RESIDENTIAL DESIGN GUIDELINES

Fuquay Varina, North Carolina

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I. INTRODUCTION

Carolina Gardens is an active adult community designed to respect the visual character of its site, minimize environmental impacts and maximize water and energy conservation principles. In order

to preserve and enhance these principles, these Design Guidelines are established to maintain certain standards by which the community may grow and develop.

The Design Guidelines provide an overall framework to allow the community to develop and progress in an orderly, cohesive and attractive manner, implementing planning concepts and philosophy which are required by regulatory agencies and desirable to residents. The Design Guidelines include minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, and mode of landscaping and relevant criteria for the construction or addition of improvements of any nature. They also establish a process for judicious review of proposed new developments and changes within the Community.

The Board of Directors has adopted the Design Guidelines pursuant to the Declaration of Covenants, Conditions, and Restrictions for Carolina Gardens by Pulte Home Corporation, which have been recorded in the Offices of the Wake County Register of Deeds. The Design Guidelines will be enforced by Del Webb during the Development Period as defined in the Declaration, and by the Architectural Review Committee (ARC) established under Article IX of the Declaration after the end of the Development Period. The Architectural Review Committee also may enforce the Design Guidelines during the Development Period to the extent these duties may be delegated by Del Webb. For the purposes of this document, all applications for approval are assumed to be made to, and written approval issued by, Del Webb, although in some circumstances the authority to review and approve certain changes may be delegated to the Architectural Review Committee subject only to Del Webb's right to review and withhold a particular approval. The term Reviewing Entity is used in this document to mean either Del Webb or, if the review has been delegated or the Development Period has ended, the Architectural Review Committee.

The Architectural Review Committee reviews and approves modification requests. Violations of Residential Design Guidelines are handled by the management company under direction of the Board of Directors and with input from the Architectural Review Committee. Objections to Architectural Review Committee decisions may be appealed to the Board of Directors.

To the extent that any government ordinance, building code or regulation requires a more restrictive standard than that found in these Design Guidelines or the Declaration, the government standards shall prevail. To the extent that the local ordinance is less restrictive than these Design Guidelines, and any standard contained therein, or the Declaration, these Design Guidelines and the Declaration shall prevail.

Del Webb is the Declarant under the Declaration.

II. RESIDENTIAL DESIGN GUIDELINES

A. Overview

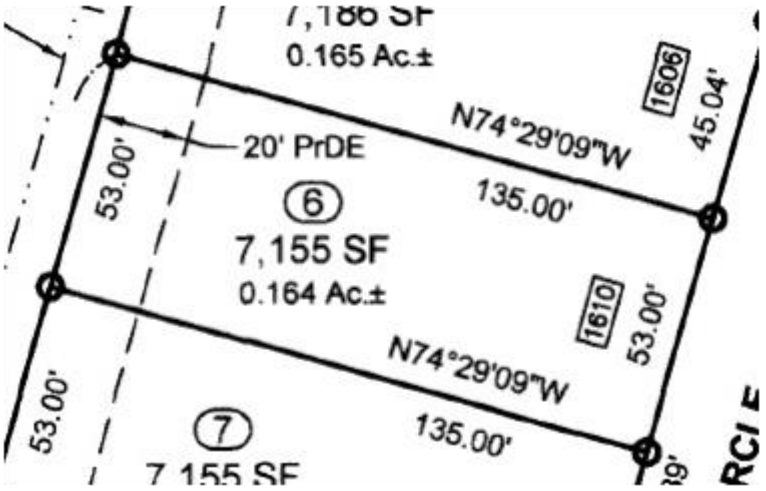
1. General Notes

a. The architectural design of any and all additions, alterations, and renovations to the exterior of an existing home shall strictly conform to the design of the original home in style, detailing, materials, and color. Any such addition, alteration or renovation shall be made only after application to, and written approval by, the Reviewing Entity. Homeowners are responsible for all cleanup of any improvement project. All debris, sod, soil, etc. shall be removed from the lot and hauled to the proper waste sites. If the project causes damage to any neighboring property, public or private, the Homeowner is responsible for any necessary repairs. Homeowners are to maintain the existing grading and drainage in place at time of closing, unless a Modification Request has been approved.

i. Easements are shown on recorded plats and depicted on owner's plot plan as PrDE (Private Drainage Easement), PrSE (Private Storm Easement), PuUE (Public Utility Easement) or similar. Easements are specific to each property and some properties will

not have any easements. Nothing may be planted or placed in the drainage easement.

ii. The example below depicts a 20' Private Drainage Easement on the rear of a property.



b. Building modifications will be considered providing that the modification does not exceed the maximum structures designed and offered by Del Webb for that specific house plan. For example, a homeowner that purchased a house without a sunroom may request a sunroom addition if it conforms to the original sunroom dimensions and architectural intent of the builder. A homeowner that initially purchased a sunroom from Del Webb would be precluded from building further additions that Del Webb does not currently offer or were previously offered. This recognizes that the original community plan maximizes the size of the homes for impervious surfaces, drainage, view corridors and esthetics given high-density zoning. The height of any addition to an existing home shall not be higher than the original ridgeline and any such addition shall require application to, and written approval by, the Reviewing Entity.

c. Scope of the Reviewing Entity/Architectural Review Committee (ARC): The HOA and its applicable committees are charged with upholding the guidelines listed here within this document. Approval for a building modification by the HOA and/or its committees does not preclude the property owner from the responsibility of obtaining all necessary permits and permissions to perform a building modification. Furthermore an 'architectural approval' does not mean that the modification meets local building codes and jurisdiction. The local municipality will ensure the modification meets state and local codes and ordinances. Due to the Reviewing Entities' experience with additions and the building process, the Reviewing Entity should advise the owner of any potential concerns with a request for modification but cannot deny a request based solely on an assumption of building code or ordinance compliance. When a concern for 'constructability' arises the HOA and/or its committees may request an approved building permit from the municipality before proceeding with their project.

d. All modifications to homes shall be built within the building setback lines o riginally established for Carolina Gardens or as modified by Del Webb with the requisite approval of the Town of Fuquay-Varina regardless of any more lenient requirements or any local governmental authority. Building setbacks are set forth in part in Appendix A.

(1) Any Homeowner or Resident who changes the existing grading or drainages shall be

liable for all costs and expenses of repairing such changes, or any costs, liabilities, damages or causes of action arising out of such changes.

(2) All roofs and sump pump ejector lines shall drain to the ground solely within the deeded lot Area and may not be discharged closer than three feet (3') of any neighboring property. Drain lines which direct roof drainage or sump pump water must be approved by the Reviewing Entity and will comply with the following standards:

(a) A drain line plan with pipe sizes, discharge locations, emitters, and existing drainage patterns must be submitted on a plot plan of the property to the Reviewing Entity for consideration.

(b) Air gaps must be provided between downspouts and sump pump ejector lines and drain line extensions.

(c) Drain line extensions may not discharge water directly perpendicular to a neighboring property or an existing drainage flow-line. Drain line alignments shall be set so that discharge water flows in the same basic direction as existing flow-lines on the lot. Emitters, water disbursement, and/or erosion control measures must be provided to eliminate erosion of the soil on the lot.

(d) Roof drain downspouts, sump pump ejector lines, or any other surface runoff or groundwater may never be connected directly or indirectly to any public sanitary sewer system.

(e) Gutters and downspouts shall match those originally installed in color and composition.

(f) No alterations or improvements shall be made which provide a roof pitch that varies from the roof originally constructed.

(3) Other Requirements:

(a) For ease of Landscape Maintenance features permitted in a grassed area may require a 6" mulched area surrounding that feature and the HOA has the right to kill the grass surrounding the feature.

(b) All trash *and recycle* containers shall be covered containers and shall be stored in the garage of each unit. Trash *and/or recycle* containers may be left out for collection at dusk on the day prior to collection and must be re-stored by dusk on the day of collection.

(c) All intended structures/modifications must receive written approval by the Reviewing Entity before installation will be permitted.

Notwithstanding the above, Developer shall be allowed to install any structure necessary for purposes connected with the development of Carolina Gardens and/or as may be described in the Declaration.

2. <u>Items Not Needing Approval</u>

- Approvable plants and shrubs under *three feet (*3) high in a previously mulched Area.
- Portable barbecues/gas grills not requiring an additional utility, e.g., gas line, connection.

