arbors, screens, and under the deck enclosures require ARC approval. Any appearance change, landscaping, or addition also requires ARC approval.

1. Deck Materials
 - a. Deck materials shall be either composite decking, cedar or pressure treated pine lumber and shall be weather resistant.
 - b. Posts shall be made of brick, pressure treated wood, or other suitable material.
 - c. Landscaping plans should provide screening for areas under the deck.
2. Colors for Decks, Arbors, & Screens
 - a. Decks, arbors and screens may remain a natural wood color or may be stained a natural wood color or stained to match the trim color of the house.
 - b. The ARC must approve all color changes. Submit color samples or color chart along with the architectural request form.
 - c. Wood shall be well maintained, cleaned of mildew and re-sealed or re-stained on a periodic basis to maintain an attractive appearance. This provision is especially important for light-colored stains, which tend to discolor more rapidly than darker stains such as cedar or walnut.
3. Patio Materials (applies to walkways). Acceptable materials include:
 - a. Concrete slabs, smooth finish, or stamped pattern. Patio concrete may be dyed an approved color.
 - b. Brick with sand fill or grout
 - c. Stone with sand fill or grout
4. Height of deck, arbors, and screens
 - a. Decks should be of reasonable height for their intended purpose
 - b. Arbors shall be no higher than eight feet above the deck surface
 - c. Deck screens (i.e. lattice) shall not exceed five feet in height from the deck surface
 - d. Screens may be a part of an arbor to extend it
5. Location and Restrictions
 - a. Patios should be located behind the house, but may not extend beyond the corners of the house and may not be freestanding in the backyard. Walkways may extend around corners of house.
 - b. Decks shall not extend out beyond the rear corners of the house
 - c. Consideration should be taken of views and breezeways of adjoining properties
 - d. Decks and patios may not be built in a buffer area
 - e. Only exterior materials comparable to those on existing structures and compatible with the architectural character of the community shall be approved.
 - f. All permits, inspections, and codes of the Town of Cary shall be obtained and in compliance.
 - g. All work shall be completed within 30 days of beginning.

Information required in submittal:

1. Plot plan showing the location of the deck and/or patio in relation to existing structures and property lines.
2. Drawing(s) showing style of deck and/or patio including railing, steps, design, etc.
3. Description of materials to be used in construction. Concrete stamp pattern and color, if used.

M. Awnings

All awnings require ARC approval.

Information required in submittal:

1. Plot plan showing location of awning.
2. Elevation showing location of awning.
3. Description and sample of material(s) to be used.

Guidelines:

1. Fabric should blend with color of house.
2. The awning material shall be only fabric.
3. Awning shall be mechanical and retractable.
4. Any wood structure shall be the same color as the house or deck.
5. Upon deterioration, the awning shall be repaired or replaced within a reasonable time, but within 15 days after notification by the management company.
6. Awning shall be attached to the house, not free standing.

N. Garbage Can and Recycling Bin Storage

1. Garbage cans, recycling bins, and lawn waste bags may not remain on the curb or in front of any house for more than 24 hours.
2. These cans, bins, and bags shall be stored where they are not visible from anywhere on the street in front of the house.
3. Garbage and/or Recycling bins may be stored on the side of the house if an evergreen hedge or similar evergreen screening vegetation, or an appropriate structure is used to hide them from the street. Any structure constructed for the purpose of screening Garbage or Recycling bins must match the color of the house and will require an Architectural review and approval. Screens constructed in the shape of an "L" must not be taller than 5-ft, must not extend farther than 4-ft from the side of the house, and have a maximum length of 12-ft. This will ensure that the screen does not resemble a fence.

