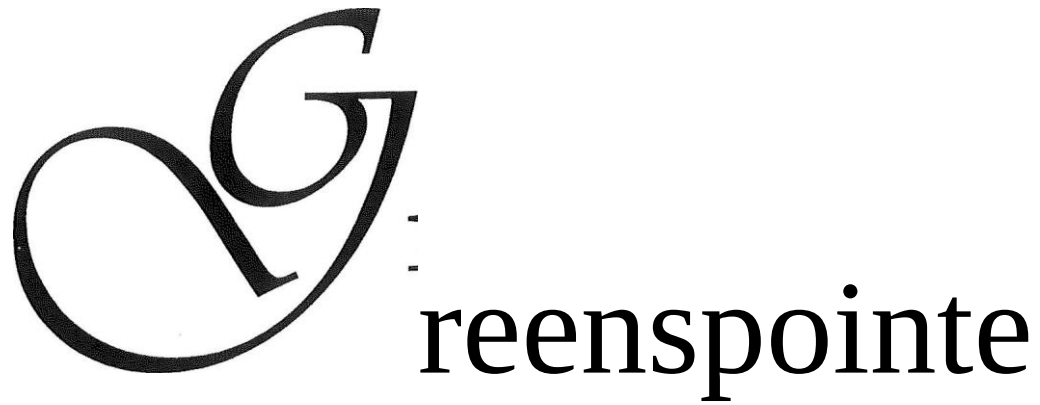




Architectural Standards and Procedures



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Architectural
Control

Section I .02

Architectural Control Committee

ORGANIZATION

The Declaration, Conditions and Restrictions for Greenspointe requires that an Architectural Control Committee (ACC), consisting of three persons, shall be appointed by the Association's Board of Directors and shall be responsible to the Board.

PURPOSE

The Architectural Control Committee shall regulate the external design, appearance and location of the properties and improvements thereon in such a manner as:

- To promote those qualities in the environment that brings value to the community.
- To foster the attractiveness and functional utility of the community as a place to live, including a harmonious relationship among structures, vegetation and topography.

The Architectural Control Committee is responsible for:

- o Reviewing applications for exterior architectural and landscaping changes from individual homeowners.

Architectural Control

Section 1.03

Enforcement

ENFORCEMENT AUTHORITY AND RESPONSIBILITIES

Any construction, alteration, or other work done in violation of this Article 13 shall be deemed to be nonconforming. Upon written request from the Board, the ACC or the Declarant, Owners shall, at their own cost and expense, remove such construction, alteration, or other work and shall restore the land to substantially the same condition as existed prior to the construction, alteration, or other work. Should an owner fail to remove and restore as required hereunder, the Board or its designees shall have the right to enter the property, remove the violation, and restore the property to substantially the same condition as existed prior to the construction, alteration or other work. All costs, together with the interest at the maximum rate then allowed by law, may be assessed against the nonconforming lot and collected as a special assessment pursuant to Section 9.07 hereof.

The Board may exclude from the property any contractor, subcontractor, agent, employee, or other permittee of an owner who fails to comply with the terms and provisions of this Article. In such event, neither the Association, its officers, or directors shall be held liable to any person for exercising the rights granted by this Section 13.08.

In addition to the foregoing, the Board shall have the authority and standing, on behalf of the Association, to pursue all legal and equitable remedies available to enforce the provisions of this Article 13 and the decisions of the ACC.

Enforcement of the HOA guidelines and/or the ACC rules/regulation may result in enforcement fines in the amount of \$100 per occurrence. Additionally any incurred costs by the HOA will be passed on to the homeowner to fix/repair HOA property to "original condition".

Architectural Control

Section 1.04

Disclaimer

The Association, Declarant, Architectural Control Committee, or any officer, employee, agent, director or member thereof shall not be liable for damages to any persons submitting plans and specifications for approval by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval, disapproval or failure to approve any plans and specifications. Every person who submits plans and specifications for approval agrees, by submission of such plans and specifications, that it will not bring any action or suit against the Association, Declarant, or Architectural Control Committee to recover any such damages.