3. Items on Fast Track Approval List

Approval of Fast Track items will be expedited. No signatures are required with Fast Track items. All Fast Track applications should be submitted online at: ***www.TownSq.io***

- ☐ Attic Fans (II.C.6.a.)
- ☐ Barbeque Natural Gas Connection (II.C.6.a.)
- ☐ *Doors – Storms and Screens (II.C.12.)*
- ☐ Flag Mounts and Flags (II.C.15.)
- ☐ *Fences – Invisible (II.C.14.)*
- ☐ Hoses and Hose Reels (II.C.20.)
- ☐ Irrigation Systems (II.C.21.)
- ☐ Lights-External Motion Detection Security Lighting Rear (C.II.23.b.)
- ☐ Lighting – Low Voltage/Solar (Pathway Lighting) (II.C.24.a.)
- ☐ Satellite Dish and Antennas (II.C.29.)
- ☐ Solar Tubes and Sun Tunnels (II.C.23.b.)
- ☐ Tree – Front Hardwood Replacement (II.C.37.)
- ☐ Edging Material – Aluminum and Steel Coated (II.D.6.a.)

4. Items That Can be Attached to House, With Approval

- ☐ Flag Mount (one)
- ☐ Hose Reel
- ☐ Ornaments
- ☐ Plaques

5. Prohibited Structures

Pursuant to the Declaration and/or these Design Guidelines, the following structures shall be prohibited from use in Carolina Arbors:

- ☐ Above ground tanks
- ☐ Accessory buildings, including gazebos, greenhouses and guest houses
- ☐ Artificial vegetation
- ☐ Asphalt as a paving material
- ☐ Bird or squirrel houses exceeding the roof eave in height
- ☐ Children's play equipment
- ☐ Clothes lines or clothes poles
- ☐ Detached garages
- ☐ Driveway Expansion or Pavers (in or near driveway)
- ☐ Permanent sports goals or similar devices
- ☐ Permanent swimming pool
- ☐ Security Doors
- ☐ Stand-alone flagpoles
- ☐ Storage buildings or sheds
- ☐ Tents of a permanent nature

B. Modifications to Private Area

All modifications to the Private Area will require approval, unless this document specifically states that approval is not required. The following are guidelines and criteria as to what modifications may be allowed.

1. Definition of Private Area

a. The Front Private Area includes all portions of the lot bounded by a line extending from the original side foundation walls in the front of the home to a line 1 foot from the original front service walk (sidewalk), or 10 feet from the curb if no sidewalk exists. There must be at least 25% grass in the Front Private Area excluding the driveway and walkway to the front door.

b. The Rear Private Area extends back between the original side foundation walls of the house and is measured from the front garage corner to a fixed point. The straight Rear boundary line of the Private Area connects the side boundaries at 90° angles at the corners. The fixed point shall be the lesser of 30' off the outermost original rear wall of the home (exclusive of sunrooms, screened porches, lanai's) or 6' off the rear property line (as measured by the projections of the sides of the home.)

To preserve attractive view corridors and promote efficient landscape maintenance, no installation of landscape, hard-scape materials or other improvements (other than underground sprinkler systems if otherwise approved under the review procedures described in these Guidelines) by Homeowners shall be approved for any portion of the lot outside the Private Area, except in the following limited circumstances:

For Rear Yards of all lots, or side yards that face a street, or as noted in II.B.2d. the installation of landscaping, hard-scape materials or other landscape improvements by Homeowners may be permitted in the applicable Rear Yard or side yard provided plans thereof are approved in writing by the Reviewing Entity prior to the installation of any landscaping, hard-scape materials or other landscape improvements on any such lot. Plans for any such installation must otherwise be in conformance with the provisions of the Design Guidelines and contain acceptable plantings and materials. The Reviewing Entity, in its sole discretion, may consider the following criteria when reviewing a request hereunder: 1) the impact the improvements will have on views, both on and off the subject lot, 2) the impact the improvements will have for purposes of future maintenance of the Areas affected by said improvements, and 3) whether the improvements will enhance the overall appearance of the community. The Reviewing Entity shall have the express right to specify the location of any such improvements outside the Private Area. In addition to prior approval by the Reviewing Entity, each Homeowner proposing any such improvements must first obtain the written acknowledgement of all Homeowners who own lots which are adjacent to the lot which is the subject of such improvements. The written acknowledgement of the adjacent Homeowners shall be made a part of the application to the Reviewing Entity for such improvements but does not constitute approval of the proposed project.

2. Landscaping Modification

Landscaping modification will be considered on a case-by case basis and are governed by the following Guidelines:

a. Addition or Expansion of a Mulched Bed. Creation of a new/mulched beds is permitted in the yard where space permits. It is necessary for residents to keep lawn maintenance access points (a minimum of 3' between mulched beds).

b. Back Yard includes all portions of the private lot bounded by a line extended back between the original side foundation walls of the house to the back property line. The backyard must always remain a minimum of 40% grass.

c. Front Yard includes all portions of land between the residence, the right, left and front property lines. The front yard must be a minimum of 25% grass, excluding the driveway and walkway to the front door.

d. Side Yard plantings may be used on the sides of the residence inside a continuous mulched strip no greater than 18 inches wide running adjacent to the foundation but not in the swale. Wider foundation plantings and additional landscaping are permitted on the side of a residence on a case-by-case basis. This includes residences whose side lot faces a street, a common area, or is large.

3. Attachments to the Modification Request Form (see Appendix B)

a. Contractor is the company installing and/or building the requested modification. Certificate of Insurance is the proof that the contractor is covered by Insurance. Homeowner should obtain this for his protection. If contractor fails to obtain coverage, the requestor may be responsible for any liability incurred by the contractor.

b. Elevation drawing is a side view that will show height, topography of land, and visual image of the change.

c. Material list is the description of the materials which make up the item requested, e.g., pressure treated wood, vinyl, pavers.

d. Picture is a photo of the requested item, or a brochure showing the item.

e. Photo of existing area being modified.

f. Plot Plan is a top down drawing showing location of existing structures, easements, property boundaries relation to adjoining properties, and location of proposed changes. It is the recorded drawing of each house on its lot. Legends should be used to help identify items on Plot Plan. The Plot Plan for your property should have been provided to you at closing and should look something like this:



NOTE: Construction Plans must include all required details to complete the proposal, i.e., foundation, framing, and other details with required dimensions.

C. Modifications to House Exterior and Grounds

All modifications to the House Exterior and Grounds will require approval unless this document specifically states that approval is not required. The following are guidelines and criteria as to what modifications may be allowed.

1. Additions to House

Additions to the home such as adding a screened porch, a lanai (with or without windows) or a sunroom which has windows, insulation, and a climate controlled environment may be added to occupied homes only under the following conditions:

a. The hard surface must be within the 40% Rear Private Area. This includes any egress required by the Town of Fuquay Varina or any other governing entity or any additional hard surface Areas for use of grills, etc., and any landscaping around the addition. The addition of any permanent walls does not redefine the original Rear Private Area.
b. The addition does not obstruct view corridors as described in the Private Area definitions.
c. The water flow resulting from the additional hard-scape does not affect any neighbors or create additional erosion issues.
d. The addition must comply with the following:

(1) The roof pitch must be the same as the roof originally constructed or similar to the optional structure offered by Del Webb. The shingles must match the original house shingles in texture and color. Roof construction must be similar to other Carolina Gardens roofs.

(2) Siding should match the color and style of the main house.

(3) Each screened Lanai or Sunroom requires a similar foot print and roof-line offered by Del Webb.

(4) Soffits, gutters and downspouts must match the color and style used by Del Webb in the

construction of the main house.

(5) Any windows and doors should match the colors and styles used in other Carolina Gardens construction. All hardware should be comparable to that of the original hardware. Transoms can be used above doors and windows where practicable. Windows are also subject to restrictions covered elsewhere in these Guidelines.

Required with request: Plot plan with improvements sketched on Plan, Pictures or Brochures, Building plans, Material list, and Contractor.

2. Architectural Features (Benches, Planters, Fire Pits, Yard Lights, etc.)

Landscape architectural features include such items as ***porch swings***, benches, planters, fire pits, yard lights, etc. that are an integral part of a landscape architectural design. All outdoor fires must be fueled by natural gas, charcoal or wood. Drawings must be provided to the Reviewing Entity which clearly show the location, size, and materials planned for these features. In addition, a photograph of the home and the relationship of the feature to the existing or proposed landscape must accompany the submittal. Landscape architectural features may be located in the Front or Rear Private Area of the lot only. Outdoor furniture must be stored in non-grassy portions of the Private Area

Required with request: Plot plan with improvements sketched on Plan, Pictures or Brochures, Material list, and Contractor.

