

Design Document
Wescott Community Association, Inc.

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Address: 108 Eden Glen Dr
Order Date: 06-27-2024
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WESCOTT

Architectural Standards and Construction Guidelines

The Wescott Board of Directors with the assistance of the Wescott Architectural Review Committee (the "Committee"), is pleased to present the completed and approved ARCHITECTURAL STANDARDS AND CONSTRUCTION GUIDELINES for use by the Wescott community. These guidelines give residents a consistent standard to follow as the foundation to planning any exterior changes to your property.

Please retain this copy as part of your permanent papers to refer to now and in the future. These guidelines should also be made available to prospective buyers of your home.

Please read and follow these guidelines. You MUST obtain approval IN WRITING from the Architectural Committee BEFORE the start of any exterior change. This written approval is also required by Wake County before any permits will be issued. **Do not commit to labor or materials until you have received written approval.**

The standards and guidelines on these pages help to clarify what factors the Wescott Architectural Review Committee considers in the architecture review and approval process. It is the Committee's intention that these guidelines serve as a *positive* tool to assist you in the full and free use of your property in a manner that is consistent with creating a community that is both aesthetically pleasing and functionally convenient.

Please direct your questions regarding these guidelines to PPM, Inc. (the "Management Firm") at the address below.

RS Fincher & Co., LLC
315 S. Salem Street, Suite 500
Apex, NC 27502
OR
PO Box 1117
Apex, NC 27502
Office: (919) 362-1460
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Email: christina.sicoli@rsfincher.com (Preferred submission method)
Web: www.rsfincher.com
Wescott Website: www.Wescott-nc.com

The Board of Directors reserves the right to modify or amend these guidelines from time to time as it deems desirable or necessary.

Sincerely,

The Wescott Board of Directors

I. INTRODUCTION

These standards are intended to serve as consistent set of guidelines and the foundation for planning exterior changes to your property. Owners are responsible for repairs to existing structures, landscape, paint, turf grass, additions, etc. **No application is needed to effect repairs and restoration to the original condition.** If you are unsure or have questions, please contact the Management Firm regarding whether or not an application is required.

Please retain these Standards as part of your permanent papers for reference and provide them to future owners of your home. **Please read and follow these Standards.** Approval **MUST** be obtained IN WRITING from the architectural review committee and the Management Firm **BEFORE** the start of any exterior change. The Committee is comprised of volunteers from the Wescott community. Per the Covenants, the Committee is allowed up to 60 days to act on an application however the vast majority of applications will be processed within 30 days of receipt. As residents, the Committee understands the need to review and process applications in a time efficient and professional way. To this end, most applications will be processed within a 10 business days or two calendar weeks. Please plan for a 30 day review process and **do not commit labor or materials until you have received written approval.**

Your cooperation and adherence to these guidelines is appreciated. Thank you for your support and compliance.

II. PURPOSE AND POLICY

The Wescott Architectural Review Committee presents the following guidelines designed to assist homeowners in complying with the ARCHITECTURAL CONTROL (Article V) and RESTRICTIONS (Article VI) in obtaining prior approval for exterior changes on any property individually owned or on property owned in common by all property owners in Wescott. It is the intended effect that these guidelines will result in equitable and consistent handling of all applications for Architectural Review Committee approval so the necessary value judgments will be kept to a minimum. These guidelines are published to help the homeowner better understand the Covenants. This document does not replace or supercede the Covenants. The Wescott covenants are the legal and binding authority and the covenants precedence over any of these stated guidelines.

In a planned community such as Wescott, the question naturally arises as to how to maintain a harmonious, quality development as the community matures. The following guidelines attempt to provide a meeting ground between private interests and the broader interest of the Wescott community as a whole.

Basic control for maintaining the quality of design is through the Declaration of Covenants, Conditions, and Restrictions for WESCOTT SUBDIVISION. The Covenants run with the land and are binding on all homeowners and renters and should be fully understood. The fact that each homeowner is subject to these Covenants should assure all homeowners that the standards of design quality would be maintained in order to enhance the community's overall environment and to protect property values.

The Declaration established an Architectural Review Committee to be composed of 3 or more representatives appointed by the Board of Directors. Article V of the Wescott Covenants requires the Committee's prior written approval of any exterior change, addition or alteration to any property. Such changes include any building, fence, wall, other structure, color change, or lawn type change that may be added or altered. It further requires that the plans, specifications and location showing the nature, kind, shape, height, and/or materials be

approved in writing as to the harmony in external design and location in relation to surrounding structures and topography. The Architectural Review Committee is charged with conducting the review of all applications for exterior changes and with rendering a decision to the applicant in writing in a timely manner following of receipt of a complete application. If the Committee fails to approve or disapprove a request for a change within 60 days after receipt of a complete and correct application, then approval will not be required and Article V of the Declaration will be considered to have been waived.

