

WAKE COUNTY, NC 79
CHARLES P. GILLIAM
REGISTER OF DEEDS
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Bay Leaf Farm Phase 3

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ARCHITECTURAL GUIDELINES AND PROCEDURES

November 2019

mail to: 510 Glenwood Ave
Suite 603
Raleigh, NC 27603

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INTRODUCTION:

The objective of these guidelines is to create and protect a high level of residential design and landscaping. The ARB Standards are intended to help property owners, design professionals, and builders understand our requirements, the role of the ARB, and the policies and procedures affecting all construction and improvements. The goal is a smooth and efficient review, approval and construction experience with a new residence or modification of an existing residence that adds to the architectural diversity and beauty of the community. As the community matures, preserving its aesthetic appearance will maintain and add value to the community and individual properties.

I. ARCHITECTURAL REVIEW PROCESS

A. GENERAL:

The design and construction review process is a two-step process: (1) submittal and review, resulting in resubmittals as necessary and a final approval or disapproval ("Plan Approval"); and (2) final inspection for compliance with approved plans ("As Built Approval"). Questions concerning the interpretation of any matter set forth in this manual should be directed

Amanda@peacockdevelopment.com phone:910-617-9324,

The "Application Form" (available from the ARB) shall be used as a transmittal record of the submission and the ARB's response as to the submission.

B. CONCEPT APPROVAL:

Any builder may submit preliminary drawings and specifications to the ARB for Concept Approval prior to the preparation and submission of detail plans for Final Approval. A Concept Approval is not mandatory, but is recommended of builders in order that they may accomplish a timely and thorough preparation and ultimately receive Final Approval of their construction, landscape or hardscape plans. The ARB shall review the information and indicate its approval, disapproval or recommendations as to the plan. Concept Approval given by the ARB shall **not** constitute approval for the commencement of construction, but only approval of the conceptual information being reviewed.

C. PLAN APPROVAL:

No construction or site preparation of any kind shall be commenced until the plans and specifications have been approved by the Bay Leaf Farm Phase 3 ARB. Builders requesting Final Approval, shall submit sufficient exhibits to demonstrate compliance with standards and requirements of these Guidelines. Construction must commence within six (6) months from date of Final Approval or Final Approval is void. If Final Approval is granted subject to conditions, the conditions shall be satisfied within sixty (60) days of issuance or Final Approval shall be void.

Plan submittals must be sent to amanda@peacockdevelopment.com or delivered to the Peacock Development office at 510 Glenwood Ave , Suite 603, Raleigh, NC 27603. The Bay Leaf Farm Phase 3 ARB will respond within 10 business days after receipt of the plans. The ARB will review each proposal and determine if the proposal is "Approved", "Approved with changes", or "Not approved".

The following documentation must be provided:

1. Site Plan showing:

Compliance with the Bay Leaf Farm Phase 3 setback requirements. (all construction must meet the county standards for impervious calculations. The Bay Leaf Farm Phase 3 ARB is not responsible for meeting impervious requirements.)

2. Landscape and Irrigation Plans showing:

The size, type and location of existing and proposed tree location; the location of all planting areas including existing plant materials incorporated into the plan; the species and size of all stock at the time of planting; and, an irrigation plan including the source of water supply. The location of any retaining walls, fencing, screening, and exterior lighting.

3. Full detailed drawings with all exterior elevations (fully hatched), showing all exterior materials formatted on 8-1/2x11 hard copy or an e-mailed digital copy.

4. Samples and color proposals of all exterior finishes and materials to be incorporated into the plan.

5. Such other information, and drawings may be requested by the ARB.

If, after the initial New Home Construction, a Builder or Homeowner desires Final Approval for an alteration or addition, sufficient information shall be submitted to the ARB to allow it to fully understand the proposed alteration or addition. Such information could be as simple as a letter with a material sample or picture, or as complex as the above-stated submittals.

D. INSPECTION: (As Built Approval)

The ARB shall have the right to inspect any property at any time before, during, or after the completion of work for which approval is required under this Manual. Upon completion of construction, the builder shall give written notice to the ARB. Upon "Final Inspection" provided that the dwelling constructed is in substantial compliance with the exterior plans and specifications submitted for Final Approval, the ARB shall advise the Builder in writing. In the event that ARB finds any non-complying construction, the ARB may request removal of any non-conforming construction, or colors.

