

Lynnwood Bluff Owners Association Architectural, Landscaping, and Aesthetic Standards and Requirements

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Introduction:

These Architectural, Landscaping, and Aesthetic Standards and Requirements henceforth referred to as *Standards and Requirements*; implement the three legally-binding documents that control the Lynnwood Bluff Homeowners Association. The provisions of these documents, to which each homeowner agreed at closing on his or her home, are explicit but not onerous-similar to those for all densely-structured communities such as our own Umstead Village Townhomes.

The legal documents received at or prior to closing are as follows:

1. Declaration for Lynnwood Bluff Homeowners Association, Inc.
2. By-laws for Lynnwood Bluff Homeowners Association, Inc.

From the beginning of the Association, the purpose of these documents has been to preserve and enhance the appearance and value of each homeowner's unit and the common areas. Also included in the legal documents are requirements that your Board of Directors must fulfill to accomplish that purpose.

Accordingly, we pledge to you that we will do so impartially, approving proposed changes consistent with this purpose, disapproving those that are not and, as necessary, prohibiting whatever contravenes this purpose.

This booklet should be your first reference when you need information on proposed architectural and landscaping changes or other aesthetic considerations. For information not included, please the Management Company.

Our primary goal has been to develop standards and requirements that will assure a high quality of life and maintain the appearance and value of property for all homeowners without being unnecessarily restrictive.

Contacts:

Towne Properties our Management Company-can be reached by phone at (919) 878-8787, in person or in writing at 8305 Falls of Neuse Road Suite # 200, Raleigh NC 27615. Office hours are from 8:30 AM to 5:00 PM Monday through Thursday and from 8:30 AM to 1:00 PM on Friday. A 24-hour on-call staff member is available should you have an emergency and need immediate assistance.

Board of Directors:

Go to www.townepropertiesraleigh.com or contact Towne Properties for a list of current Board Members.

Submittal and Approval Process:

Each homeowner is responsible for submitting a completed Architectural Request form and obtaining written approval from the Lynnwood Bluff Homeowners Association, Inc. prior to making any changes, additions or deletions to the exterior of their home or lot including landscaping and other aesthetic items. There are items that can be added, changed or enhanced that do not require an ARB. These items are clearly delineated in this document. ARB forms are available from the Management Company and on the website www.lynnwoodbluff.com. The following details, as appropriate to the type of change, must be included with the Architectural application:

1. ARB completed in its entirety (both sides) for all proposed changes.
2. Plot plan outlining position of proposed change with respect to surveyed lot lines and existing drainage channels if appropriate. Note: existing drainage channels must be avoided in all proposed projects.
3. Drawing/Plans showing construction of proposed change.
4. Photographs, brochures, samples of paint, siding, fabric or other descriptive items.
5. Statement that, upon approval of proposed change, homeowner will obtain any required City of Raleigh building permits before beginning construction.

Submittal:

1. Submit ARB to Towne Properties for initial review. Incomplete or ineligible submittals will be returned to homeowner.
2. Towne Properties forwards the Architectural application to the appropriate Committee prior to its next scheduled meeting for review and site visit.

Decision:

1. Towne Properties will prepare and send to homeowner a standard response letter indicating the decision of the Committee.
2. Alterations/deviations from approved submittals may require to be resubmitted. Contact Towne Properties for information before proceeding.
3. Approval of all or part of a submittal does not ensure approval of similar submittals. Each submittal will be considered on its own merit.
4. Maintenance of approved items is the sole responsibility of the homeowner and subject to upkeep as stated in the Standards and Requirements document.

Appeals:

Submit to Board of Directors in writing specific details that clarify why submittal should be reconsidered. If desired, request Towne Properties to arrange meeting with Board of Directors.

