



September 1, 1998

Dear Homeowners,

In an effort to maintain property values and enhance the Kelly Glen community, the Architectural Committee and the Board of Directors have instituted the attached Architectural Standards and Specifications. The primary goal of these guidelines is to ensure a high quality of life in our neighborhood without being unnecessarily restrictive.

The Standards and Specifications are a guideline to which the Architectural Committee will approve any improvement projects and are intended to work hand in hand with the current restrictive covenants. We believe any questions regarding changes or upgrades have been addressed in this material.

Each homeowner is asked to adhere to the stipulations and guidelines stated in these Standards and Specifications. By following the guidelines set forth, there should not be any complications when having the Architectural Committee review individual requests.

At the recommendation of the Architectural Committee all projects within the neighborhood that have been completed and are covered in the restrictive covenants or in the attached Standards and Specifications have been grandfathered in for approval.

We hope you are continuing to enjoy your home in Kelly Glen.

Sincerely,

Deb Thompson
KGHOA President

Kelly Glen
Architectural Standards
And
Specifications

September 1998

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SUBMITTAL AND APPROVAL PROCESS

Each homeowner has the responsibility to complete an Architectural Request Form prior to making any changes to the exterior of their home or property. The process will be the same for all submittals with the required details varying depending upon the type of change.

Items to be submitted:

1. Architectural Request Form completed in its entirety.
2. Plot plan (unless otherwise stated) outlining the position or placement of the change. A plot plan of your lot and house was provided to you at closing. You may photocopy this (enlarging if necessary) for submittal.
3. Drawings/plans showing the constructions and effects of the change.
4. Samples of paint, siding, or any other items that may be helpful in making a decision.

Submit your completed Architectural Request Form and necessary attachments to the Board of Directors to perform an initial review for completeness and legibility. Incomplete or illegible submittals will be returned to the homeowner.

All completed submittals will be forwarded to the appropriate committee. The committee may inspect the site if deemed necessary. Any homeowner who wishes to meet with the committee should contact the committee chairman to be placed on the agenda for the next meeting. Once reviewed, the committee will then recommend approval or rejection of the request to the Board of Directors. The Board will advise the homeowner of the final decision within thirty days of receipt of the request.

Reminders:

1. No change shall begin without written approval from the Board of Directors.
2. Building permits may need to be obtained. It is the responsibility of each homeowner to obtain these permits.
3. Allow 30 days for processing in planning for changes.

APPEALS

To appeal a disapproved submittal, the homeowner should submit a written appeal to the Board of Directors, including specific detailed information stating why the submittal should be reconsidered. The homeowner may request a meeting with the Board to discuss the submittal. Please contact the Board Secretary to be placed on the agenda for the next meeting.

ADDITIONS AND CHANGES TO HOMES

Items not Requiring Approval:

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

Items Requiring Architectural Approval:

All external changes to homes must have architectural approval before changes begin. This includes, but is not limited to, new rooms, porches, garages, carports or attached structures of any kind. Also, any changes to windows, doors or chimneys/fireplaces require approval.

Information Required in Submittal:

1. Plot plan showing the location of the changes and distance from any lot lines, as well as the location of any existing trees that may need to be removed to complete the addition.
2. Elevation 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 change shall encroach upon the setbacks or buffers for the lot as listed in the covenants and outlined on your plot plan.
2. Changes must match the house color and style.
3. City/Town/County Building Permits are the responsibility of each homeowner.

AWNINGS

Items Requiring Architectural Approval:

All awnings require architectural 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 to blend with color of house.
2. The awning material shall be fabric only.
3. Can either be retractable or stationary.
4. Any wood structure must be the same color as house or deck.
5. Upon deterioration (tearing, fading), the awning will be repaired or replaced.
6. Must be attached to the house, not free standing.

BASKETBALL GOALS

Items Requiring Architectural Approval:

1. Basketball goals mounted on poles or on the house require approval.
2. Portable basketball goals must be stored when not in use.