3. Artifacts and Statues

a. Decorative components such as artifacts and statues shall be limited in height to four feet (4') above the natural grade of the lot. Statues and artifacts will be allowed only in the Private Area of the lot if they meet the following criteria:

(1) Artifact: Shall include the following:
Clay, masonry, metal or wooden objects including birdbaths, animals, gnomes, cutout objects, and planters. Artifacts may not exceed four feet (4') in height. Pots made from traditional garden materials are encouraged. Plastic artifacts are not permitted. The Reviewing Entity reserves the right to limit the number of artifacts in the Private Area.

(2) Statue: Shall include the following:
Clay, masonry, metal, or wood statuary, including human figurines, animals, religious figures, etc. Plastic statues are not permitted. Statues may not exceed four feet (4') in height. The Reviewing Entity reserves the right to limit the number of statues in the Private Area.

The Reviewing Entity reserves the right to limit the number, size, style and quantity of all yard decorations. No articles shall be left on portions of the lot so as to impede mowing and maintenance activities.

The Reviewing Entity reserves the right to require screening of artifacts and statues. If plantings are used for screening, adequate screening shall be plantings which initially, i.e. when first installed/planted, screen a minimum 50% of the statue or artifact, and which substantially screens the statue or artifact one (1) year from date of approval.

Decorative landscape features and fountains with small decorative features do not require screening as long as the decorative landscape feature does not exceed four feet (4') in height

from the natural grade of the lot. Yard decorations, decorative landscape features and fountains must be within the Private Area. The Reviewing Entity reserves the right to restrict the number of Decorative Components and may deny an application for the addition of a

Decorative Component/Yard Decoration strictly on aesthetic grounds. In addition, "holiday decorations" shall not be construed to be "Decorative Components/Yard Decorations".

Required with request: Plot plan with improvements sketched on Plan, Pictures or Brochures, Building plans, Material list, and Contractor.

4. Attic Fans (Fast Track Option)

Attic fans are permitted as long as no more than two can be viewed from the street at any one spot, but not over the front entrance. If roof mounted, the color must match the color of the roof. Contractors must comply with the local building codes.

Required with request:

5. Retractable Awnings

Awnings or similar shading devices are permitted on the Rear of the home only, and must be solid, light to medium earth-tone in color to match the exterior siding of the home as closely as possible. Awnings must remain retracted at night. No advertising, stripes, patterns, or logos are allowed on awnings. Awnings must be installed over a patio area and not over turf.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list, and Contractor.

6. Barbeque Grills – Charcoal/Gas/Propane

Built-in or portable barbecue or gas grill units shall be for cooking only and must be located within the Rear Yard Private Area. Built-in barbecue units must be designed as an integral part of the home. Location must be carefully planned to minimize smoke or odors affecting neighboring properties. For safety, the location from the residence of any grill unit must take into account local requirements and recommendations. All outdoor grills must be propane, natural gas, or charcoal. *Outdoor wood-burning pizza ovens can be approved on a case by case basis.* Built-in or portable gas grills requiring installation of a gas line, and/or electricity requires an application be submitted to the Reviewing Entity. Portable grills must be stored on a grill pad, a hard surface, such as concrete (grey in color) or pavers (grey in color or earth tone in color). Installation of a surface for such purpose may not exceed 4 feet in any direction and no more than 16 square feet. If installed the grill pad counts against the impervious surface limits in II.C. 25 b.

a. **Barbeque (Fast Track Option):** Connection of a barbeque grill to a gas line shall be a fast track item if the gas line was installed as a part of original construction or the gas line installation has been previously approved by Reviewing Entity.
b. Installation of a new gas line and connection of a grill requires Reviewing Entity approval through the normal process. Any required permits must be secured by the homeowner and installation must be by a licensed contractor. All other standard provisions apply.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list, and Contractor.

7. Bird Feeders and Houses

Up to two (2) Bird House/Feeder may be installed within the mulch area of the Rear Private Area. The structure may not be larger than 12"(l) X 12"(w) X 36"(h) and not be higher than the eaves of the home as measured from the ground to the top of the Bird House/Feeder. Installation on perimeter walls, aluminum fences, or under the house eaves is not allowed.

One (1) Bird House or Feeder is permitted within the mulch area of the Front Private Area (FPA). The structure may not be larger than 12"(l) X 12"(w) X 36"(h) and not be higher than the eaves of the home as measured from the ground to the top of the Bird House/Feeder. This structure will count as one (1) Decorative Component in the Front Private Area. Installation on perimeter walls, aluminum fences, or under the house eaves is not allowed. Multiple bird dwellings such as "Bird Condos" or bird/chicken coops are not allowed.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list.

8. Covered Lanai Modifications/Enclosures

a. Modifications to an existing covered lanai will be considered providing that the modification does not exceed the original maximum structure as designed and offered by Del Webb for that house. This recognizes that the original community plan maximizes the size of the homes for impervious surfaces, drainage, view corridors and esthetics given high-density zoning.
b. Modification Requests may be submitted to enclose an existing covered porch/lanai.
c. Applicants are cautioned that enclosing a covered porch/lanai that blocks egress from the master bedroom with glass may not be permitted or may require additional home modifications due to fire regulations. The Reviewing Entity/ARC may require either a building permit, or written proof that the proposed modification is not in conflict with any fire regulations prior to project commencement.
d. Outdoor Vertical Shades (Automatic or Manual mounted on the inside of the structure): Drop down automatic/manual shades are permitted over screens or windows on a rear covered or screened lanai. They must be a solid color and match the trim on the home.
e. Automatic Retractable Screens: Drop down automatic screens on a rear covered lanai. Must be mounted inside lanai so as not visible when in the retracted position.

Required with request: Plot plan with improvements sketched on Plan, Design, Pictures/Brochure, Contractor and Materials List.

9. Decorative Components/ Yard Decorations

a. The combined number of decorative components/yard decorations in the Front Private Area is limited by the builder model category of your home; Passports can have up to four (4) decorative components, Expeditions can have up to five (5), and Pinnacles can have up to six (6). Porch furniture, potted plants, plaques, wreaths & door ornaments which are placed on the front porch are excluded from count but may be limited by the Reviewing Entity. The combined number of decorative components/yard decorations in the Rear Private Area is limited by the builder model category of your home; Passports can have up to four (4) decorative components, Expeditions can have up to five (5), and Pinnacles can have up to six (6). Any patio furniture, potted plants, or door decorations on lanais or patios are excluded from the count but may be limited by the Reviewing Entity.

b. All decorative components/yard decorations must be placed clearly within the mulched area or on the

concrete walkway from the driveway to the front door. No decorative components can be placed on the driveway which is defined as the cement area in front of the 2-car garage.

c. One cohesive grouping of small decorative components may be counted as one decorative component.

d. **Two (2) potted plants may be hung from the front porch ceiling structure. Any plaques that are displayed on the front porch may include language limited to "welcome", occupant, house number, or a combination of thereof. Plaques with any other words, or words in addition are not allowed. Plaques may not exceed 18" x 12" in size. Plaques are only allowed to be located on the front porch; plaques located outside of the front porch will be subject to the Guidelines for signage found in Section C.33. Decorations hung on the wall are limited to one (1) facing the primary street of the home. Decorations must not exceed 42" x 42" in size and must be kept in good repair. Once additional decoration may be hung on the exterior garage wall that is perpendicular to the road, and adjacent to the front door. (V.1.2: September 23, 2025)**

e. **Small, decorative garden flags do not require a modification request be submitted to the ARC for approval. Garden flags are limited to one flag per lot and may be no larger than 18" x 12" and may only be placed in planting beds. Garden flags may only be representative of the following: current seasons (spring, summer, fall, winter), current holidays (subject to the holiday decoration duration guidelines found in Section c. 31.),** ***military branches (V.1.3: July 9,2026)*** **or sports teams.**

f. Exceptions to this Residential Design Guideline may be submitted to Architectural Review Committee for review.

10. Doors – Entrance

Door design must be either: 1) solid-color with 6-panel colonial solid, 2) window design consistent with other doors in the community, or 3) consistent with the doors listed in Appendix C. Door hardware must match existing hardware. Repaint colors must match the original color. Stained doors may be painted the color originally offered by the Declarant. Painted doors may be replaced with the equivalent stain grade door offered by the Declarant and stained the color offered by the Declarant;

Required with request: Picture, Material list

11. Doors – Rear

Rear entrance door must be white or match original color. The original windows must remain in place. Security doors are prohibited. Pet doors may be installed in rear exterior doors. Pet doors are not allowed in front entrance doors. See Appendix C for approved Front Door Styles

Required with request: Picture, Material list

12. Doors – Storm and Screens (Fast Track Option)

Acceptable storm and screen door additions are shown in Appendix E. Acceptable storm doors are full glass insert; no etched glass is permitted in a storm door. The door color must be white or match the color of the door or house trim it stands in front of, and the hardware must be consistent with the original hardware of the existing door. Del Webb makes no representation as to the compatibility of storm doors to existing entry doors or their assemblies. Storm doors with retractable screen inserts may be used as long as they meet the specifications required of the storm doors.