The purpose of the Architectural Standards is to provide guidance in preparing requests for architectural approval and set forth some of the standards applied by the Architectural Control Committee. These Architectural Standards are not all-inclusive and no inference should be made that the failure to include a particular type of exterior or landscaping change somehow exempts that change from the approval process.

These Standards supersede all previous guidelines or standards and shall remain in effect until otherwise rescinded, amended, modified, or repealed by a majority of the Board of Directors.

Architectural Control

Section 2.00

Procedure For Requesting Architectural Approval

Architectural Control

Section 2.01

Guidelines

Landscaping and Environment

The exterior change must not unnecessarily destroy or blight the natural landscape or the achieved man-made environment.

Relationship of Structures and Adjoining Properties

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 interest of neighboring owners and renters must be protected by making reasonable provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and other aspects that may have substantial effects on neighboring property. The Architectural Committee should consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governing in each specific application.

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.

Scale: The three dimensional size of the proposed change must relate satisfactorily.

- A. Scale: The three dimensional size of the proposed change must relate satisfactorily to adjacent structures and its surrounding, For example, a detached storage shed of a disproportionate size to the area in which its intended to be placed would not be satisfactory.
- B. Materials: Continuity is established by use of the same or compatible materials as used in the home. For example, an added storage shed should be made of the same or similar material as the home; likewise, the shingles should also be the same or similar.

Architectural Control

Section 2.02

Application Procedure

Complete the Application form found in section 2.03 of these Standards and attach all required exhibits. Include full details of the proposed change. If the change is structural, fencing, or grading, submit a sketch or plan and outline specifications. Talk to your neighbors about your change. They may be able to offer valuable input. Be sure to include such information as type of material, size, height, color, location, etc. Provide a plot plan of the lot and indicate the location of the building, pen, fence, etc., as it relates to the home and lot. Mail or deliver the application form to the Management Firm whose address is shown on the application form. Incomplete applications will be returned which will cause a further delay in obtaining approval.

Completed applications are considered on their own individual merit using these guidelines outlined below:

Review Procedures

During the committee's consideration of an application, the Greenspointe Community Appearance Committee and/or the Architectural Review Committee members may view the site and may talk to the applicant or neighbors. A quorum of the Architectural Review Committee is a majority of the total number of people currently serving on the Committee.

The Architectural Review Committee considers the application and any data or comments received from immediate neighbors. After discussion of the application as submitted, the Architectural Review Committee will either approve conditionally, disapprove, or approve the application as submitted. In cases of conditional approvals, or disapproval's, homeowner applicants will be provided in writing with the reason or reasons for such. Each applicant will receive written notice regarding Committee's decision either by use of a duplicate copy of the application or by a letter.

Architectural Control

Section 2.04

The Appeal Process

The following process will be followed for appeals from decisions of the Architectural Control Committee:

1. Notice of Denial: Upon receipt from the Architectural Control Committee of a final decision denying their request, the management company shall forward to the applicant a notice of denial of their request. The notice shall provide the applicant thirty days to file an appeal of a final Architectural Control Committee decision in writing to the management company. Administrative denials pending more information or for other reasons are not final decisions and are not eligible for appeal.
2. Reconsideration: the Architectural Control Committee and not the Board of Directors will reconsider administrative denials. Once a final decision has been reached, then the time for appeal begins to run.
3. Notice of Appeal: Notice of Appeal to the Board of Directors must be filed in writing by mailing it to the management company within thirty days of the notice of denial being mailed from the management company to the applicant. Include with the Notice of Appeal, a copy of the application, any supporting documentation, a copy of the Committee's decision, and an explanation of the reason for the appeal.
4. Transmittal to Board: Upon receipt by the management company, the original of the Notice of Appeal and all supporting paperwork shall be filed and copies sent to the President of the Board of Directors and the Architectural Control Committee.
5. Hearing: The President shall schedule a hearing on the appeal, normally in conjunction with a normal board meeting, within sixty days of receipt of the notice of Appeal. The management company shall notify the applicant and the chairperson of the Architectural Control Committee of the hearing date and time. The chairperson of the ACC or a designated representative shall attend the hearing. The hearing shall begin with the ACC chairperson explaining the position of the Architectural Control Committee and reasons for the denial. The applicant shall then have an opportunity to present their reasons for the appeal. Witnesses and evidence may be presented at the discretion of the President of the Board.