Information Required for Submittal:

1. Plot plan showing location of basketball goal(s) and cement pad if applicable.
2. Picture or description of item.
3. Description and placement of screening.

Permanent basketball goals are not allowed along the street right-of-way, and caution should be used when using portable goals in this area.

CLOTHESLINES

Exterior clothes lines are prohibited per restrictive covenants item 11.

DECKS, PATIOS, ARBORS AND SCREENS

Items Requiring Architectural Approval:

1. There are no predetermined styles for decks and patios. All new decks, patios, arbors and screening and under-deck enclosures including associated landscaping require architectural approval.
2. Any appearance change requires architectural approval.

Deck Materials:

1. Deck materials are generally treated wood and must be weather resistant as specified in the North Carolina State building code.
2. The types and treatment of wood shall be like that of fences.
3. Posts may be made of brick, pressure treated wood or other suitable material.
4. Include any landscape plan/screening of the area underneath the deck.

Patio Materials:

1. Concrete slabs
2. Brick, with sand fill or grout.
3. Stone, with sand fill or grout.
4. Include any landscape plan with your request for the area around the perimeter of the patio.

Height of Deck, Arbors and Screens:

1. Decks should be of a reasonable height for their intended purpose.
2. Arbors should be no higher than eight feet above the deck surface.
3. Free standing deck screens (e.g., lattice) shall not exceed five feet in height.
4. Screens as part of an arbor may extend to the arbor.

Location and Restrictions:

1. Decks and Patios should be located behind the house and may not extend around the corners.
2. Obstruction of views or walkways of adjoining properties will be given consideration in all cases.
3. The construction of decks or patios within a setback or buffer area will not be allowed.
4. Only exterior materials comparable to those on existing structures and compatible with the architectural character of the community will be approved.
5. All permits and building codes must be in compliance with local regulations.

Continued

Information Required in Submittal:

1. Plot plan showing the location of the deck and patio, in relationship to other structures and property lines.
2. Elevation drawing(s) showing style of deck and patio, including railing, steps, etc...
3. Description of materials used, including samples of stain or paint if applicable.

DETACHED STRUCTURES

Items Requiring Architectural Approval:

All detached structures require approval prior to construction. Examples include storage sheds, greenhouses, garages and carports. All detached structures must be placed on a foundation.

Information Required in Submittal:

1. Plot plan showing lot boundaries, the existing building and the proposed structure.
2. Two elevations (side & front views) of the proposed construction.
3. Description and location of any trees to be removed.

Guidelines:

1. Permanent structure must be installed to be as inconspicuous as possible and must be placed out of view of any street. It cannot be placed any closer to the adjoining property lines than the building setback line. All buffers must be observed. The preferred location is in the rear, directly behind the house, but each request will be reviewed on it's own merit.
2. Structures should match the house in color and style.
3. No metal sheds are allowed.
4. All structures must be properly maintained.
5. City/Town/County Building Permits are the responsibility of each homeowner.

DRIVEWAYS, PARKING PADS AND WALKWAYS

Items Requiring Architectural Approval:

Any parking pads or changes to driveways or walkways require architectural approval.

Location and Restrictions:

1. Parking of motor vehicles, trailer, boats, campers and recreational vehicles on soft surfaces should remain consistent with the location of hard surface parking.
2. Driveways and vehicle parking pads shall be concrete only. Any other type of pad (i.e. brick, stone) shall be reviewed on an individual basis. Aggregate base, thickness, etc. must comply with good construction practices.
3. Close attention must be paid to structure placement, encroachment into buffer areas, Association owned common property and neighboring lots.

Information Required in Submittal:

1. Plot plan showing location of driveway, parking pad or walkway.
2. Side elevation/Topography drawing(s) showing the measurements of the item such as length, height and width as well as any landscaping that will be added along the perimeter.

FENCES

All fences require architectural approval.