Required with request: Picture, Material list

13. Fencing and Railings

(NOTE: Once Rear Area fencing is installed, landscape maintenance for the enclosed area will not be provided or may be provided for an additional fee)

a. No alterations, changes, or additions shall be allowed to any fences provided by Del Webb.
b. Homeowner installed fences will be allowed only within the Rear yard portion of the Private Area provided, however, that in no event may a fence extend beyond the Rear yard setback line unless there is an existing Del Webb provided fence, in which case, the resident may construct a fence going up to, but not connecting to, the Del Webb provided fence in the Rear yard and it is of the same material/appearance. All fences have at least a five feet (5') setback
from the Rear lot line, except that fences being extended to a Del Webb provided fence will be reviewed on a case by case basis.
c. No fence may be erected in a swale.
d. Whenever a fence is erected in the Rear Private Area by the homeowner, the homeowner is responsible for its maintenance and the cost of its removal should that become necessary.
e. No fences shall be allowed in front or side yard areas.
f. All fences must be within thirty-six inches (36") and forty-eight (48") in height. All fences should have 90° corners and run parallel and perpendicular to the primary wall surfaces of the home as originally constructed, except the fence angle and a location outside the Private Area may be considered to skirt obstacles. On a sloping terrain, the top and bottom rails of all fence sections shall be level, and the fence segments must be stepped down in equal increments not to exceed eight inches (8") each to adjust to the changing grade. The bottom rail or picket of any fence must be no more than two inches (2") above the finish grade of the lot. No fence will be constructed that is in conflict with the drainage pattern as established for the lot.
g. All yard fences must be of approved black aluminum tubular design. The structural components of the fence must face the interior of the fenced in area so that the more "attractive" side of the fence faces outwards. See Appendix F for approved styles. A twelve inch (12") wide mulched area (6" on each side) is required on fence perimeters where HOA maintenance is provided. The HOA is permitted to kill grass within proximity to a fence to simplify maintenance.
h. Consideration will be given to masonry knee walls, alone or in combination with black

aluminum metal tubular fencing within Rear yard portions of the Private Area. Chain link fencing shall not be permitted. A site plan showing fence alignments and maintenance program for upkeep of fence must be submitted for approval prior to construction in accordance with the review procedures hereof. It is the intent of these provisions to preserve view corridors and access for efficient maintenance, and to protect drainage patterns established with the original lot design.

i. An attached fence must be placed on the Rear Private Area boundary line unless a shorter distance is required by the lot setback and must conjoin at 90° angles. Attached fences must be erected at grade and be used to enclose and/or define an existing space.
j. An approved rail may only surround a deck. It must be constructed in such a manner as to meet local and national building codes. All rails must be constructed with a smooth top so as to be able to serve as a handrail. Deck rails and attached fencing cannot exceed 48" in height from decking and must be constructed to match the material and color of the decking and trim of the home. From time to time Del Webb may designate other approved equals. A dimensional plan, construction details, plat map, and photographs of the existing home must be included in the submittal.
k. Railings for patios, porches, and concrete areas must be of either approved black aluminum tubular design or white vinyl or match the trim color and the height consistent with the design of the Area where railings are to be installed, e.g., between columns on front porch.
l. Applications for privacy fences, privacy panels and privacy landscaping must be submitted for approval prior to installation. Panels can be parallel (can only extend as far as the original optional patio) and perpendicular (no more than 8' in length) to the primary wall surfaces of the home as originally constructed. ***A second ten feet (10') section may be installed at the opposite corner of the home from the patio to afford privacy from both sides. When installed, there must be a twelve inch (12") strip of mulch installed under the panel.*** Approvals will be granted by the Reviewing Entity / ARC on at case by case basis. (Appendix H) Privacy panels may extend up to 6 inches into a side yard if necessary to avoid the foundation of a patio, screened porch or lanai.

Required with request: Fence location on Plot plan, Picture, Material list including color/height & material of fence, and Contractor.

14. Fences – Invisible (Fast Track Option)

Invisible fencing is intended to be used in the **Rear Private Area** for the restraint of pets. Invisible fences may be extended past the Rear Private Area on a case-by-case basis. No alterations of the yard grade shall be permitted by the installation of such system. Neither Del Webb nor the Homeowner's Association shall be responsible for repair to any system that is damaged by normal maintenance of the yard by the Homeowner's Association or their designee. Regardless of the method of restraint used, pet owners are responsible for assuring that their pets do not run free and must maintain control of pets at all times. Pet owners are liable for any damage to persons or property caused by their pets. Invisible fences may only be approved in the rear of the home.

15. Flag Mounts and Flags (Fast Track Option)

There shall be no stand-alone flagpoles allowed on residential lots in Carolina Gardens. One (1) flag mount may be attached to the front eave of the house, or to the front of the residential structure, if the mount is secured to a wooden stud or anchored in masonry. The location of such flag mount must be approved by the Reviewing Entity. No part of the flag may extend four (4') feet beyond any eave. The size of the flag may not exceed 4'x 6'. One low-voltage or solar up-light will be permitted for the lighting of United States of America flag only.

16. Fountains and Water Features

Fountains and water features shall be limited in height to four feet (4') above the natural grade of the lot. Any fountain shall be of natural material, color and design, each of which is compatible with the overall architectural theme of Carolina Gardens. Fountains and water features shall be permitted only within portions of the front or Rear Private Area. Design of these features should discourage creation of stagnant pools of water.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list, and Contractor.

17. Front Entry and Rear Patio Concrete Coatings

A coating may be applied only to the concrete under the front roofed entry or rear patio, but shall not be allowed on the front walkway, sidewalks or driveway. A coating (CR-90) produced by CMP Specialty Products or its demonstrated equivalent may be applied in a 1/16" to 1/2" application. The coating may only be applied in a light gray color which is the color of raw concrete. The coating should only be applied by a contractor certified to apply that material. Stamped concrete that looks like bricks or a rough tile surface, tiles, stone, or other natural materials may be used on top of the front roofed concrete entry. Rear Patio coatings are allowed on rear porches and patios, subject to prior approval and at the discretion of the reviewing board. Rear patio tile is allowed in consistent grey colors.

Required with request: Plot plan with improvements sketched on Plan, Material list, design

18. Garage Windows

One row of windows may be added to the top panel of the garage door in one style: Four 4-pane rectangular windows. See Appendix D.

Required with request: Picture, Material list, and Contractor.

19. Generators

Permanently installed low noise (<72db) natural gas emergency generators are permitted. They must be located ***in a mulched planting bed of the home within five feet (5') of the builder installed HVAC unit. If the generator is installed in front of the HVAC unit, screening must be installed within five feet (5') of the front generator consisting of at least two evergreen shrubs. (V1.3 July 9, 2026)*** **Permanent installation of propane, diesel, or gasoline generators will not be approved.**

Required with request: Plot plan with improvements sketched on Plan, Material list, Contractor, Screening material/Landscape plan.

20. Hoses and Hose Reels(Fast Track Option)

Hoses may either be attached to a wall mounted reel, as long as the bottom of the hose is at least 2' above the ground or be placed on an earth tone colored slab or a paver pad with dimensions no greater than 3' wide and 3' deep. One additional hose pad may be created, depending on space between houses, if the distance between houses is over 12 feet. No hoses or hose mounts may be stored in the front of the house.

21. Irrigation Systems (Fast Track Option)

Irrigation systems may be installed provided they comply with all governmental regulations concerning their operation. In-ground systems which utilize an irrigation meter must bury all distribution tubing and ensure that pop-up spray nozzles do not interfere with lawn cutting.

Backflow prevention valves installed outside may be concealed with natural colored synthetic rocks or evergreen plantings. No part of the backflow prevention assembly may extend more than 12" from the face of the house. When a backflow prevention valve is installed in the garage, and a drain line is required, the pipe may be visible on the side of the house. The water discharge must be directed to a mulch area.

Watering of lawns between houses is not permitted. A house on a corner lot may water the lawn and plants up to the sidewalk. Watering either on or across impervious surfaces is not permitted.