O. Storm Water Collection

1. The use of rain collecting water barrels or cisterns is permitted.
2. Rain barrels or cisterns shall be of non-collapsible UV-resistant plastic in a dark color (i.e.: brown, green, or black).
 - a. If of a contrasting color from the siding of the house and trim, the rain barrels or cisterns shall be screened using appropriate vegetation or other screening material.
 - b. Vegetation or other screening materials (e.g.: trellis) will be constructed and maintained as described elsewhere in this document.
3. Rain barrels or cisterns shall be located behind and within the envelope of the house. If in a fenced yard, the rain barrels or cisterns may be on the side of the house.
4. Rain barrels or cisterns may be elevated up to 36" above the natural ground elevation to permit positive drainage to areas of use (typically a garden), provided that the top of the rain barrels or cisterns is not higher than 72" above the natural ground elevation.
5. If elevated, the supporting base of the rain barrel or cisterns will be designed to support the weight of the contained water.
6. Individual rain barrels or cisterns shall not exceed 300 gallons in capacity. Additional cisterns may be used provided that all other provisions of this guideline are adhered to.
7. If elevated, the supporting base of the rain barrel or cisterns will be screened using appropriate vegetation or other screening materials.
8. Rain may be diverted from roof gutter downspouts to the rain barrels or cisterns.
9. The use of a first flow diverter is recommended, but not required.
10. Barrels or cisterns shall have overflow lines and drain lines to permit maintenance.

Information required in submittal:

- A. Plot plan showing location of rain collection system.
- B. Drawing or picture of the supporting structure, rain barrels, cisterns, any associated plumbing, as well as all screening vegetation or material used.

P. Landscaping

The Architectural Committee encourages and supports landscaping that increases privacy, adds shade, introduces seasonal color or otherwise improves the appearance or adds interest and detail to the neighborhood. In general, most landscaping, such as planting flowers, installing shrubs, adding or planting a tree does not require ARC approval. However, the ARC recommends strongly that members request approval for landscaping if there is any question regarding its compliance with the Guidelines. The Board reserves the right to require a member to remove or modify unapproved landscaping if neighboring members complain, and if upon inspection, the ARC considers the item unsightly or a nuisance.

1. Landscaping that changes the contour of the land requires ARC approval.
2. Hedges and Screen Plantings
 - a. No hedge or screen planting may be erected on any lot closer to the front lot line than the front of the house.
 - b. Hedges and screen plantings which form a barrier between properties should have the following:
 - i. A written agreement for maintenance access
 - ii. Setbacks to allow for plant growth
3. No changes or modification may be made to common property, without prior written approval of Board.
4. Planting shrubs, bushes, trees, or flowers in the area between the sidewalk and the street is prohibited. Plantings in the area immediately surrounding the mailbox are permitted.
5. Lawns shall be well kept with grass no more than 4" tall. All beds should be weed free and properly edged and maintained. All areas around structures should also be weed free and edged. Dead trees and shrubs shall be removed. Lawn clippings may be mulched into the lawn but shall not be used as a mulch around bushes or trees, nor left in a pile.
6. **Except in the case of an emergency situation that does not permit any delay, no living tree larger than 6" in diameter at a point measured 3' off of the ground shall be removed from any lot without the approval of the ARC. An Architectural Request Form must be filed with and approved by the ARC. Lack of pre-approval from the ARC for tree removal will result in a fine.**
 - a. **Diseased or Dead trees may be removed without the approval of the ARC.**
7. **If there is more than one tree in the front yard, trees do not need to be replaced. At least one tree should be in each front yard. If the last tree is removed from ~~Trees in the front yard of a home, it must be replaced if removed.~~ If not replaced by the next growing season then a fine may be imposed.**
8. Large trees in the back yard may be removed but require ARC removal.
9. Lawn mowers, weed eaters, wheelbarrows, gardening carts, garden tractors and trailers, etc. may not be kept in the front or side yards. These items shall be stored in either the garage or rear of the house and not visible from any street.
10. Modular hose reels or caddies are allowed if they are placed not more than 2 feet away from the house. Hose reels or caddies attached to the house are permitted.
11. Plants, shrubs, and flowers planted within 3 feet of the front of the house may not grow higher than the lowest portion of the window.
12. Bedding borders and retaining walls shall be constructed with common landscaping materials and shall not exceed 12" in height at the top of grade. Submit a plan view of proposed borders and walls indicating the dimensions, materials and style.

Q. Fences

All fences except temporary garden fencing require ARC approval prior to beginning construction.