Styles:

- A. Scalloped or Rainbow (see 1700 Kelly Glen Drive for example)
- B. Picket (see 1907 Kelly Glen Drive for example)
- C. Privacy with Lattice Top (see 2014 Kelly Glen Drive for example)

Color:

1. Natural stains
2. White paint, exterior latex.
3. Painted fences must be maintained.

Continued

Materials:

1. Wood fences may be either cedar, redwood, or treated pine lumber.
2. Synthetic material will be reviewed on an individual basis.
3. **NO** metal, wire, chain or concrete fences are allowed.

Height:

The maximum height for each style of fence is noted below. A uniform height is to be maintained parallel to the ground line. The height will be determined by measuring from the ground to the top of the highest point on the fence.

1. The maximum height allowed for Style A (Scalloped/Rainbow) is 6 feet, measured from the ground to the top of the scalloped arch. The minimum height allowed is 4 feet.
2. The maximum height allowed for Style B (Picket) is 4 feet, measured from the ground to the top of the posts.
3. The maximum height allowed for Style C (Privacy with Lattice Top) is 6 feet. The privacy fencing shall extend 4 feet and the decorative lattice shall extend 2 feet.

Location:

1. No fence shall extend closer to the street than the back corners of the dwelling.
2. Property owners are cautioned that building a fence that infringes on easements or access right-of-ways may result in destruction or removal of the fence. Such building is done entirely at the risk and expense of the property owner.
3. Property owners are also cautioned that building a fence within the buffer areas set forth by the town may result in removal of the fence and fines to be paid to the Town of Apex. In order to ensure that the buffers are not encroached upon, it is suggested that the Town of Apex Planning Department be contacted prior to planning the fence lines. Such build is done entirely at the risk and expense of the property owner.

Setback:

Setbacks may be required for the sake of landscaping.

Continued

Landscaping:

Any major landscaping changes (tree removal, etc.) must be included with the request.

Construction Details:

1. All hardware is to be galvanized or stainless steel.
2. All posts must be set in concrete.
3. The finished side of the fence style must face the adjoining lots.

Maintenance:

Maintenance of the fence is the responsibility of the property owner.

Process:

1. Each installation will be examined on its own merit. No previously approved installation shall constitute establishing a precedent for approval.
2. No construction shall begin without written approval from the Architectural Committee and/or Board of Directors.

Information Required in Submittal:

1. Plot plan that indicates the exact location of the fence in relation to the house, property lines, setbacks and buffers.
2. Style of fence and its dimensions must be included.
3. Elevation (side view) drawing must be included.
4. Gate locations must be included.
5. Explanation of wood to be used.
6. Paint samples if necessary.

VEGETABLE GARDEN PLOTS**Items Requiring Architectural Approval:**

Gardens in single family residence areas will not require prior approval of the Architectural Committee if they are wholly located in the rear portion of the lot and a minimum of ten feet from the side and rear lot or buffer lines. Any tree removal required to provide space for the garden must adhere to tree removal guidelines.

Continued

Architectural Committee approval is required for any garden location other than described above, or any deviation from the above guidelines.

Compost piles are allowed within your property lines if they are wholly located in the rear portion of the lot and a minimum of ten feet from the side and rear lot or buffer lines. For acceptable containment materials, see approved fencing materials.

Guidelines:

Maintenance of the garden is required. Debris must be removed at the end of the gardening season and the yard returned to a natural state. This would include removal of stakes and any other structural additions required for harvesting the garden.

**LAWN ORNAMENTS, DECORATIONS,
OUTSIDE LIGHTING, SIGNS AND FLAGS**

Items Requiring Architectural Approval:

1. Lawn ornaments, free standing flagpoles, lantern poles, flood lights, security lights, and fishponds.
2. All signs, unless excluded below.

Items Not Requiring Architectural Approval:

1. Holiday decorations
2. Landscape or accent lighting
3. Wall-mounted flags and lanterns
4. For Sale, For Rent, Garage Sale, Yard Sale and Political Campaign Signs, so long as they are removed within a reasonable amount of time and that no sign be placed on common property.

Information Required in Submittal:

1. Plot plan showing location of item.
2. Picture or description of item.

Guidelines:

1. Every effort should be made not to disturb or adversely affect neighbors with the installation and operation of flood and security lights.