III. REVIEW CRITERIA

The Architectural Committee evaluates each application on its individual merits. Refusal or approval of plans, locations, or exterior color may be based by the Committee upon any ground, including purely aesthetic considerations. In general, the Committee's decisions are based on the following standards as guidelines.

Validity of Concept

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

Landscaping and Environment

The exterior change must not adversely impact the natural landscape or the man-made environment.

Relationship of Structures and Adjoining Property

The proposed change must relate harmoniously to its surroundings and to existing buildings and terrain that are visually related to the change.

Protection of Neighbors

The interests of neighboring owners must be protected by making reasonable provisions for such matters as water drainage, sound and sight buffers, privacy, preservation of views, light and air, and other aspects of design which may have substantial effects on neighboring property.

Design Compatibility

The proposed change must be compatible with the design characteristics of the applicant's home and the general neighborhood setting. Compatibility is defined as harmony in design, style, scale, materials, color and construction details.

- A. Scale: The three dimensional size of the proposed change must relate satisfactorily to adjacent structures and its surroundings.
- B. Materials: Continuity is established by use of the same or compatible materials as used in the home.
- C. Color: Must be consistent with the residence's color scheme.

Workmanship

The quality of work must be equal to or better than that of existing structures.

Project Completion Timing

An approved property change may be built or installed either by the owners or by a contractor. However, projects that remain uncompleted for a long period of time are visually objectionable and

can be a nuisance and safety hazard for neighbors and the community. All applications must contain a proposed maximum time period from start to completion of construction. If the proposed time period is considered unreasonable, the Committee may not approve the application, recommend the project be broken up into phases or reject the application.

IV. APPLICATION, REVIEW, APPEAL, and CORRECTION PROCEDURES

Objectives

The Architectural Committee, in examining each application for design approval, considers whether or not the exterior change is in compliance with the Covenants, Conditions, and Restrictions for the Wescott Subdivision and the Architectural Review Guidelines outlined in this document. The main objective of the Committee and these guidelines is to preserve and enhance property values in the community and to maintain a harmonious relationship among structures, vegetation, topography and the overall design of the community.

APPLICATION PROCEDURES

1. Complete the Application form and attach all required exhibits.
 - a. Include full details of the proposed change. If the change is structural, fencing, or grading, submit a sketch or plan and outline specifications. Be sure to include such information as type of material, size, height, color, location, etc.
 - b. Provide a sketch of the location of the improvement as it relates to your house and lot. Please provide a surveyed plot plan with exterior change clearly sketched onto it. Indicate the distance of the exterior change to the lot line of adjacent properties.
 - c. Neighbor's approval is encouraged but not mandatory. For complex or large projects, it is highly encouraged to gain concurrence to the project plan with all neighbors that are immediately adjacent to the property.
2. No application for a change will be accepted for consideration if not submitted with the application form and appropriate exhibits.
3. Email, fax, mail or hand-deliver the application to the Management Firm at the address on the application form. Incomplete applications will require that you submit additional information before they are accepted and reviewed.
 - a. The first day of the **60 DAY review period** will begin three business days after the date the complete application is received, accepted, and confirmed by the Management Firm.
 - b. Accepted applications will then be forwarded to the Wescott Architectural Review Committee for review.
4. When you submit your application, it will be uploaded to a private website for review, questions, and voting by the Committee members. The website will automatically notify you via e-mail that the application has been received and whether it is complete or not. It is the responsibility of the applicant to ensure the application is received and accepted by the Management Firm. If you did not receive a

confirmation via e-mail, please do not assume your application has been received. If the Committee has any questions or needs clarifications, the questions will be sent to you via e-mail. When the final result has been received, you will receive your official letter via e-mail.

REVIEW PROCEDURES

During the Committee's consideration of an application, Committee member(s) may wish to view the site and talk to the applicant or neighbors regarding the proposed change. Neighbors do not have "veto" authority but may provide any concerns or objections to the Board or Committee for consideration. The Committee may inspect work in progress and request (either orally or in writing) the applicant to correct any non-compliance with the approved design.

The Committee will vote on applications, rendering one of three possible decisions: Approved, Approved with Conditions, or Declined.

If the application is "Approved with conditions" or "Declined", the Committee will provide, in writing, the reason(s) why the project was not approved as submitted. Applications that are "Approved with Conditions" may proceed only if the noted conditions are completed and addressed. All submitted applications are retained and archived by the Management Firm.