22. Landscape Walls

a. No alterations, changes, or additions shall be allowed to any walls provided by Del Webb for any residence.
b. Where walls have not been provided by Del Webb, walls will be allowed only within the Rear Private Area. No walls shall be allowed in front or side yard Areas, unless required by law. No wall may exceed 48" in height. All walls must run parallel and perpendicular to the primary wall surfaces of the home as originally constructed. No wall will be constructed that is in conflict with the drainage pattern as established for the lot.
c. Consideration will be given to masonry knee walls, 36" or less, alone or in combination with black aluminum metal tubular fencing, within Rear yard Private Area. Masonry knee walls may include curves in the design.
d. A site plan showing wall alignment must be submitted for approval prior to construction in accordance with the review procedures hereof. It is the intent of these provisions to preserve view corridors and access for efficient maintenance, and to protect drainage patterns established with the original lot design.
e. Approved building materials are brick, cultured or natural stone, or masonry block. See Appendix G.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list, Contractor, and Construction Plans.

23. Lights – External (Motion Detection Lighting is a Fast Track Option)

a. Exterior fence, building or deck-mounted light fixtures, including spotlights, floodlights, lantern lights and stair lights shall conform to the architecture of the home and are subject to approval by the Reviewing Entity. Enclosures of light fixtures shall be designed to conceal the lamp bulb. No lighting shall be permitted that constitutes a nuisance or hazard to any Homeowner or neighboring resident.
b. Exterior security lights or fixtures that are designed to alert the resident of unusual or unwarranted activity on their property require written approval.

    (1) The only types of security lights allowed are photocell types that are automatically activated by motion. They should be set for a minimum on-time upon activation of 10 minutes or less, following which they should be extinguished until the next activation.

(2) Security lights must be aimed onto the applicant's property only. Under no circumstances should a security light be aimed in the direction of the property of another resident.
(3) Security lights may be approved for the Rear Private Area only.

c. Fixtures may be incandescent, metal halide, mercury vapor, high-pressure sodium, or LED lamps. Replacement light fixtures should be similar to that which was previously installed. Colored or multicolored lights or changing color lights are not permitted except at holiday times. Gas lamps are not allowed.
d. Junction boxes and other lighting hardware shall be placed below grade or screened by landscape material to minimize daytime visibility.
e. Post-mount light fixtures shall not exceed a height of six feet (6') from finished grade. Post-mounted light fixtures shall conform to the architectural character of the home and will be subject to approval by the Reviewing Entity.

Required with request: Plot plan with improvements sketched on Plan, Material list, and Contractor. Note: Attaching lighting to your home may void applicable warranties from Del Webb.

Note: Seasonal lights are not included in this section. Please see section 30. Seasonal Decorations for "holiday lights" guidelines.

24. Lighting – Low Voltage/Solar (Fast Track Option)

Low voltage/solar light fixtures and decorative lighting are allowed within the Front and Rear Private Area of residential lots only.

a. Pathway Lighting (Fast Track Option) - Low voltage/solar light fixtures may be used in the Front and Rear Private Areas for low-level pathway lighting. Lights along a pathway must be in the mulched area, within six (6) inches of the pathway, and at least 4 feet apart. Low voltage/solar lights should not be installed along driveways unless there is a special need and prior Reviewing Entity approval has been granted through the normal Architectural Review Committee approval process. Pathway lighting will not be approved in non-pathway areas.

b. Landscape Lights and Accent Lighting (NOT a Fast Track Option)– Low voltage/solar light fixtures used for landscape accent lighting may be used in the Front Private Area. The maximum total number of combined landscape accent lights allowed in the Front Private Area of the home is limited by the builder model category of your home; Passports can have up to 3 lights, Expeditions can have up to 4, and Pinnacles can have up to 5.

c. Light fixtures may not exceed 18" in height, shall conform to the architectural character of the home, and will be subject to approval by the Reviewing Entity.

d. In special circumstances, the Reviewing Entity may allow more than the maximum number of light fixtures. A lighting layout plan must be submitted to the Reviewing Entity for review and approval.

e. Light fixtures shall be located and aimed carefully so that they do not constitute a nuisance or hazard to any homeowner or neighboring resident.

f. Junction boxes shall be placed below grade or screened to minimize daytime visibility of hardware.

g. No colored or multi-colored lights or changing color lights are permitted except at holiday times as defined in Section 31 of the Residential Design Guidelines.

25. Patios, Decks, and Sunrooms

a. Decks, patios and courtyards should be designed in harmony with the architecture of the home and match as to material, color and size as offered by Del Webb and must be installed in the Rear Private Area. All handrails, rim joists, stringers, spindles and any other vertical member shall be constructed of cedar, primed and stained to match the trim color of the home; or of vinyl; or of black metal. Decking, flooring, and understructure can be constructed out of approved chemically pressure treated lumber or composite / engineered materials. A dimensional plan, construction details, plat map, and photographs of the existing home must be submitted with the application to the Reviewing Entity. No deck, patio or courtyard will be constructed that is in conflict with the drainage pattern as established for the lot. Decks must be adjacent to the house.

b. The maximum impervious surface for decks, patios, and courtyards shall be the maximum rear option square footage for the specific home built on the lot at the time of purchase from the Declarant. (The paver patio option offered by the Declarant varied in size due to the walkways leading to it, therefore, for the purpose of determining the rear option square footage available for the paver patio is assumed to be 150 square feet.) As an example, if the home built with the rear options including a sunroom, screened porch and 3'x3' concrete pad, however, an additional 10'x10' patio was offered in lieu of the 3'x3' pad and 150 square foot paver patio was also offered, then an additional deck, patio, or courtyard may be built using the following calculation (10'x10')-(3'x3')+150SF = 241 SF. Therefore a 241 SF deck, patio or courtyard may be added.

c. No extensions or modifications of decks, patios, or courtyards as constructed by Declarant
shall be permitted without prior written approval of the Reviewing Entity, and no extension or modification shall be approved if it is determined to have a material adverse impact upon neighboring properties and/or the community. The size of decks and patios shall be determined by the available space, within the Rear Private Area, and must be within the Rear Private Area (RPA), comprise no more than 40% (total of all cumulative changes) of the Rear Private Area (RPA), and be contiguous with the original patio, or foundation of the Rear portion of the house. The Reviewing Entity reserves the right to limit the size and location of decks.

d. Decks and Deck Maintenance

(1) Decks are not allowed on ground surface. Decks are only allowed where on lots and in locations originally offered by the Declarant. For waterproofing without color change, a clear deck sealer is allowed to protect decks. This should be applied to the top of the floor decking, top and sides of the deck rail components and all sides of the deck support posts including braces.

(2) For waterproofing with color change, semi-transparent stains. No solid stains or paint are permitted. These stains should be applied to the same surfaces as specified in 1 above.

e. Sunroom Definitions:

EZE Breeze Style Screen Porch - A Screen Porch or Covered Patio with Vertical or Horizontal Stackable Vinyl Panels or Sliding Vinyl Panels that Protect the structure from wind, rain, insects, dirt, and pollen. This structure keeps the feel of a screen porch. The structure can be built with or without a knee wall.

Three Season Style Screen Porch - An Enclosure with Stackable Vinyl/Glass Panels, Sliding Vinyl/Glass Panels, or Glass Windows that Protect the structure from wind, rain, insects, dirt, and pollen. This structure must be built with a knee wall. Additional insulation can be used but not climate controlled through the house A/C or heating system.

Sunroom Addition - A structure built with Glass Windows supplied with appropriate climate control through the house A/C and Heating System. The structure must be built with a knee wall.

All exterior trim for EZE Breeze Style Porches shall be either white(to match the trim of the home) or bronze (to match the gutters) in color. If adding a knee wall to a sunroom or porch it must match existing siding in material and color or it can be glass with the understanding that the HOA is not responsible for any damage caused by the landscaping company or any other vendors that may be operating around the home.

Required with request: Chip Samples, Plot with improvements sketched on Plan, Plan, Material list.

26. Pavers

The use of concrete or pavers to extend or widen driveways is not permitted. However, pavers may be used in the Rear Private Area to extend, enlarge, or construct a patio.

Required with request: Plot Plan with improvements sketched on Plan, Material List, Construction design/plans, including dimensions.

27. Pergolas, Trellises, and Arbors

Definitions:

Trellis: A trellis is an architectural structure, usually made from an open framework or lattice of interwoven or intersecting pieces of wood, bamboo or metal that is normally made to support and display climbing plants, especially shrubs.