Continued

2. On items not requiring approval, the committee reserves the right to request a homeowner to remove an item if surrounding neighbors complain.
3. Commercial advertising signs are prohibited.

MAILBOXES

Guidelines:

1. All new mailboxes or replacements shall conform to the mailbox style approved for the community. The original manufacturer and installer is Post & Pickets (772-7170).
2. Planting around the base of the mailbox is allowed, provided that the guidelines for landscaping are followed.
3. In order to maintain continuity with the mailboxes that have been provided with the homes, the following maintenance products are recommended by the manufacturer.
 - The pressure treated pine is apt to split. An exterior latex caulking should be used for filling the splits.
 - Any touch-up or repainting of the mailbox posts should be done with a White, high-gloss, exterior latex paint.

MAJOR LANDSCAPING

Items Requiring Architectural Approval:

1. Landscaping of a minor nature such as naturalizing an area of the yard or adding low growing shrubs and bedding flowers does not require approval, provided they do not encroach upon neighboring properties.
2. All tree removal guidelines must be adhered to.
3. Other types of landscaping that are structural, change the contour of the land, are adjacent to a property line, or obstruct a neighbor's view will require approval.

Information Required in Submittal:

1. Plot plan showing location and quantity of plants or materials.
2. Description of plants or materials.

Guidelines:

1. Hedges and screen plantings shall not be erected on any lot closer to the street than the front of the house.

Continued

2. Hedges and screen planting which form a barrier between properties should have setbacks allowed for plant growth and an agreement for maintenance access.
3. No changes or modifications are allowed to Common Property without prior written approval from the Board of Directors.

PAINING EXTERIOR OF HOUSE

Items Requiring Architectural Approval:

Color changes made to the existing colors must have Architectural approval.
Color samples should be submitted with your application.

Items Not Requiring Architectural Approval:

1. Periodic repainting and restaining with the existing color does not require approval.
2. Brick will remain unpainted unless originally painted by the builder.

PETS, PET HOUSES AND PENS

Per current restrictive covenants, item 14, "No animal, livestock or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats, and other common house-pets may be kept provided that (1) they are not kept, bred, or maintained for any commercial purpose, and (2) animals shall not run at large in the subdivision or be kept in violation of applicable governmental laws and ordinances. No person shall keep, maintain or permit the keeping or maintaining of any animal which is an annoyance or nuisance to neighbors. No owner shall allow his pet to excrete on other owner's property."

Guidelines for Housing the Animals:

1. Pet pens, housing or runs (other than approved fences) must be at least 10 feet from the property line.
2. Pens, housing and runs must be located in the back yard.
3. Screening should be provided as much as possible.
4. No chain link or metal fencing is allowed, the fencing must be one of the approved fence styles.
5. No animal may be kept or secured by being chained, tied or otherwise attached to an inanimate object for extended or permanent times.

Continued

Items Requiring Architectural Approval:

1. Any fenced pens, fenced housing or fenced runs.
2. Dog houses, unless elaborate in construction and size, do not require approval.
3. Underground containment fencing does not require approval. Every effort should be made to remove the line flags as soon as possible.

Information Required in Submittal:

1. Plot plan showing the location of the proposed structure.
2. Description of the material to be used.
3. Description of the type, sizes and number of animals to be enclosed.
4. Description of the plantings to be provided for screening.

SATELLITE DISHES

Items Requiring Architectural Approval:

All satellite dishes require architectural approval per current restrictive covenants.

Information Required in Submittal:

1. Plot plan showing location of satellite dish.
2. Picture or description of satellite dish to be installed.
3. Landscaping plans for screening if applicable.

Guidelines:

1. No radio towers, exterior television antennas or similar transmission and receiving apparatus shall be placed on the property.
2. Only small (18") satellite dishes will be acceptable.
3. Every effort should be made to have the satellite dish not be visible from the street.
4. If the only location where transmission can be received is visible from the street, every effort should be made to screen it from view with landscaping.