Helpful Tips for Proposed Changes:

1. Virtually all proposed changes, whether permitted in this document or requiring Association approval of an ARB, require a lot survey by a licensed surveyor in order to define necessary setbacks or distances of proposed items from the lot lines. Surveys usually are required in obtaining any necessary Building Permits; Homeowners are urged, therefore, to obtain a survey as the first and most economical step in preparing a proposed change. Then, consult Town officials to determine the criteria your proposed change must meet before preparing other required detailed plans.
2. No-Cuts, a cost-free service, also should be used early in your planning cycle. They will mark the location of all underground utilities and define the associated easements for you, free of charge. (Consult telephone directory for their number.)

3. Evaluate your proposed change from your immediate neighbors' and the Association's viewpoint and for compliance with requirements of Association legal documents. You usually can tell in advance whether or not a proposed change will be approved.
4. Prior to submitting an ARB, consult with Committee or Board Members if you wish. No oral approvals can be given but clarifying concerns will help in preparation of a complete ARB.
5. Consider the possible consequences of making major changes, because they may prevent or restrict landscaping maintenance behind units.

Aesthetic Standards and Requirements:

Landscaping: Landscaping shall be installed on each Lot by Declarant. Any additional landscaping for any Lot must be approved by the Board/Architectural Committee.

Landscaping Actions Prohibited:

1. Adding, removing or changing any landscaping in the common areas.
2. Planting any shrub or tree within existing drainage channels or changing the location, contour or slope of the channels on homeowner's lots or common areas.
3. Hedges or screen plantings closer to the front lot line than the front of the townhome.
4. Adding, removing or changing the shape of any sod or mulched area in front of the townhome.

Landscaping Requiring ARB:

1. Adding, removing or changing the location of any tree on homeowner's lot. If a tree should die and pose an imminent danger to persons or property, emergency action should be taken and Towne Properties, a Board or Committee Member notified as soon as possible.
2. Retaining walls, terracing or other actions which change the contour of the homeowner's lot, whether or not drainage is affected.
3. Removing or adding shrubs or changing their location in the landscaped area in front of a townhome or on the side of an end unit
4. Any major landscaping in the back yard including, but not limited to, planting ground cover on the hilly section of a Lot, addition of trees, large shrubs, or large bedding areas.

Landscaping Not Requiring Approval: Sod, creating naturalized (mulched) areas and planting flowers in the back of a unit.

Artificial Vegetation: No artificial grass, plants or other artificial vegetation shall be placed or maintained upon the exterior portion of any Lot, unless approved by the ARB.

Lighting: Lighting which illuminates the facade of homes is permissible if it does not interfere with the "quiet enjoyment" of neighboring homes. All lighting not installed by Declarant is subject to review by the ARB. Seasonal decorative lights are subject to review by the ARB. No lighting shall be permitted which alters the residential character of the Subdivision.

Window Air Conditioning: No window air conditioning units shall be installed on any building within the Subdivision.

Energy Conservation Equipment: No solar energy collector panels or attendant hardware or other energy conservation equipment shall be constructed or installed unless they are an integral and harmonious part of the architectural design of a structure, as determined in the sole discretion of the ARB.

Attic Fans:

1. Attic fans require homeowner to submit ARB.
2. Attic fans must be located on the roof facing the back of the lot.

Gardens and Play Equipment: No vegetable garden, hammock, statuary or play equipment (including, without limitation, basketball goals) shall be constructed, erected or maintained upon any Lot unless the type and location thereof has been previously approved by the ARB. No portable sporting equipment may be installed or used in front of a townhouse or in the street or Common Areas, including, but not limited to soccer goals, skate ramps, basketball hoops, hockey nets, etc. Children's play toys and other moveable equipment of any type (garden tools, etc.) shall not remain overnight within any front yard of any Lot. No sporting equipment shall be installed which is visible from the curb and road in front of a townhouse.

Clotheslines: Permanent exterior clotheslines are prohibited.

Exterior Painting:

1. Exterior painting of units is the responsibility of the Homeowners Association.
2. Changes to existing exterior colors are prohibited.

Hot Tubs: Hot tubs, Jacuzzi tubs or other similar structures are prohibited.