Architectural Control

Section 2.05

Management Company

The Management Company is responsible for facilitating the architectural process. They do not make the actual decisions on whether or not an application is or will be approved.

The Management Company:

- Receives, dates, and files applications
- Distributes the application to the architectural committee members
- Disseminates results to applicant via US mail
- Maintains hard copy files and electronic files of applications and results

Architectural Control

Section 3.01

Decks/Patios

Decks - not allowed at this time.
Patios — Architectural approval required.

Architectural Control

Section 3.02

Additions or Modifications Materials:

Materials for use on any building addition or modification must meet or exceed the quality of and be consistent with the materials used in construction of the original structure.

Compliance with the current edition of the City of Raleigh building codes will be considered meeting the minimum standards of construction. The Architectural Control Committee reserves the right to require homeowners to exceed these standards if it is deemed necessary to maintain the architectural intent of the original structure. In general, the Architectural Control Committee seeks to maintain the quality of materials and workmanship present in the original structure. Requests to use different materials than in the original structure, such as brick or vinyl siding shall be reviewed on a case-by-case basis.

Requirements:

All building additions and modifications shall maintain proper drainage on the site. If a building addition is planned or a modification that will affect drainage, homeowners are required to provide a plan that details drainage patterns and runoff as a result of the addition/modification.

The change specified below does not require approval if accomplished in accordance with the standards provided.

1. Storm Doors — It is not necessary to submit an ARC request form for storm doors as long as they conform to the standards below. Doors of other colors or styles require submission of an architectural request. If a storm door is hung that is not in compliance, the homeowner will be required to remove it. The standards are:

1. Must be of metal construction (no wood)	3. Must have a full-length pane of glass with no etching or embellishments
2. Must be white to match trim; or homes with black doors may install a black storm door	4. Hardware and kick-plate must be brushed or satin nickel finish (with scrolled lever style door handle)

Architectural Control

Section 3.03

Fences

Fences are not allowed at this time.

Trellises/ arbors are allowed but must receive approval first.

~~Architectural Control~~

~~Section 3.04~~

~~Playground & Recreation Equipment~~

~~Playground equipment will be reviewed when the architectural committee receives the first application pertaining to this subject. Submission is required.~~

Architectural Control

Section 3.05

Landscaping

Plantings

The association allows the planting of annuals, perennials and flowers that compliment the foundation plantings. Approval is not required for these types of plantings. Larger plantings and/or removal of plantings require architectural approval.

Ground Cover

Changes to the existing ground cover, extending flower beds, adding borders, bricks, rocks or edging requires ACC approval for design, color and appearance.

Temporary yard stakes are allowed however ACC approval must be obtained prior to and must be removed upon notification.

Materials used should be complimentary in color, style and texture. Borders and edging must be properly installed according to manufactures specs and maintained at all times by the homeowner. The association applies pine straw and brown mulch annually to the community.

~~Architectural Control~~

~~Section 3.06~~

~~Satellite Dishes & Antenna's~~

- A. ~~Antenna: Any device used for the receipt of video programming services, including direct broadcast satellite (DBS), television broadcast, and multi-point distribution service (MDS). A reception antenna that has limited transmission capability designed for the viewer to select or use video programming is a reception antenna provided that it meets FCC standards for radio frequency emission. A mast, cabling,~~

~~supports, guy wires, conduits, wiring, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.~~

- ~~B. Mast: Structure to which an antenna is attached that raises the antenna height.~~
- ~~C. Transmission-only antenna: Any antenna used solely to transmit radio television, cellular, or other signals.~~
- ~~D. Owner: Any homeowner in the Association. For the purpose of this rule only, "owner" includes a tenant who has the written permission of the homeowner/landlord to install antennas.~~
- ~~E. Telecommunications signal: Signals received by DBS, television broadcast, and MDS antennas.~~