SKYLIGHTS AND ATTIC FANS

Items Requiring Architectural Approval:

The Architectural Committee must approve the addition of a skylight or attic fan that alters the exterior of the roof.

Continued

Information Required in Submittal:

1. Drawing showing the location of the skylight or attic fan.
2. Description of style, size and materials to be used.

SOLAR COLLECTORS**Items Requiring Architectural Approval:**

All solar collectors require architectural approval.

Information Required in Submittal:

1. Drawing showing the location of the unit.
2. Plot plan showing visibility from streets and neighboring lots.

Guidelines:

1. Solar collectors must be installed to be as inconspicuous as possible.
2. Whenever possible, collectors should be placed on the rear of the home or on the side that has the least public exposure.
3. Collectors must be attached to the roof, not free standing or ground mounted.
4. Every effort must 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 should be a minimum exposure of piping. Piping running down the side of the dwelling is not permitted.
5. The ideal situation is one that is laid flat on the roof.
6. Any tree removal required to permit increased solar exposure to the collectors must adhere to the tree removal guidelines.

STORAGE

1. No trade materials or inventories may be stored upon any lot.
2. Temporary storage of materials for modification projects should be discreetly placed and maintained in an orderly manner.
3. Storage of any item, including firewood, is not allowed within the buffer areas.
4. Fuel tanks and similar storage receptacle shall not be visible from the street or other residences and, with the exception of barbecue propane tanks, require prior written approval of the Architectural Committee and/or Board of Directors.

SWIMMING POOLS AND HOT TUBS

Items Requiring Architectural Approval:

All swimming pools and hot tubs require architectural approval.

Information Required in Submittal:

1. Plans and specifications showing the nature, kind, shape, height, materials and location must be submitted.
2. Plot plan showing the location of the pool or hot tub.
3. Plan for screening (fencing of live screening).

Guidelines:

1. Any wood support structure must be the same color as the house or deck.
2. Pool or hot tub cannot be located within a buffer or easement.
3. All Health Department/Town/County/State regulations must be met.
4. Pool or hot tub must be screened from view of any street.
5. Only in-ground pools are recommended.

SWING SETS AND OTHER PLAY EQUIPMENT

Items Requiring Architectural Approval:

All permanent play equipment must be approved by the Architectural Committee prior to placement. This includes but is not limited to swing sets, tree houses, jungle gyms, and ramps used with bikes, skateboards and rollerblades. This approval process is done in the interest of all neighbors and to assist in avoiding any unforeseen future complaints about the placement of the equipment.

Information Required in Submittal:

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

Guidelines:

1. Permanent play equipment must 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 on its own merit.

Continued

2. Screening may be required along property lines in order to block the view and/or noise from neighboring lots. Landscaping or fencing plans should accompany the submittal.
3. Non-permanent play equipment must also be placed inconspicuously so that it does not detract from the neighborhood surroundings.

TREE REMOVAL

NO live trees may be cut or otherwise removed unless:

1. The tree lies within 15 feet of the building foundation.
2. The tree measures no more than 6 inches in diameter at a point of 2 feet from the ground level.

All other tree removal requires architectural approval.

NO trees may be removed from the buffer areas unless previously approved with the Town of Apex. If approval is not received, fines may be imposed.

Replacement of tree with acceptable landscaping is recommended.

Information Required in Submittal:

1. Plot plan showing location of tree(s) to be removed.
2. Written approval from adjacent neighbor if tree(s) is on or within 12 inches of the property line.
3. Landscaping plans for area once tree is removed.

MAINTENANCE

It is the primary responsibility of each homeowner to maintain his property in a way that does not detract from the overall beauty of the community.

Following is a list of areas that should be reviewed on a regular basis by the homeowner to insure the home and property is in good repair:

1. Shrubby, Trees and Lawns
2. Driveways and Sidewalks
3. Decks
4. Fences
5. Play Equipment
6. Roofing
7. Wood
8. Paint and Stain
9. Garbage Can Storage