E. APPEAL:

If an application for Concept Approval or Final Approval has been denied, the Builder may request a hearing before the full ARB. At the hearing, the Builder will be allowed to present their position on the matter and make requests or recommendations as to an alternative action. After the hearing, the ARB will review the information presented and notify the Builder of their final decision on the hearing. The decision of the ARB regarding the matter shall be final.

II. ARCHITECTURAL GUIDELINES

1. ARCHITECTURAL STYLE

Most architectural styles are acceptable in Bay Leaf Farm Phase 3 such that the style is carried out correctly with continuity throughout the exterior of the home. Architectural styles will be reviewed on a cases by case basis. The ARB may suggest exterior changes to maintain the integrity of the style that is presented.

The Bay Leaf Farm Phase 3 ARB may reject any home plan that the ARB feels does not meet the form, fit, and quality of the community.

2. SQUARE FOOTAGE:

- a. 1 story residences shall be a minimum of 5000 heated sq. ft. on the first floor.
- b. 1-1/2 story and 2 story residences shall be a minimum of 5000 heated sq. ft. on the first two floors.
- c. Attics and Basements shall not count towards heated square footage.
- d. Heated square footage does not include garages, or porches and decks.

3. BUILDING SETBACKS:

Front: 50' (encouraged, but may be modified per soil requirements.)

Side: 15'

Rear: 30'

Corner: 20'

4. DESIGN DUPLICATION

- a. Builders should select building sites and home plans so that designs are not repetitious. Design duplication is discouraged and will not be approved without sufficient variations in the floorplan and elevations.
- b. No exact elevation may be repeated in Bay Leaf Farm Phase 3 more than once.
- c. Elevations that are similar in appearance may not be repeated on any of the Phase 3 lots.

5. FRONT PORCHES:

- a. Front porches are encouraged on all houses and shall be a minimum depth of 7'-0".
- b. Front stoops may have a minimum depth of 4'-0".
- c. Railings are required on all porches. Railings must be black metal or painted the color of the trim.
- d. Where columns are used, half columns are required against perpendicular walls.
- e. The top of the column must line up and match the width of the porch beam above. Only the capital of the column may protrude outside of the porch beam.
- e. Arched porch beams are acceptable, but the entire width of the beam must be arched. A flat porch beam with arched cuts on only the front panel will not be approved.

6. REAR PORCHES:

- a. Wooded decks must be stained or painted to match the trim.
- b. 16"x16" masonry piers (min) are required on all rear decks. Stone, brick, or stucco may be used to match the existing material of the residence.
- c. Diagonal lattice is not permitted. Where lattice is used, horizontal 1x6's with 1/4" separation is required. The lattice must be stained or painted to match the trim.

7. GARAGES:

- a. All residences must have a minimum of a three car attached garage.
- b. Single garage doors must be a minimum of 9' and double garage doors must be a minimum of 18'. The maximum height of garage doors is 12'.
- c. Front load garage doors are not permitted unless the front facing garage is a "bolt on" garage located behind the side load garage door. In this case, a two car front facing garage is the largest garage that will be permitted.
- d. Detached garages are permitted. Detached garages must be a maximum of two car if front facing, and a three car if side facing.
- e. Courtyard garages are permitted.
- f. Garages must not protrude past the adjacent heated portion of the home more than 12' where a front porch is not present. If a front porch is present, a garage may not protrude more than 8' past the front porch. (This rule does not apply to courtyard garages).
- g. The garage door style must match the architectural style of the home.

8. WINDOWS:

- a. All windows must be a minimum of vinyl or aluminum clad low E with argon. Windows that are entirely vinyl are not permitted. Single hung windows are not permitted.
- b. SDL grills are required on all windows on front elevations except for Prairie, Contemporary or Modern style homes. Grills are not required on side and rear elevations unless facing a road or travel way. GBG grills are not permitted.
- c. The grill pattern must match the architectural style of the home.
- d. Glass block and Acrylic block windows will not be permitted in Bay Leaf Farm Phase 3.
- e. Where fiber cement is used, all windows must be wrapped with 5/4x4 casing minimum. Where shutters are used, the casing shall be behind the shutters, not in-between the shutter and window. Brick mold will not be permitted on windows with 5/4x4 casing surround.
- f. Where masonry is used, all windows must contain soldier courses, or masonry surround, consistent with the architectural style of the home. This includes the side and rear elevations.