Guidelines:

1. Styles
 - a. See pictures, Appendix A, for approved styles
2. Color
 - a. Wooden fences shall be either natural or natural stain
 - b. Wooden fences may not be painted
 - c. Wrought iron fences shall be black
3. Materials
 - a. Fence shall be constructed of only one material
 - b. Wood shall be either cedar or pressure treated pine lumber
 - c. No metal fences are allowed except:
 - i. black wrought iron (black anodized aluminum crafted to look like wrought iron may be approved by the ARC on case-by-case basis).
 - ii. temporary, decorative wire fencing no taller than 36" may be used around garden plots during the growing season to keep pets out of the garden.
4. Height
 - a. Permanent fences may range in height from 4 to 6 feet, but height shall be uniform on all sides of the fence.
5. Location
 - a. Shall enclose all or part of backyard
 - b. No fence shall be erected on any Lot closer to any street than the front or side building setback line.
 - c. May not be built in buffer or easement areas.
 - d. Building a fence in the right of way of streets may result in destruction or removal of fence at the expense and risk of the property owner.
6. Construction Details
 - a. All hardware shall be galvanized.
 - b. All posts shall be set in concrete.
 - c. The finished side of the fence shall face adjoining lots or street.
7. Maintenance of the fence and property surrounding the fence is the responsibility of the property owner.
8. All work shall be completed within 30 days of beginning.

Information required in submittal:

- C. Plot plan showing location of fence and gates and distance from all property lines.
- D. Drawing or picture of the fence showing style and design of the fence.
- E. Height of the fence and spacing between slats.

R. Lawn Ornaments, Decorations, Outside Lighting, Signs, Flags

1. Freestanding flagpoles, lantern poles, and fishponds require ARC approval.
2. Holiday decorations, landscape or accent lighting, wall-mounted flags and lanterns, "for sale", "garage sale", and political campaign signs do not require ARC approval. No signs may be placed on common property. All signs shall be removed within two (2) days after the end of the event. Signs for "Garage Sales" and "Open Houses" may be placed at street corners and neighborhood entrances the day of the event and shall be removed within twelve (12) hours after the event. Holiday decorations may be put up thirty (30) days prior to the holiday and shall be removed within thirty (30) days after the holiday.
3. Flood lights and security lights shall be positioned to illuminate on the property of the owner. Excess overflow illumination shall be held to a minimum. Every effort should be made not to disturb or adversely affect neighbors with the installation of such lights.
4. Lawn statues, birdbaths, garden statues, etc. under 3 feet tall and placed within 3 feet of the house or in non-lawn planting beds do not require ARC approval. Such items placed in the rear of the house shall be within the envelope of the house.
5. Security system signs shall be placed in the front of the house in non-lawn planting beds.

Guidelines:

1. On such items that do not require ARC approval, the Board reserves the right to require a member remove the item if surrounding members complain, and if upon inspection, the ARC considers the item unsightly or a nuisance.
2. **COMMERCIAL ADVERTISING SIGNS (excluding security system signs) ARE PROHIBITED.** These include signs that advertise a home business, a company's services, etc.

Information required in submittal:

1. Plot plan showing location of item.
2. Picture, description, and size measurements of the item.

S. Mailboxes

1. To provide a more uniform appearance to the community, mailboxes and posts will be a uniform color.
 - a. Existing mailboxes shall be black and existing posts may be natural wood or painted white wood.
 - b. Any replacement mailbox will be black. Replacement posts will be painted white, or may be left natural wood, but only if the post being replaced was natural wood.
2. Mailboxes and posts shall be well maintained and repaired or replaced as necessary, or within 15 days after notification by the management company.
3. All replacements or repairs of deteriorating boxes shall be identical to the original design as much as possible.
4. The ARC shall approve any changes made to the mailbox (hanging or attached).
5. Seasonal flags or covers are permitted without approval.