Pergola: A pergola is a garden feature forming a shaded walkway, passageway, or sitting area of vertical posts or pillars that usually support cross-beams and a sturdy open lattice, often upon which woody vines are trained.

Arbor: Pergolas are sometimes confused with arbors and the terms are often used interchangeably. An arbor is generally regarded as a wooden bench seat or walk-through with an overhead structure, usually free standing and enclosed by lattice panels forming a framework for climbing plants. A pergola, on the other hand, is a much larger and more open structure and does not normally include integral seating.

a. All pergolas, trellises, and arbors will be constructed of vinyl, cedar, pressure treated

lumber, or composite / engineered materials and be painted white or finished to match the trim color of the home or stained to match a deck, or have a clear sealant applied. Trellises and arbors can also be made of black wrought iron. Construction drawings, elevations, and details must be submitted for all pergola, trellis, and arbor applications. Any wood pergolas, trellises or arbors must be treated with stain or sealant and that should be specified in the application.

b. Structures must be constructed within the Rear Private Area of the lot and may not exceed 40% of the width of the home or be a maximum width of 18', whichever is less.

c. Pergolas and shade structures must be structurally sound and anchored in accordance with local codes. Knee bracing or cross-bracing shall not be utilized on any side of the structure. The lowest member of framing of a pergola may not exceed the eave height of the home. Pergolas can be attached to the home, subject to the provision that it could void the home warranty. However, shade structures may not be attached to the home. The Reviewing Entity may require residents to obtain a building permit (if applicable) from Town of Fuquay Varina. See Appendix H for an example of a typical pergola.

d. One or more trellises may be installed to shield a patio or deck if approved by the Reviewing Entity. Attaching a trellis to your home may void applicable warranties from Del Webb. Trellises used to screen decks or patios that have a height extending to the eaves of the home may have a maximum width the greater of eight feet (8') or the depth of the deck / patio but in no case shall exceed 16 feet (16’) if approved by the Reviewing Entity. Applications for trellises, which do not extend to the eave (lowest roof overhang) height of the home, shall be reviewed on a case-by case basis to determine allowable width and configuration. Each trellis must be designed to support plants or vine growth and thereafter maintained with plants or vines growing on it, and remain plumb, level, and structurally sound. The intent of these Design Guidelines is that trellises may not be used as substitutes for fences. See Appendix H for an example of a typical trellis. A trellis may be installed outside the Private Area if screening a lanai. Trellises may be placed in mulched beds along the side of homes that face a street, or on side yard beds where 25' or more exists between buildings.

e. One (1) arbor may be installed only if structurally sound and in accordance with local building codes. Arbors may not be attached to the home nor exceed eight feet (8') in height, four feet (4') in width, and four feet (4') in depth. The arbor must be designed to support plant or vine growth and thereafter be maintained with plants or vines growing on it. As all arbors are different, approval will rest with the Reviewing Entity. See Appendix H for an example of a typical arbor.

f. Pergolas may have shade protection provided by adjustable options such as louvered roof systems and retractable fabric canopies or shades. Fabric canopies or shades must be solid, light to medium earth-tone in color to match the exterior siding of the home as closely as possible with no advertising, stripes, patterns, or logos. These options must allow for rain and debris to pass through when in the open position. Static options such as plastic panels or fixed fabric are not allowed. The movable options can be either manual or motorized. When not in use, shade protection must be in the open position.

g. Trellises located in the Front Private Area mulched area may have a height extending to the eaves of the home, a maximum width of no greater than eight feet (8') and a depth no greater than 4" if approved by the Reviewing Entity. The eight-foot (8') width is applicable either in a single trellis or the combined width of multiple trellises (with a maximum of three (3) trellises). Trellises should consist of the frame and lattice used to hold plantings. No additional structures such as shelves should be attached to the trellis. Pots, sculptures and other decorative items should not be placed on or attached to a trellis.

h. Lattice is permitted as part of the pergola structure if it is installed only on the outermost side of the pergola and parallel to the side of the home; it cannot be installed along the back of the pergola. Lattice must match the material and color of the overall structure. Lattice can go all the way to the ground and cannot exceed 8' in height from the ground.

<u>Required with request: Plot plan with improvements sketched on Plan, Picture, Material list, Contractor, Construction Plans, and for Pergolas, a building permit.</u>

28. Play Sets

Swing sets and other non-portable play sets are not permitted. All portable play equipment must be stored within the home or garage when not in active use.

29. Satellite Dish and Antennas (Fast Track Option)

No antenna, satellite dish, or other device for the transmission or reception of television or radio (including amateur or ham radios) signals is permitted outside the Dwelling Unit, except those devices whose installation and use is protected under federal law or regulations (generally, certain antennae under one meter in diameter). The consideration for satellite dishes is as follows:

a. The antenna or other device is designed for minimal visual intrusion, i.e., is located in a manner that minimizes visibility from the street or an adjacent Lot. No dish should be placed in the Front Private Area.

b. The antenna or other device complies to the maximum extent feasible with the Design Guidelines within the confines of applicable current federal regulations, i.e., without precluding reception of a quality signal or unreasonably increasing the cost of the antenna or device.

c. Two satellite dishes maximum, measuring one meter or less in diameter each may be erected on any lot and installed on the back of the house, below the roofline. A satellite dish cannot be installed on a pole in the ground, it must be attached to the back of the home.

d. A radio antenna must be a one element vertical antenna, attached to the back of the house. Towers and poles are not allowed. An antenna may extend up to a maximum of 12' above the lowest part of the roofline not exceeding the Town of Fuquay Varina ordinance. A

maximum of two vertical radio antennas are allowed. Any interference caused by the transmission is the responsibility of the operator to resolve.

e. All unused antennas must be removed.

30. Screening and Screens

a. Any screening of ground-mounted equipment (HVAC) shall be of a material and color compatible with the design of the residence, provided, however, in no event shall plastic sheeting be used for screening. All screens, whether landscape structures, fences, or plant materials, shall be located a minimum of two feet (2') from the equipment to allow for adequate air circulation around the equipment, but may not encroach or trespass on a neighboring property.

b. Man-made screens and shade devices, must appear as an integral part of the building elevation and must be made of materials that complement the home and the Neighborhood. Roof-mount installation is prohibited.

c. 2 panel screening of patios or hot tubs is allowed. See Appendix H for style examples.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list.

31. Holiday Decorations

Holiday decorations are displays erected on a seasonal basis for religious observances, national/state observances and cultural observances and are not intended to be permanent and shall not contain advertising.

"Year-end holiday season" is defined as the time period running from November 15 and January 10. Seasonal statues, artifacts, lighting and other decorative landscaping items may be installed and operated within this period. All such decorative landscaping items as defined above must be removed by January 10th.

The following guidelines apply:

A. All decorations must be placed in mulched or concreted portions on the homeowner's lot so as not to impede lawn maintenance activities;
B. No homeowner decorations are allowed in common areas;
C. The combined number of holiday decorations in the Front Private Area (FPA) is limited by the builder model category of your home; Passports can have up to 4 holiday decorations, Expeditions can have up to 5, and Pinnacles can have up to 6.
D. The combined number of holiday decorations in the Rear Private Area is limited by the builder model category of your home; Passports can have up to 4 holiday decorations, Expeditions can have up to 5, and Pinnacles can have up to 6.
E. Placement must be at least 3 feet from the public sidewalk or 12 feet from the curb where no sidewalk exists;
F. Cords shall never be located over public sidewalks;
G. Lights may be placed on lot trees;
H. Decorative lighting may be placed on the house, but cannot be higher than the gutters;
I. Statues and artifacts, may not be more than 6 feet in height;
J. No outside audio shall be allowed;
K. No computer controlled light shows;
L. Inflatable decorations of any kind are not allowed.

For holidays that are observed during the rest of the year, decorations will be limited to four (4) days prior to, and three (3) days following the holiday.

Note: The Reviewing Entity reserves the right to limit the number, size, style, quantity, and time duration, of all seasonal decorations.

32. Shutters

Shutters may be added to front windows. They must match those offered by Del Webb in the section of Carolina Gardens in which the house was built. The color must match the front door color.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list.