~~Installation Rules~~

- ~~A. Antenna Size and Type DBS antennas that are one meter or less in diameter may be installed. Antennas larger than one meter are prohibited.~~
 - ~~1. MDS antennas one meter or less in diameter may be installed MDS antennas larger than one meter are prohibited.~~
 - ~~2. Antennas designed to receive television broadcast signals, regardless of size, may be installed, but only after written authorization is obtained from the Architectural Control Committee, and only if installing in the attic is unfeasible (Refer to section III B below).~~
 - ~~3. Installations of transmission-only antennas are prohibited in the Community 59 All antennas not covered by the FCC rule are prohibited.~~
- ~~B. Location~~
 - ~~1. Antennas shall be installed solely on individually owned property as designated on the recorded deed or other document defining the portions of common or individually owned property.~~
 - ~~2. If acceptable quality signals may be received by placing antennas inside a dwelling, without unreasonable delay or unreasonable cost increase, then outdoor installation may be prohibited.~~

~~Satellite dishes & antenna's not in use or identified by the ACC as not being used should be removed by the homeowner at their expense within 30 days after disconnection. To maintain roof warranty and to prevent water leaks only the base of the satellite & antenna should be removed i.e wiring, dish etc. The base should not be removed. Any roof leak or damage found to be caused by the installation or removal of a satellite dish will be the responsibility of the owner for repair.~~

Architectural Control

Section 3.07

Exterior Lighting

Appearance:

Modifications to exterior fixtures must be approved by the ACC to maintain architectural continuity and characteristics of the neighborhood. Generally, low voltage accent lighting confined to planting beds or along walkways and around beds is acceptable, however still requires ACC approval for design and layout. All exterior lighting must be in working order, installed according to manufactures specification and visually appealing. Other lighting devices, i.e., floodlights, spotlights, lamp posts will be reviewed on an individual basis. Exterior lighting “spread” should be limited to individual homes as much as possible and “color” of lighting should be soft white. Fluorescent lights or multi colored lights are not allowed except for holidays.

"Temporary" holiday lighting generally does not require approval from the Architectural Control Committee, however, such "temporary" lighting and any associated wiring must be removed within 10 days after such holiday or upon notice by the ACC.

Location:

Generally, low voltage accent lighting confined to planting beds or along walkways is acceptable. Floodlights and spotlights will generally be limited to rear and side yards. Specific approval shall be required for spotlights or floodlights on driveways. All exterior lighting must have location approved prior to installation. This guideline is not meant to be construed as discouraging security lighting systems, but only to control the source and spread of the light beam that may be intrusive to adjacent property owners. The application should include a diagram showing the proposed location of new lights and the lighted area.

Materials:

Include a materials list and if possible, a picture or drawing of the proposed fixtures, with the application.

Requirements:

Beam spread from all light sources should be confined to the homeowner's lot. On corner lots and locations where the lighting may affect drivers, care must be taken to insure that spotlights and floodlights do not cause dangerous safety hazards by blinding oncoming traffic.

All electrical installations must be in accordance with all applicable electrical codes and regulations.

Architectural Control

Section 3.08

Exterior Storm Doors

Materials:

Materials for use on any building addition or modification must meet or exceed the quality of and be consistent with the materials used in construction of the original structure. Compliance the current edition of the City of Raleigh building codes will be considered meeting the minimum standards of construction.

The

Architectural Control Committee reserves the right to require homeowners to exceed these standards if it is deemed necessary to maintain the architectural intent of the original structure. In general, the Architectural Control Committee seeks to maintain the quality of materials and workmanship present in the original structure. Requests to use different materials than in the original structure, such as brick or vinyl siding shall be reviewed on a case-by-case basis.

Requirements:

All building additions and modifications shall maintain proper drainage on the site. If a building addition is planned or modification that will affect drainage, homeowners are required to provide a plan that details drainage patterns and runoff as a result of the addition/modification.