Fences:

The only allowable fencing is a beige privacy fence 5ft in height maximum:

**Parking:**

1. With the exception of emergency vehicle repairs or commercial vehicles, which are temporarily parked for the purpose of servicing a Unit or the Property, no person shall park any commercial vehicles (including but not limited to any type of vehicle with advertising or lettering), recreation vehicles, mobile homes, trailers, campers, boats, or other watercraft, or other oversized vehicles or unlicensed or inoperable vehicles within the Property except within a garage.
2. No vehicle shall be parked on any portion of the Property, including any roadways within or adjacent to the Property, for more than a four (4) hour period, and overnight parking on any roadway is strictly prohibited.
3. The Homeowners Association is given authority to set fines accordingly for any violations or to tow at owner's expense.
4. Parking of any vehicle on any soft surface of a lot or common property is prohibited.

Pets, Pet Houses and Pens:

1. No animals, wildlife, livestock, reptiles or poultry of any kind shall be raised, bred or kept on any portion of the Property except as domesticated dogs, housecats, birds, and fish may be kept as household pets, but not for any commercial purposes, provided that they do not create a nuisance (in the judgment of the Board) such as, but without limitation, by noise, odor, damage or destruction of property or refuse.
2. Under no circumstances shall any animals which raise the insurance premium or are deemed to be "dangerous animal" pursuant to the Association's policies.
3. Dogs, cats or other household pets may be kept, provided they are not bred or maintained for commercial purposes or are not a public nuisance or annoyance.
4. Pets must be kept within the home.
5. Homeowners are expected to obey existing Wake County and City of Raleigh leash laws.
6. Homeowners are required to prevent their pets from misusing lots and common property as a latrine and, if mishaps occur, to pick up feces for disposal at their own facilities.

Radio, TV Antennas and Satellite Dishes: Exterior radio and television antennae, aerials, disks and dishes for reception of commercial broadcasts and other aerials, disks and dishes (for example, without limitation, amateur short wave or ship to shore) shall not be permitted on any Lot without permission of the ARB as to design, appearance and location or pursuant to any architectural guidelines that may be issued for that purpose.

1. Placing antennas or satellite dishes on unit chimney structures or in front of a unit is prohibited except as noted below.
2. If technically feasible, satellite dishes must be placed on the portion of the roof facing the rear of the lot and the highest point of the dish must be no higher than the peak of the roof. If necessary, a dish may be similarly placed on the roof facing the street.

Rain Barrels: Rain barrels are prohibited.

Sidewalks, Driveways, and Parking Pads: Additional parking pads and any alteration to entrance driveways and sidewalks are prohibited.

Signs and Flags. U.S. flags will be permitted. No sign, banner, billboard or advertisement of any kind, including without limitation, informational signs, "for sale" or "for rent" signs and those of contractors/subcontractors, shall be displayed on any Lot except for sign(s), banner(s), flag(s), and billboard(s) approved in advance by the ARB, and by Declarant as long as Declarant owns any Lot, or any portion of the Property.

1. Prohibited items - Commercial advertising signs, including For Rent signs.
2. No sign shall be nailed or otherwise attached to a tree.

Skylights: Skylights are prohibited.

Swimming Pools: Swimming pools are prohibited.

Storage:

1. Storing garbage containers in front or at side of unit is prohibited. Containers may be placed in front on the evening prior to pick-up but must be returned to out-of-sight storage on the pickup day. All equipment, garbage cans, service goods and storage piles must be screened by adequate improvements so as to screen them from view from the street and adjoining Lots.
2. No trade materials or inventories may be stored upon lots or common property.
3. Temporary storage of materials for approved or permitted projects must be placed as

inconspicuously as possible and maintained in an orderly manner.

Additions and Structural Changes to Townhomes:

Actions Not Requiring Approval:

Normal maintenance, whether homeowner or Association responsibility, does not require the submittal of an ARB.