APPEAL PROCEDURE

If the applicant disagrees with the decision of the Committee in its review or inspection, the following appeal process is defined:

- 1) File a written appeal with the Board of Directors at the address of the Management Company within fifteen days after receipt of a notice of disapproval.
- 2) The date and time of the appeal is established by the Board of Directors; this is normally at the next scheduled Board meeting. A majority vote of the Board is required to reverse a Committee decision.

CORRECTION PROCEDURE

Remedies: An exterior change made without the required approval of the Committee, or the Board on an appeal, constitutes a violation of the Protective Covenants. A violation requires removal or modification of the work at the expense of the property owner, or payment of damages incurred by the Association in an effort to have it removed or modified.

Reports: The Committee may inspect projects in process and/or the community in general to identify violations although they are not required to do so. All Wescott residents have the right and responsibility to bring to the attention of the Management Firm any apparent violation of any provision of these Architectural Review Guidelines or the Protective Covenants. When the Management Firm receives a violation report, a notification of a violation is made to the resident in order to identify the problem and request a resolution.

FAILURE TO COMPLY: Should the owner fail to follow through on the agreed resolution the homeowner will be requested to attend a Due Process Hearing with the Board of Directors in order to

determine the final resolution. Due process hearings can result in fines and/ or “self-help” (where the association may take action on an owner’s behalf and charge his or her account for the work).

V. DESIGN and CONSTRUCTION GUIDELINES

This section of the guidelines provides specific guidance regarding particular design situations that have been or may be encountered in Wescott. These guidelines are not meant to be exhaustive or all inclusive. They represent generally acceptable methods for achieving the required objectives and standards necessary for project approval. For completeness, design methods that are not generally accepted are provided for your guidance.

Antennas and Satellite Dishes

Television antennas and radio aerials are not permitted. Satellite dishes are permitted, but must be no larger than 3 feet in diameter. Dishes are to be placed at the rear of the home so as not to be seen from the street. If reception is not available when the dish is placed out of view from the street, the homeowner must contact the Committee and propose acceptable screening. *Locations for satellite dishes and other electronic devices and wires need to be approved by the Committee.*

Basketball Goals

Basketball goals shall not be mounted on the house. Permanent basketball goals must be installed on the rear third of the driveway or parking pad. Portable goals must be returned to the rear third of the driveway or parking pad when not in use. The goal shall be placed so that the street is not the intended playing surface. All goals must be mounted on a single pole painted black or trim color to match the house. The backboard should be predominantly white, clear or gray in color. Only one goal per house is permitted.

Clotheslines

Permanent clotheslines/poles are not permitted except that retractable clotheslines may be considered by the Committee if they will not be visible from the street.

Decks

Deck plans require the prior approval of the Committee.

Dog Houses, Dog Pens, or Other Animals, Habitats and Structures

Dog pens are not permitted. Doghouses are discouraged within Wescott and will be considered for approval on a case-by-case basis. Chickens, chicken coops, and rabbit cages are not permitted.

Fences/Retaining Walls/Hardscape Borders/Patios

Fences will be allowed in rear yards but must not be placed further forward than the rear corners of the side building setback. Corner or minor decorative fencing treatments in the front of the property may be permitted depending on individual circumstances. Natural wood (properly stained and sealed) or black aluminum fencing is the preferred material of construction. Other materials will be considered on a case by case basis. Additionally:

- Side lot line fence height is limited to 5' (maximum height is 5 ft)
- Privacy type fences
 - Not an approved fence style when constructed between two neighboring properties
 - May be considered where the property line borders a non-Wescott or non-residential neighboring property or if the lot backs up to a natural area

Shrubby planted in a row which creates a natural fencing or barrier between properties requires architectural approval.

Retaining walls, hardscape borders, and patios require approval of the Committee.

Exceptions to height and/or fencing materials requirements may be submitted to the Committee which may grant a variance from these guidelines, in its sole discretion.

Flagpoles and Lamp Posts

Flagpole and lamp post structures must be approved. When submitting your application please include details regarding the materials of construction, height, and approximate location on lot plan.

Grading

MAJOR changes to the topography of your lot, including but not limited to, lot clearing, tree removal, addition or removal of fill, etc. require approval prior to being started. Neither the Board nor the Committee accepts any liability for any damaged caused by such grading action, whether approved by the Committee or not.