The changes specified below do not require approval if accomplished in accordance with the standards provided:

Storm Doors: If a storm door is hung that is not in compliance, the homeowner will be required to remove it. The standards are:

1. Must be of metal construction (no wood)	3. Must have a full-length pane of glass with no etching or embellishments
2. Must be white to match trim; or homes with black doors may install a black storm door	4. Hardware and kick-plate must be brushed or satin nickel finish (with scrolled lever style door handle)

1. Properly installed white pre-finished, or color consistent with the house trim, aluminum gutters do not require approval. Other colors or materials require submission of an architectural request for approval. In addition, if the gutters will cause a change in normal runoff patterns and quantities sufficient to impact the drainage on adjacent properties, submission of an architectural request for approval is required.

~~Window Treatments~~

~~Window treatments require architectural approval if they deviate from the generally accepted style of curtains, drapes, or blinds with white or light beige backing. Sheets, towels, blankets, and other items not specifically made for windows are not acceptable.~~

~~Architectural Control~~

~~Section 3.10~~

~~Trash Cans~~

~~Trash cans are only allowed to be visible on designated trash pickup days. Acceptable placement for trash cans would include the garage or directly behind the unit on your concrete patio. No cans are allowed be placed on HOA property, on the grass or may be visible from the street.~~

Architectural Control

Section 3.11

Smart Doorbells

~~The ACC has approved the use of smart doorbells providing they are either battery powered or hard wired using the existing doorbell wiring.~~

~~No wires should be exposed or visible.~~

~~Doorbell color must adhere to the community standards and be brushed or satin nickel finish and any trim must be white or must match the siding.~~

~~No other accessories have been approved at this time.~~

Architectural Control

Section 3.12

Camera's

Camera's must be requested via the ARC approval process and approved by the ACC prior to placement/installation.

The ACC will provide an approved location of the camera upon approval of the ARC request.

No wires should be exposed or visible.

The exterior of the camera must adhere to the community standards.

Architectural Control

Section 3.13

Yard Decorations/Pots/Garden Flags

~~The ACC has approved Yard Decorations/Pots and Garden Flags for "Front Yards" with the limit of 3 pots/yard decorations & 1 garden flag per yard that may be placed into the flower bed area.~~

~~These decorations must adhere to the current specifications listed below:~~

~~In general, pots and decorations should enhance the aesthetic nature of the community, landscaping and buildings.~~

~~(1) Pots can be stand alone or have a metal base~~

~~(2) Potted trees are not permitted to be stored in the front of the property.~~

~~(3) Pots must have seasonal live flowers or live plants at all times or they must be removed from visibility from the street until replanted~~

~~(4) Garden flags cannot be taller than 36" and may only be placed in the flower bed closest to residents~~

home

~~(5) Security/alarm signs must be inserted in the ground and placed in the flower bed closest to the house~~

~~If the yard contains a tree/bed no decorations are allowed other than seasonal flowers~~

~~The following items are not specifically noted as not allowed:~~

~~No folding chairs or interior furniture can be stored on the front porch. Excessive items on the front porch will be reviewed by the ACC and addressed individually with each homeowner.~~

~~Garden hoses should be stowed neatly.~~

~~Excessive yard decor outside of pots and flags will be reviewed by the ACC and addressed individually with each homeowner.~~

Architectural Control

Section 3.14

General Appearance

~~With the exception of motor vehicles or motorcycles driveways and the front of all garage doors should be kept free of yard decorations, pots, ornaments or any other obstructions that may cause an unsightly appearance from the street.~~

~~Recreational equipment, children's toys, basketball goals must be stored out of sight by 11:00pm est each night.~~

~~**Car covers**—Not permitted unless inside of a garage~~

~~**Boats and trailers**—Not permitted unless stored inside of the garage~~

08/26/2020 Summary revisions to: Greenspointe ARC Guidelines

Revised:

- Table of Contents

Removed:

- 3.04 Playground & Recreational Equipment

Moved to GREENSPOINTE Rules & Regulations Document:

- 3.06 Satellite Dishes & Antenna
- 3.09 Window Treatments
- 3.10 Trash Cans
- 3.11 Smart Doorbells
- 3.13 Yard Decorations / Pots / Garden Flags
- 3.14 General Appearance