33. Signage

Unless more restricted by the Town of Fuquay Varina, the following will apply:

a. Except for signs required by law, posting of signs of any kind, including posters, circulars, billboards, or other commercial signage may not be displayed on a Lot, Home (inside or outside windows) or vehicle, except as otherwise specifically permitted herein.

b. No more than one (1) "For Sale" sign or (1) "For Rent" sign shall be permitted, to be placed on any individual lot within the Community. Such sign shall be located wholly within a window of the home that is advertised for sale or for lease. The sign must be removed within two working days following the closing of the property, or the termination of the listing agreement. Open House directional signs which give directions to a house which is for sale or for lease to which the public is invited for a walk-in inspection are not permitted.

c. Only "official monitoring service" commercial security/alarm signs, such as ADT, CPI, are permitted and shall be limited to one placard or sign not to exceed 18" in height and must be placed in a mulched area near the front door, but no more than 2' from the residence. An "official monitoring service" commercial single security sign or placard is also permitted in the backyard mulched area near the back door. Official monitoring service window security stickers, not greater than 4"x4", are permitted with a single sticker per room. No approval is required.

d. Soliciting - An Owner will be permitted to post a "no soliciting" sign near or on the front door to the principal residence constructed upon the Lot, provided that the sign does not exceed twenty-five (25) square inches.

e. Political Signs - The Association shall not regulate the content of political signs. An Owner may post up to five (5) signs, one (1) sign per candidate or issue, on such Owner's Lot, each with a maximum of five (5) square feet, forty-five (45) days prior to an election and must be removed within seven (7) days after such election. Political signs are allowed in the front yard Private Area, within 10 feet of the foundation of the dwelling unit and must be placed in the mulched area. Note that this standard is in accord with, but more restrictive, than the ***Town of Fuquay-Varina's (V1.3 July 9, 2026)*** ordinance.

f. No other signs are permitted on any residential lot, unless otherwise allowed by the Design Guidelines or Covenants. Except as specifically noted in this Section 33 for signs which are part of Declarant's overall marketing or construction plans or activities for the Properties, no sign may be displayed in the window of any improvement located on a Lot.

g. Notwithstanding the above, Developer shall be allowed to install any signs necessary for purposes connected with the development of Carolina Gardens and/or as may be described in the Declaration.

34. Skylights, Solar Tubes and Sun Tunnels (Fast Track Option for Solar Tubes)

a. Skylights with tempered glass are permitted as long as no more than two can be viewed from the street at any one spot, but not over the front entrance; the color must blend with the roof and the size is limited to not larger than 24" x 48" (outside dimensions). Applicant is required to obtain a Town of Fuquay Varina issued building permit since this project will require structural changes to the existing roof.

Required with request: Plot plan with improvements sketched on Plan, diagram showing location of skylights on roof, material list, building permit, contractor.

b. Solar Tubes or Tubular skylights/Sun Tunnels are permitted as long as no more than two can be viewed from the street at any one spot, but not over the front entrance; the color must be the same or similar as the roof and the size is limited to 14 inches or less in diameter. Applicant may use the Fast Track process for a Solar Tube or Sun Tunnel project. Contractors must comply with the local building codes.

Required with request: See community website for Fast Track form

35. Solar Panels

Solar Panels are permitted on roofs provided that they cannot be seen from the street that runs in front of the house~~, or if a corner lot, from the street that runs on the side of the house~~ *(V.1.3:July 9, 2026)*. An ***exception is provided for homes with roof line running front to back which can install solar panels on the rear 25% portion of the roof (The intent is that for these homes the panels are installed on the rear 25% of the home).*** The solar panels and piping color and texture should match the roof color and texture as much as possible so that they are as inconspicuous as possible. It is the homeowner's responsibility to ensure that the roof can carry the additional weight.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list.

36. Spas

All spa equipment shall be screened from street view and view from neighboring property with plant materials of adequate density. Spas must be constructed entirely within the Rear Private Area, placed on a concreted Area, comprise no more than 40% of the Rear Private Area, and be as close to the Rear house wall as possible. All spas shall be fenced for safety as required by

applicable law and must be installed according to Town of Fuquay Varina ordinances. The Reviewing Entity may require additional plant materials to be planted to screen spas from neighboring properties. See Appendix H for information regarding equipment screening requirements. Note: Use of spas in a lanai or screened porch is discouraged due to their susceptibly to mold. No spa can be drained onto open space or any other property.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list, screening material list.

37. Trees – Front Hardwood Replacement(Fast Track Option)

A homeowner may remove and must replace with same type of tree, a front hardwood tree or street tree if that tree is dead or diseased. See Section II.D.4 for additional details regarding tree replacement. Homeowners are responsible for dead tree replacements regardless of suspected cause of tree death.

38. Windows

a. Tinting or Sunshields – Windows may be tinted, or sun shielding may be applied as long as no patterns, color change, "bubbling", or significant mirrored effect can be seen from the outside of the house.

Required with request: Material list, Contractor.

b. Adding Windows - The addition of windows will be addressed on a case-by-case basis. All new windows must match existing windows of the house. The addition of windows is not permitted in the side foundation walls of basement homes. Homeowners must comply with all local codes and permits.

Required with request: Material list, Contractor.

c. Stained/Etched glass - Stained/Etched glass may be installed inside the home behind existing front door transom and sidelights. The original windows must remain in place.

Required with request: Drawing with design and colors, Contractor.

39. Outdoor Fireplaces

Fireplaces may be constructed in the Rear Private Area as a free-standing structure on a proper foundation on or adjacent to a patio, subject to approval on a case by case basis. They may be fueled by either natural or propane gas, but if propane gas is used, the tank must be concealed within the unit design. The fireplace shall be made of brick, cultured or natural stone or masonry block, consistent with the guidelines and of a color consistent with the other features of the home. (See Appendix G for examples.) Plans must be approved by the ARC. The four by four grill pads that are allowed can be used for a grill, fire pit or fireplace.

40. Snow Guards, Leaf (Gutter) Guards, Downspout Cleanouts

Snow Guards may be installed on the front metal roof of the home provided they are the same color as the roof and are the "clamp-to-seam" style. Applications must include a picture of the snow guard that will be used.

Leaf and Gutter Guards may be installed over all gutters around the roof of the home provided

they are flat on top of the gutter, or have minimal profile, and match the existing gutter color.

Downspout Cleanouts are allowed by application but (i) can be no larger than the dimensions of the downspout or the connecting boot, (ii) must be consistent in color with the existing downspout, and (iii) can be no more than 18" from the ground to the top of the cleanout.

Applications for Snow Guards, Leaf (Gutter) Guards, and Downspout Cleanouts must include a picture of the existing area and the type of guard that will be used.

41. Drainage

French Drains - Because of the complexity of the use of French Drains and the communities landscape planning, a homeowner may submit a request to the Reviewing Entity for a French Drain because of a standing water issue. The committee will review on a case by case basis. A French drain between two lots must have the approval of both homeowners and the request must be submitted and signed jointly.

An approved material list is provided below for a project that directs downspout water underground and dissipates at the rear of the property in the same location as originally designed.

- 4" Corrugated pipe to connect the down spouts to the drains
- 6" Y-split the drains at the end
- 2 - 6" 90-degree couplers to tie into the drainpipe and attach to the pop ups
- 2 - 6" pop ups to release the water
- 2 - 12" Drains to catch any surface water from large rains
- N-12 (6" or larger) pipe with the smooth bore interior to move the water to its destination without any possibility for snags or catches by leaves or pine straw.
- Topsoil and sod to cover the pipe and level the area as applicable

All drainage projects require approval by the Reviewing Entity prior to construction

42. HVAC – Mini-Split Units

Mini-split air conditioning/heating units may be added to the home. The exterior unit must be placed in a mulched area adjacent to the HVAC unit installed by the builder on the side of the home. The unit must be screened from street view. All wiring/conduits/lines must be installed on the interior of the home where possible. All external wiring/conduits/lines must be painted to match the color of the home.