Landscaping

Committee approval is not required for most plantings or biodegradable landscaping treatments (i.e. mulch) as long as the existing landscape scheme is maintained. In the case of mulch, only natural color or non-dyed is permitted (i.e. brown or black dyed mulch is OK, but bright red is not). If in doubt, please submit an application for review by the Committee.

Significant changes to the existing landscape scheme such as turf type, building of mulch beds, retaining walls, etc. will require Committee approval.

Large vegetable gardens and/or compost areas require architectural approval. Garden areas should be maintained in the rear yard not visible from the street.

Mailboxes

One decorative uniform mailbox is provided to each homeowner within the Wescott community when the home is first constructed. It is the responsibility of the homeowner to maintain the integrity of the mailbox and structure. If your mailbox or mailbox post structure requires replacement, you should contact the Management Firm for specific instructions. No alteration in the exterior appearance of any mailbox shall be made without written approval of the Committee.

Play Equipment

All stationary play equipment (i.e. swing sets, play structures, play houses, sandboxes, trampolines, etc.) must be submitted for approval by the Committee to include appearance, size, height, and location. Such items shall be located in the rear yard behind the house (inside rear corners) and shall not be generally visible from the street. Such items shall also be located at least 15 feet from any neighbor's property line. Metal play structures or structures of bright or fluorescent colors are prohibited. All play equipment must be kept in good condition or must be removed.

Slides and tube slides shall be dark green in color whenever practical.

Tree houses are not permitted.

All wooden play structures shall be stained with a tinted sealant in order to preserve the appearance/finish and to minimize the visual prominence of the structure.

Skateboard, bike, and other types of ramps are not allowed.

Rain Barrels

Rain barrels do not require Committee approval. Rain barrels must be black, brown, or dark green in color, and made of plastic or wood (no metal containers permitted). It is preferred to locate rain barrels at the rear of a dwelling or along the side of a dwelling with minimal visibility from the street.

Sheds/Storage Buildings/Enclosed Structures

Whether attached or freestanding, all sheds must receive Committee approval and meet the following criteria:

1. Siding: Must be quality materials similar in color and composition to the house.
2. Roof: Must be similar to the home in pitch, materials, and color.
3. Base: Must have suitable permanent foundation (see Covenants).
4. Size: Maximum of 120 square feet (i.e. 10' x 12').
5. Placement: Must be behind the house, at least 15 feet from all neighboring property lines, and not in the side yard areas that are highly visible from the street.
6. Trim: Including but not limited to the eaves, shingles, window/door trim, etc. should be like the main house.
7. Doors: Doors and window casings should be like the main house.
8. Type: Pre-fab, Rubbermaid, or similar type sheds are not permitted.

Signs

Except as may be required by legal proceedings or noted below by exception, no sign shall be erected or maintained on any property without prior approval by the committee. Approved exceptions:

1. A single real estate "For Sale" (or "For Rent") sign of not more than six square feet. Artificial lighting or illumination of the sign is not permitted.
2. A contractor's or builder's sign during construction or approved alteration (including landscaping) provided that the signs are removed upon the completion of construction, alteration, painting, etc.
3. "Open House" signs are permitted only during the hours that the premises are open. This includes all such signs anywhere within the borders of Wescott, its entrances and streets, but not located on the property of another homeowner without his/her permission.

Street Right-of-way Obstructions

Both the Wescott community and the NC-DOT prohibit placement of any obstructions in the street right-of-way. Such barriers include posts and/or chain/rope, blocks or stones, fences or hedges of any kind, any form of large shrub/tree planting or bed, construction materials, dirt piles, construction debris.

Construction equipment, materials, mulch, pavers, etc. must be delivered and placed entirely within the borders of your property and not stored on the street during your project.

Solar Collectors

Applications are required prior to installation. Solar collectors must be installed to be as inconspicuous as possible. Whenever possible, collectors must be placed on the rear of the home or on the side which has the least public exposure. Collectors must be attached only to the roof, not free standing, or ground mounted. 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 must be painted to match roof coloring. There must be a minimum exposure of piping with no piping running down the side of the dwelling. Any tree removal required to permit increased solar exposure to the collectors must adhere to the tree removal guidelines.

Swimming Pools, Spas, and Hot Tubs

Above ground swimming pools are not permitted. In ground swimming pools shall be considered on a case-by-case basis according to the guidelines established by the Architectural Review Committee. Pools shall comply with all local and state safety codes and requirements.

NOTE: Pumps and motors for pools and related equipment shall be screened and located inside the fence.

Spas or Hot Tubs require Committee review and approval.

Temporary Marking Flags

When installing and/or marking landscaping, irrigation systems, invisible dog fences, or other items with temporary flags, such flags must be removed within a reasonable time following installation (not to exceed 30 days).