9. SHUTTERS:

- a. All shutters must match the size of the window as if they were operational. An exception may be made on twin windows, such that a minimum of 24" shutter is used.
- b. Shutters will not be permitted on triple windows.
- c. All shutters must have the appropriate hardware to be fully operational including shutter dogs.
- d. Shutters must match the architectural style of the home.
- e. Shutters must be wooden. Vinyl shutters are not permitted.
- f. Shutters are not required permitting that it is acceptable with the architectural style of the home.

10. EXTERIOR MATERIALS:

- a. Masonry is required on all four sides. Brick, stone, and stucco are approved.
- b. Where stone is used, natural stone veneer is required.
- c. Red brick is not permitted. All brick should be brown or white tones, or painted a color approved by ARB.
- d. All siding, shakes, board and batten, and trim are required to be fiber cement or cedar. (vinyl is not permitted)
- e. All front elevation materials should return around the corners of the front facade to a natural breaking point. (ie perpendicular wall or corner.) Stopping wrapped materials prior to a natural breaking point will not be permitted (ex. 2' wrap not permitted)
- f. Side and rear foundation material must remain brick or stone. (parged foundations will not be permitted.)
- g. All soffits must contain a minimum of 3-5/8" crown with a 1x6 frieze board. This may vary per the architectural style and may be reviewed on a case by case basis.

11. CHIMNEYS:

- a. All fireplace chimneys are required to have a masonry façade and full chimney. (fiber cement or cedar chimneys will not be permitted.)
- b. Chimneys with a shed roof are not permitted. Only full masonry façade chimneys will be approved.

12. ROOFS:

- a. Asphalt architectural shingles, metal roofs, and clay roofs are permitted in Bay Leaf Farm Phase 3.
- b. The colors of any roofs should be approved by the ARB.
- c. Overhangs shall be consistent with the architectural style of the home.
- d. Skylights will not be permitted on the front of any home.

13. GUTTERS:

- a. Gutters and downspouts should be copper or metal and painted to match the trim or siding. Accent pieces and colors will be approved on a case by case basis.

14. SOLAR PANELS:

- a. Solar panels are permitted, but should not be located on the front elevation of any home.
- b. All solar panels must be connected to the roof. Ground solar panels are not permitted.
- c. Panels should have a low profile and be flush mounted to the roof or wall.
- d. Additional meter required for collectors must be landscaped to be shielded and must be painted the roof color.

15. ACCESSORY BUILDINGS:

- a. Accessory buildings should be approved on a case by case basis and are required to be a minimum of 12'x14'.
- b. Where possible, storage sheds should be attached to the house.
- c. All materials and colors should match the main residence.

d. The location of the detached building should remain behind the main residence in an approved location by the ARB.

16. FENCES:

- a. Masonry walls or Black metal fences are required.
- b. Fence locations are approved on a case by case basis, but fences must start and stop at the back corners of the main residence. Front yard fences are not permitted.
- c. Fences must remain at a maximum height of 5'-0".

17. SATELLITE DISHES:

- a. Must not be visible from street.
- b. Must be adequately screened from the neighbors views so that the satellite is not visible from the neighbor's property.

18. AWNINGS:

- a. Cloth awnings are not permitted on any portion of any residence.
- b. Roof overhangs with brackets are permitted as an alternative.

19. RAIN BARRELS:

- a. Rain barrels may not be located on the front of any home. Rain barrels may be located on the side or rear of any home such that the barrel is not visible from any road or neighboring property.
- b. Rain barrels may be above ground, but all hardware must be a muted earth tone in color or painted to blend in with surface of the background behind them.

20. GAME COURTS:

- a. Game courts are permitted in Bay Leaf Farm Phase 3..

21. PLAYGROUND EQUIPMENT:

- a. Any play equipment should be located at least 25 feet from the neighbor's property line.
- b. The size and color of the play equipment shall be proportional and consistent with the surroundings.

22. DOG HOUSES:

- a. Dog houses are permitted in Bay Leaf Farm Phase 3.

23. CLOTHES LINES:

- a. Clothes lines are not permitted in Bay Leaf Farm Phase 3.

24. BASKETBALL GOALS:

- a. Basketball goals on wheels are permitted but should not be visible from any road or travel way.

b. Permanent basketball goals are permitted such that they are in the back yard and are not visible from any road or travel way. Permanent basketball goals should be within the property setbacks.