T. Clotheslines

1. Drying laundry outside is prohibited.
2. Permanent or temporary clotheslines are prohibited.

U. Satellite Dishes and Radio/TV Antennas

1. All exterior mounted radio/TV antennas and satellite dishes (over-the-air receptive devices) larger than 24" require ARC approval.
2. All antennas and satellite dishes, regardless of size, shall be mounted within 5 feet of the rear of the house and positioned within the envelope of the house. Satellite dishes may be located in a different location if necessary to have a clear view of the transmitting satellite, but shall be screened to visually hide them from the street.
3. All exterior mounted transmission antennas (Ham, CB, GMRS, and FRS) larger than 6' in vertical height for vertical antennas, or 8' in any horizontal dimension for horizontal antennas, require ARC approval.
 - a. Transmission antennas shall be placed to have minimal visual impact on the street and surrounding properties.
 - b. Adjacent property owners shall agree to the placement of the transmission antenna before approval will be granted.
 - c. Homeowners are reminded that Ham and GMRS radios may only be operated with an appropriate license.
 - d. Transmission antennas are only permitted for non-commercial uses.
4. Suspended wire antennas may be used.
 - a. No limit is placed on the size of wire antennas, as long as the antenna is contained within the property and is not visible from the street or adjacent properties.
 - b. When a suspended wire antenna is no longer used, it shall be removed.

Information required in submittal:

1. Plot plan showing location of antenna or dish.
2. Description/information on dish or antenna.
3. In no way shall these Guidelines waive Town of Cary requirements or the necessity of any required Town of Cary permits.

V. Basketball Goals

1. All mounted basketball goals, whether mounted on the house, poles, trees, etc. require ARC approval. Information required in submittal:
 - a. Plot plan showing location of basketball goal.
 - b. Picture and description of goal.
2. Portable (on wheels) basketball goals, or those made completely from plastic for small children, do not require ARC approval.
 - a. Portable basketball goals will be maintained in good condition. If disassembled or broken, they will be kept in a garage or storage building, or properly disposed of.
 - b. Playing in the street is strongly discouraged, especially in streets that experience high volumes of traffic.
 - c. Town of Cary ordinances restrict the placement of any object that obstructs traffic on streets. Portable basketball goals should be kept at least 10 feet behind the curb along the side of the driveway or parking pad to remain out of the street right of way. Placement of portable basketball goals in the street is subject to enforcement by the Town of Cary.
 - d. Residents who wish to report a problem with a basketball goal or other obstruction in the street may contact the Cary Police Department at (919) 469-4012.

**PERMANENT AND PORTABLE BASKETBALL GOALS ARE NOT
ALLOWED ALONG THE STREET RIGHT OF WAY AND COMMON
AREAS.**

W. Swing Sets, Play Houses, Jungle Gyms, and Treehouses

1. All swing sets, play houses, jungle gyms, etc. or other similar installed play equipment/items shall be approved by the ARC prior to placement.
2. Portable or temporary play equipment, such as trampolines, kiddie pools, toys, etc. shall be kept in the rear of the house so that they are not visible from any street. They may not be left in front or side yards. These items do not require ARC approval.
3. Treehouses are permitted, providing the tree will support the weight of the structure. Treehouses shall be no larger than six feet in any dimension and should not overhang any property line. Treehouses should not be visible from the street. Treehouses do not require ARC approval.

Information required in submittal:

1. Plot plan showing the location of play equipment and distance from the property lines
2. Drawings or pictures of the proposed play equipment

Guidelines:

1. Play equipment shall be left natural; painting is prohibited. No metal play equipment will be allowed.
2. Play equipment shall be installed to be as inconspicuous as possible and should be placed out of view of any street. It cannot be placed any closer to the adjoining property lines than 10 feet. The preferred location is in the rear directly behind the house, but each request will be reviewed individually.
3. Play equipment shall be kept in safe and presentable condition by the member.
4. Screening may be required along property lines in order to block the view and/or noise from neighboring lots. Landscape plans should be included in the submittal.
5. Other play equipment shall also be placed inconspicuously so that it does not detract from the neighborhood surroundings.
6. Upon deterioration, the play equipment shall be repaired or replaced within a reasonable time, but within 15 days after notification by the management company.