Upkeep of door hardware and front porch lighting:

Front porch lighting and door hardware are the responsibility of the homeowner. Colorization or finish should be brass, antique brass, black, or dark brown – chrome, pewter or silver is not permitted. Door hardware must remain as close to original as possible – doorknobs are not permitted. Lighting must be of similar style to original and also be brass or antique brass.

Items Requiring Approval:

All proposed additions or structural changes to the exterior of a townhome require homeowner to submit an ARB. These items include but are not limited to new rooms, porches, attached structures of any kind and any changes to windows, doors and chimneys/fireplaces.

Decks and Patios:

New construction or changes to the structure or appearance of existing decks, patios, arbors, screens and under-deck enclosures require the homeowner to submit an ARB.

Associated new or changed landscaping plans must be included.

While ALL projects require prior ARB submission, the following general guidelines may be helpful if you are planning a patio.

1. Approval of design, construction method, and material by the architectural committee is necessary for all patios.
2. Patios may be no larger than 3' from the back-property line. Appropriate distance from the side of the property line(s) will be determined on a case-by-case basis based on the layout of the surrounding property.
3. Patios must be flush with the ground to allow for mowing directly over the patio.
4. All patios must use materials that are consistent with the architecture of the building. Brick or brick-like material is recommended; however, all materials must be approved in advance with samples provided by the homeowner.
5. All construction debris must be cleaned immediately with any ground, ground cover, pine straw, etc. replaced that was disturbed during the project.
6. A member of the board or architectural committee will view the project upon completion to ensure that the ARB was followed as specified.
7. All maintenance of the patio is the sole responsibility of the homeowner.

Screened in porches and awnings while not expressly prohibited, require a detailed ARB with architectural drawings, specifications, permits for work to be done by a licensed professional and plan for upkeep and maintenance. Specifically, the ARB must address how the new construction/installation will interact with items that are the responsibility of the Homeowners Association such as roofs and gutters.

Concrete Front Porches: Front porches cannot be changed or altered in any way. They may not be painted or stained.

Doors:

1. Changes or additions to the door on the front of the unit are prohibited.
2. Installation of a storm or screen door on the front/rear of the unit is subject to submission and approval of an ARB. While ALL additions require prior ARB submission and approval, the following general guidelines may be helpful if you are planning to submit an ARB to install a front/rear storm or screen door.
 - ~~b.~~a. No decoration or ornamentation
 - ~~c.~~b. Color must be consistent with trim color (i.e. white, beige)
 - ~~d.~~c. The specific model including model number must be submitted in the ARB
 - ~~e.~~d. A photo of the requested storm or screen door is required

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Maintenance:

Homeowners should be alert to the overall condition of their own and common property and should report appropriate items to Towne Properties. Irrespective of maintenance responsibility, homeowners pay for all maintenance either directly or through Association funds. Therefore, prevention and quick repairs help minimize overall expense.

The following areas should be reviewed regularly; Shrubs, trees, lawns, driveways, sidewalks, roofing, and exterior paint. Owners are responsible for the maintenance of the screens, screen doors, exterior doors, windows and window fixtures. ARB is not required to apply a clear waterproofing product to patios. Stain or waterproofing with color added is prohibited.

Rental of your Townhome:

Improved Lots may be leased for residential purposes only upon review and approval of lease by the Board of Directors. All leases shall be for a minimum term of at least 6 months. All leases shall require that the tenant acknowledge receipt of a copy of this Declaration, the Bylaws, use restrictions and rules and regulations of the Association. No owner may rent a Lot without the prior written consent of the Board of Directors and in no event, may greater than twenty percent (20%) of the lots be rented.

A homeowner who rents his or her townhome is responsible for the renter's compliance with Lynnwood Bluff Homeowners Association Covenants and Restrictions. Homeowners are urged, therefore, to make such compliance a condition of leases or other rental agreements, because they will be held strictly accountable.

Wake County Animal Control Ordinance:

Please see additional documentation from Wake County.

<http://www.wakegov.com/pets/health/ordinance.htm>