25. POOLS:

- a. Above ground swimming pools are not permitted.
- b. The owner shall be responsible for meeting any codes, regulations, or ordinances required for swimming pool installation and operation.
- c. Swimming pools must remain within the building setbacks.
- d. Swimming pools shall not be permitted on the street side of any residence.
- e. Pool equipment must be enclosed.

25. DRIVEWAYS AND WALKWAYS:

- a. Walkways at a minimum width of 36" are required on all homes from the front door to the driveway.
- b. Walkways surfaces include concrete, stamped concrete, and concrete pavers.
- c. Driveways must be a minimum of 10' wide except for a minimum of 18' wide at the garage entrance.
- d. All driveways must be a minimum of 3' from the property line so that an adequate buffer may be provided.
- e. Driveway surfaces include concrete, stamped concrete, and concrete pavers. Accent materials are strongly encouraged at the base of the driveway.

26. CULVERTS:

- a. Adequate culverts shall be installed wherever driveways or other improvements cross ditches or other drainage ways. Each culvert shall have a brick or natural stone headwall designed to blend with the natural environment and materials on the home.

27. SCREENING AND RETAINING WALLS

- a. Retaining walls may be made of brick, stone, or stucco. Wooden retaining walls will not be permitted.
- b. Retaining walls must remain within 5' from the property line or as approved by the ARB.
- c. Retaining walls must be shielded by landscaping as approved by the ARB.
- d. All AC equipment must be shielded by landscaping as approved by ARB.

28. EXTERIOR LIGHTING:

- a. Exterior lighting fixtures must be compatible with the architectural character of the residence.
- b. Lighted areas for all fixtures shall be confined to the residence and shielded from the neighboring properties and roads.
- c. Low voltage lighting will be acceptable in most areas. Floodlights and spotlights will typically be limited to rear and back yards but may be used for tree up lighting in the front.

29. LANDSCAPING AND IRRIGATION:

- a. All home sites must contain landscaping and irrigation approved by the ARB. An initial landscape plan must be submitted with first submittal, but a revised landscape plan may be delayed and submitted at least 30 days prior to installation.
- b. All landscaping shall be completed according to the ARB approved landscape plan. Any additions or deviations from the landscape plan are subject to approval by the ARB.

30. MINIMUM LANDSCAPE REQUIREMENTS:

- a. 30 shrubs minimum. (18" to 24" tall min.)
- b. 2 Ornamental trees. (2" caliper)
- c. 2 Evergreen trees. (5' tall min.)
- d. 2 Shade trees. (3" caliper, 10' tall min.)

31. TREE PRESERVATION:

- a. When clearing a lot, the builder shall proceed with care so as to only remove trees which would be affected by the ongoing construction. Every precaution shall be taken to preserve the existing trees on the property.
- b. Removal of any tree located outside of a 20' perimeter of the building footprint shall be approved by the ARB. If any trees are damaged by natural causes, removal will not require ARB approval.

Declaration For
Bay Leaf Farm Phase 3
Execution or Exhibit Page

IN WITNESS WHEREOF, Declarant has caused the Declaration to be executed in legal and binding form, by its duly authorized official, on the date indicated in the acknowledgment of such signature.

Declarant:

Peacock Development Co, LLC

By: *Amanda Carpenter*

Name: Amanda Carpenter
Manager

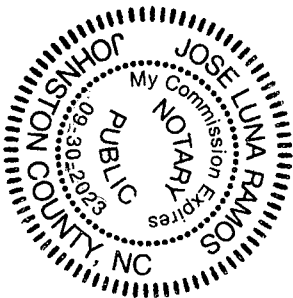
Wake County, North Carolina

I certify that the following person personally appeared before me this day and acknowledged to me that he or she signed the foregoing document on behalf of Peacock Development Co, in the capacity indicated:

Amanda Carpenter

Date: December 19, 2019

(affix seal or stamp here)



[Signature]
Notary Public

Printed/Typed Name: Jose Luna Ramos

My commission expires: 9-30-2023



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Please retain yellow trailer page

It is part of the recorded document and must be submitted with the original for re-recording.

Charles P. Gilliam

Register of Deeds

Wake County Justice Center
300 South Salisbury Street, Suite 1700
Raleigh, NC 27601

☐ New Time Stamp

☐ \$25 Non-Standard Fee

☐ Additional Document Fee

☐ Additional Reference Fee

This Customer Group

_____ # of Excessive Entities

_____ # of Time Stamps Needed

This Document

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