X. Pets, Pet Houses, and Pens

No animals, exotic animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot except that:

1. Dogs, cats, or other household pets may be kept, provided that they are not bred or maintained for commercial purposes.
2. If pets are walked, they must be on a leash. Owners shall clean up any solid deposits that their pets make in public areas, other yards, grass strip between sidewalk and street. Waste disposal bags used during walks should not be left in other yards, grass strip between sidewalk and street, or in public areas.
3. All pets shall be on a leash when not in a fenced area, following the Town of Cary ordinances.
4. Pet pens shall not be permitted. Fencing will be allowed provided that the Guidelines for fences are followed. ARC approval shall be obtained before placement of any fencing.
5. A pet house may be allowed provided that it is located behind the house and is within the envelope of the house.
6. No chain link or metal fence is allowed, except as noted for temporary decorative garden fencing. Refer to the section on fences for additional information.

Information required in submittal:

1. Plot plan showing the location of the proposed structure.
2. Description of the materials to be used in construction.

Y. Vegetable Garden Plots

Guidelines:

1. Fruit trees may be planted in the front, sides, or rear of the house. Fruit trees may not encroach on or be planted in common areas, but with permission of neighbors, may encroach on the neighbors' property.
2. Fruit bushes and vines (e.g.: grapes, blueberries, blackberries, kiwi, etc.) are permitted on the back or sides of the house, but may not encroach on common areas or on neighbors' property. Supporting structures such as trellises and arbors are permitted in conjunction with fruiting vines if required for these plants, but if used must be maintained in the same manner as decks and fences.
3. Ground cover fruit (e.g.: strawberries) are permitted as a landscaping material on the sides and rear of the house.
4. Fruit from trees, bushes, or ground cover shall not be left on the trees or bushes after the end of the normal growing season. Fallen fruit shall be removed from the ground and disposed of in an appropriate manner.
5. Vines and branches that tend to spread (e.g.: blackberries) should be kept cropped back in a manner similar to landscaping hedges.
6. Vegetable gardens shall be located in the rear of the house and be contained within the envelope of the house or behind a backyard fence. **The height of the plants should not exceed six (6) feet** (e.g.: corn), or lesser height if observable from adjacent properties. Garden plants may not encroach on common areas or neighbors' property.
7. Maintenance of the garden is required. Excess debris shall be removed at the end of the gardening season and the lot returned to its natural state. This includes stakes, trellises and any other structural additions required for growing and harvesting the garden. Vegetable debris must be disposed of or composted as described below.
8. **No compost piles are allowed on any portion of property** located within the association. Covered compost or vermicomposting containers may be used. Uncovered compost bins may be used if concealed behind a fenced yard.
 - a. Containers must be located in the rear of the house and be contained within the envelope of the house, and should not be visible from adjacent properties.
 - b. Containers and bins must not be allowed to attract pests, generate odors, or in any manner become a nuisance.
 - c. Composted materials may be used in gardens and around other vegetation only after it has completely broken down. "Raw" compost (including lawn clippings) shall not be used as a surface cover in these areas.
9. No permanent fencing is allowed for the garden plot other than that which has been approved and complies with the rules in this document regarding fences. Temporary, decorative wire fencing no taller than 36" may be used around garden plots during the growing season to keep pets out of the garden. This temporary fencing shall be removed after the end of the growing season. Permanent support posts may be installed in fenced back yards to facilitate installation of temporary garden fencing and trellises.