Trash Receptacles

All garbage cans and recycle bins shall be stored in a suitable hidden or screened (by evergreen shrubbery or approved structure) so as not to be visible from the street.

Turf Renovation

Renovation or replacement of turf grass with same type/variety of grass **does not** require Committee approval. Replacement of turf with different variety requires Committee approval.

OTHER DESIGN DATA and CONSIDERATIONS

Many additions to a homeowner's property may require approval of the Town of Holly Springs, Wake County and/or the State of North Carolina. These guidelines are not intended to be a substitute for or summary of those specifications or requirements. It is strongly advised that any homeowner undertaking any modification to the house or lot consult the Town of Holly Springs to insure that the necessary permits are obtained and building code and inspections are fulfilled.

VI. BUILDER/DEVELOPER PROCEDURES

VACANT LOTS within WESCOTT: Initial Construction of a home on a lot requires Committee and Board approval before any lot preparation, cleaning, grading, or construction can begin. Plan submissions must include elevations, exterior color selections, and a landscaping plan to be implemented no later than the first September after construction is completed.

Conferences

A conference with the Architectural Committee may be required before project planning begins to obtain an early understanding of procedures and project objectives.

Plan Submission and Approval

Builder plans should be submitted through the normal architectural approval process outlined in this document. One set of plans in 8 ½ x 11 format should be submitted to the Management Firm. Notice of approval, approval with conditions, or denial will be provided within 30 days.

a. RESIDENTIAL SITE REQUIREMENTS

- i. Clearing and Grading: Building and landscape elements shall be placed on a site so that the maximum number of desirable trees and other natural features are preserved. Materials resulting from clearing and grubbing and all other debris shall be removed from the site promptly. Finish grading shall be such to prevent ponding or erosion of soil on the site or adjacent property.
- ii. Tree Preservation: When clearing a lot for new construction, the builder will proceed with care so as to remove only those trees that would be immediately affected by the ongoing construction (e.g. trees within 10' of the building). Every precaution shall be taken to preserve those trees remaining, including, but not limited to, prevention of heavy equipment from running over the root areas, no stockpiling of dirt or building materials around the base of the trees, tagging or barricading trees located in damage-proof areas, and repairing any tree damage immediately.
- iii. Landscaping: Landscaping shall be in accordance with the plans and specifications approved by the Architectural Committee. All disturbed ground area shall be covered

Order: ZGFHN7WV6

Page 10 of 11

Address: 108 Eden Glen Dr

Order Date: 06-27-2024

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by grass, plants or landscape material and there will be no uncovered soil. All homesites will be landscaped and maintained in a manner consistent with the aesthetic quality of Wescott. No changes or substitutions shall be made without prior architectural approval.

- iv. Screening: Screening shall be provided, when required to, to conceal unsightly appearances in accordance with any of the following methods:
 - 1. A planting screen that will form an effective visual screen consistent with landscaping requirements.
 - 2. A wall or fence of a material similar to or compatible with that of the building may be used for a screen adjacent to the building.
 - 3. A wall or fence of a material specifically approved by the Architectural Committee may be used for a screen that is not adjacent to the building.
- v. Colors and Textures: Colors and textures shall be harmonious and compatible with colors of other buildings within the neighborhood. In any proposal for changes or additions which involve colors and/or textures, a sample color/texture shall be submitted to and approved by the Architectural Committee prior to such change/addition.
- vi. Materials not Acceptable: Exposed standard concrete blocks, prefabricated storage structures of any kind, to include those made of aluminum, steel, particle board or other wood products, unnatural brick tones and bright finish metallic windows, doors and structures are not acceptable unless specifically approved by the Architectural Committee.
- vii. Roofs: No roofs with less than a 7/12 pitch will be allowed without specific permission of the Architectural Committee. Roofs that may be potentially seen from a street or adjoining site shall be of materials harmonious with the surroundings and of a muted color. All roof vents, ducts, fans, etc. shall be painted to match the roof shingle color. All flashing must be a color consistent with the shingle or wall color. Visible bright metallic finish will not be permitted. Dimensional shingles are REQUIRED.

VII. PENALTIES FOR NONCOMPLIANCE

In addition to any remedies the Association may have at law or in equity, the Association reserves the right to levy a fine of one hundred (\$100.00) dollars per day against any Lot Owner who fails to comply with the rules and regulations set forth herein concerning obtaining approval for improvements or abiding by a Committee decision regarding said improvements after being notified by the Association in writing of non-compliance and attending a Due Process Hearing before the Board of Directors.