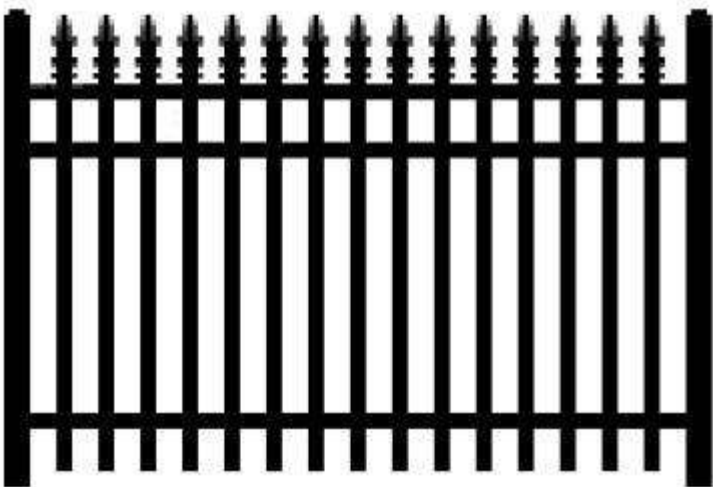
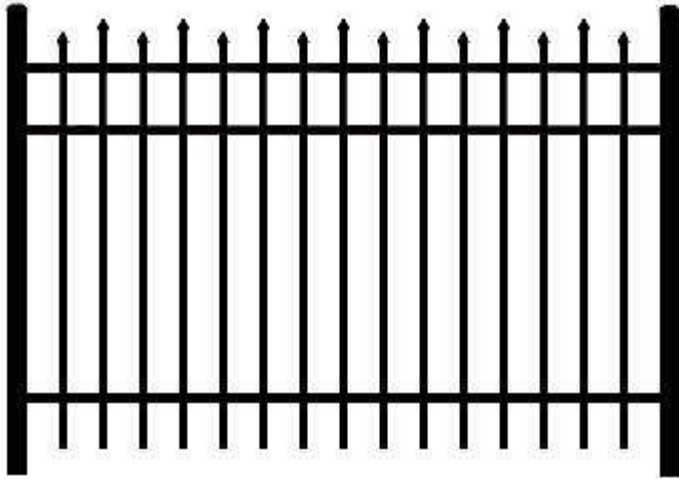
Z. Leaf Collection

1. The Town of Cary has a loose leaf collection program between November and at the beginning of February. The Town of Cary will collect loose leaves three times from each street at no charge. Find the dates for pick up on your street on their website, TownofCary.org, and search under leaf collection.
2. Place at curb and out of roadway.
3. Avoid covering sidewalks, driveway entrances, storm drains, water meters, fire hydrants and sewer cleanouts.
4. Keep piles at a distance from mailboxes and parked cars.
5. Keep trash, large stones and other debris out of leaf piles.
6. Year-round alternatives: leaves in reusable containers or brown paper bags may be placed curbside for weekly yard waste collection, they may not remain on the curb or in front of any house for more than 24 hours.

Appendix A – Fence Styles

Wrought Iron*

*Black anodized aluminum crafted to look like wrought iron may be approved by the ARC on case-by-case basis.

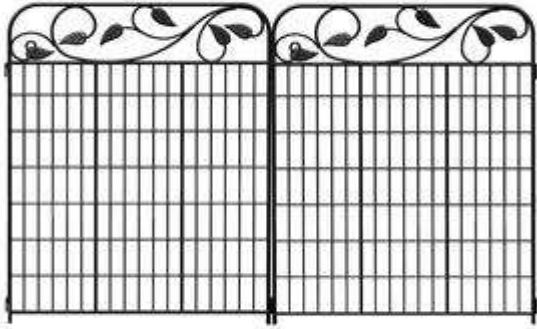


Wood









Decorative Garden Fence (Temporary)

Exhibit A – Architectural Request Form

The most recent version of this form is available at www.CotswoldHOA.org. The example displayed below may not be the current version being used.

Exhibit B – Architectural Guidelines Change Form

The most recent version of this form is available at www.CotswoldHOA.org. The example displayed below may not be the current version being used.

COTSWOLD HOMEOWNERS ASSOCIATION, INC.
c/o R S Fincher & Co., LLC
Post Office Box 1117
Apex, North Carolina 27502
Telephone: (919) 362-1460
FAX: (919) 362-1462
Email: christina.sicoli@rsfincher.com

ARCHITECTURALGUIDELINES CHANGE FORM

Submit all proposed changes to R S Fincher & Co., LLC at the above address.

Cotswold ARC Guidelines, Revision 4, August 2015

Part I: Proposal

Proposals to make changes to the Cotswold HOA Architectural Guidelines may be submitted for consideration. After review and recommendations by the Architectural Committee, the HOA Board of Directors will either Adopt or Deny the proposed changes. Adopted changes will be presented to the membership at the next annual meeting for approval by a majority of the voting membership.

Section to be changed: _____ Page: _____

Proposed change: _____

(Append additional sheets if required)

Reason for proposed change: _____

(Append additional sheets if required)

Architectural Committee Discussion: _____

(Append additional sheets if required)