Required with request: Plot plan showing placement of unit, Picture, Material list, screening material list

D. Landscaping Modification Requirement and Guidelines

1. General

a. Certain Areas have been designated as open space, wetland or preserve on neighborhood plats and shall be maintained as required by regulatory authorities and as described in specific permit conditions and in the Declaration. No Homeowner or resident may mow, fertilize, apply pesticides to, maintain, alter or modify any Area not owned by the Homeowner, including Areas set aside as open space or preserve without approval of the Board or delegated authority. The primary purpose of allowing residents modifications to common areas is for passive items such as revegetation and screening in a common area adjacent to their lot. Common Areas are not to be modified for personal use and may not

include structures, artifacts, statues, pots, gardens, hardscapes, benches, fences, or other active uses.

b. Del Webb will be installing on each residential lot a landscaping package and sod prior to sale. Any and all landscaping installed by Homeowners must be installed not to impede existing drainage patterns or in any swales, i.e., a low place in the track of land. The plantings approved for Carolina Gardens were selected after consideration of many factors. Landscaping replacement by homeowners shall be in accordance with the maintenance standards comprising the Community-Wide Standard described in the following Sections.

c. All landscape modification requests are to be submitted on the Carolina Gardens Modification Request Form. All Parts of the form must be completed prior to review by the Reviewing Entity. A detailed plot plan showing the location of any plantings, the type of planting, the variety of plant and the height, and spread at maturity must be included with the request form. Plantings of trees, shrubs, groundcovers, perennials, grasses and vines shall take into account future growth, and be at a reasonable distance from foundation walls.

d. Exceptions: No modification requests are necessary for flowers ground cover plantings, ornamental grasses or shrubs planted in a previously approved mulched area, or mulched areas installed by Del Webb. Mature plant height must not exceed 36".

e. It is the responsibility of each homeowner to replace, as necessary, all landscaping and sod on the lot including the adjoining parkway from the front lot line to the back of the street curb. The Homeowner will remain ultimately responsible for all landscape replacement including any additions made by the homeowner. Homeowners are responsible for dead material replacements regardless of suspected cause of tree death. Homeowners may obtain approval to remove and not replace limited materials provided other materials in the vicinity have grown and are large enough to accomplish the original aesthetic effect.

f. Plants under windows shall be maintained no higher than 18" above the window bottom. To facilitate mowing and edging, all plantings must remain a minimum of 6" inside the mulched Area.

g. Replacement or new plantings used to screen air conditioning units and other utility boxes must be of the evergreen variety. The plantings should be maintained at least as high as the utility box/AC unit, but no more than 12" higher. The distance between the planting and the utility box/AC unit must allow access for maintenance.

h. Any modifications made to Front Private Area or Rear Private Area must comply with the definitions and restrictions set forth in this document. In areas outside the Private Areas, installation of landscape by homeowners may be approved on a case by case basis where in deep Rear yards, side yards that face a street or exceed 12' between buildings, strips along the sides of the house, and connecting buffer Areas as described in other sections and in conformance with these Guidelines, after obtaining the written permission of the Reviewing Entity. These additions must preserve attractive view corridors and promote efficient landscape maintenance.

i. No plantings or mulched Areas can be placed in any way that would affect yard drainage, and no plantings or mulched Areas will be allowed in swales.

j. Due to the local environment, drought tolerant shrubs & trees should be a consideration when choosing new plantings.

k. Plantings, limited in size to 36 inches in height at maturity, may be used on the sides of the home inside a continuous, mulched strip that is no more than 18 inches wide and must be adjacent to the foundation of the home. Continuation of the plantings for screening purposes, not to exceed 8 feet in height at maturity, may be placed next to lanais, sunrooms, patios, or porches, where space permits. Wider strip widths, up to 48 inches, may be approved on a case-by-case basis for corner lots or other lots with homes spaced greater than 15 feet apart. Mulch material must be consistent with the type used throughout the community by the current landscape company. Plans for such landscaping must conform to the provisions of the Design Guidelines and contain acceptable plantings. All landscaping shall be designed and maintained so as not to interfere with swales, drainage, or the view of any ground signs on the site or adjacent properties, and not obstruct the view of traffic entering, exiting, or passing the site.

2. Gardens

a. Ground level (less than 6 inches tall) planting beds of annuals, vegetables, and other plantings are permitted in the Rear Private Area provided that they are installed in a delineated Area which does not exceed two 32 square foot sections. Gardens must allow 3 feet between sections to facilitate lawn maintenance. The Reviewing entity reserves the right to limit final size of gardens. Edging Materials are limited to those in Section II D 6.

b. Elevated (over 6 inches tall) wood planting beds of annuals, vegetables, and other plantings in table type beds or raised beds are permitted in the Rear Private Area provided that the bed area which does not exceed 32 square feet and a maximum 42" tall. Beds must remain in good repair. Wood color must be natural or a natural color stain. A 6 inch wide mulched area is required on the bed perimeters where HOA maintenance is provided. The HOA is permitted to kill grass within proximity to an elevated bed to simplify maintenance.

c. Pavers or stepping stones may be placed in gardens/mulched areas in order to create a pathway and must be placed at least 4 inches apart.

d. Gardens must appear neat and clean during the growing season. Debris must be removed periodically, and all dead plant material must be removed once the growing season has ended.

e. Gardens cannot be placed in any way that would affect yard drainage, and no gardens will be allowed in swales.

f. Rabbit/Deer type deterrent fencing is not permitted.

3. Ground Cover

a. The ground surfaces of the Private Area shall be covered with approved living, or inert materials, if not covered with concrete. Mulch must be consistent with the type used throughout the community by the current landscape company. Where turf is used within the Private Area, a hybrid Bermuda is required. Topsoil and decomposed granite are not considered inert material. Care needs to be taken to ensure that any ground cover does not migrate into drainage Areas.

Mulch is provided in the landscape beds to suppress weeds and slow moisture evaporation.

Mulch must be consistent with the type used throughout the community by the HOA. Mulch is triple shredded pine bark mulch. Mulch is reapplied annually by the HOA. If you are not interested in having this new mulch application done, you can opt-out by notifying the HOA. If you decide to opt out of this service and wish to apply your own mulch, triple shredded pine mulch is required. For dyed mulch application, only brown triple shredded pine bark mulch is allowed

b. Decorative rock or stone shall be permitted as ground cover with the following conditions:

(1) Stones cannot be used in Areas where it abuts to grassy Areas.

(2) Stones can be used in Areas where run-off from heavy rains would cause organic mulch to migrate.

(3) Stones can be used as accents in small-mulched Areas, not to exceed 24 ft.^{2} per lot.

(4) The stones used must be between ¾" and 1" in diameter and be earth tone in color. Rocks or stones shall not be used as a bed edging material and are not permitted on turf Areas. However, individual large rocks (greater than 2 cubic feet) may be placed in mulched Areas provided there is no more than one (1) per ten (10) linear feet of mulched Area and that they are left natural. (This is consistent with other yard decorations). River rock may be used to aid water movement in problem areas.

c. The use of rubber mulch, solid plastic sheeting or polyethylene over ground Areas will not be permitted. If landscape fabric is used, it must allow the free flow of water, air, and gases to and from the soil.

4. Trees

a. A homeowner may not cut down or remove any tree without Reviewing Entity/ARC approval. Dead or diseased trees must be removed and replaced with a same type tree. The new tree must be a minimum of 8 feet in height with a caliper (trunk diameter) of a minimum of 2 inches. Street and Rear yard deciduous and evergreen trees should have a maximum mature height that does not exceed 60' and a spread that does not exceed 50'. Street trees (i.e., the trees closest to the sidewalk or street) must be replaced with the same tree type with a minimum of 2" caliper.

b. Additional trees may be permitted in back yards or in side yards that face a street, or in portions of side yards where 25' exists between buildings. Trees must not be planted closer to street than existing street trees.

c. Pruning of trees must be in compliance with nursery standards. No tree topping, nor leaving limbs and branches greater than ½" in diameter exposed is allowed.

g. Replacement of a dead/diseased tree located in an easement is permitted if the original tree was there at the time the homeowner purchased the property. The cost of replacing the dead/diseased tree is the homeowner's responsibility.

h. Replacement Trees: Fast Track option may be used for existing tree replacement of front and street trees.

5. Shrubs

a. Dead or diseased shrubs must be removed and replaced with a same or similar variety. The new shrub must be a 3-gallon minimum size for foundation plantings and 1 gallon minimum size for all others. For planting distances between shrubs, the mature spread needs to be taken into account.

b. Shrubs may be planted in newly established landscaping beds in the front and Rear of the house after a modification request has been submitted and approved by the Reviewing Entity/ARC.

c. Replacement or new shrubs facing the street and used to screen air conditioning units and other utility boxes must be of the evergreen variety. Perennials may be used on the house-side of the house to screen utility boxes. The plantings should be maintained at least as high as the utility box/AC unit, but no more than 12" higher. The distance between the planting and the utility box/AC unit must allow access for maintenance. Shrubs under windows shall be maintained no higher than 18" above the window bottom. To facilitate mowing and edging, all plantings must remain a minimum of 6" inside the mulched Area.

Required with request: Plot plan with improvements sketched on Plan, Picture, Material list, & Contractor.

6. Edging Material (Aluminum and Steel Coated are Fast Track options)

Fast Track

Aluminum or steel coated edging may be installed. It shall be earth tone or black. Steel coated and aluminum edging may be installed up to three inches above ground level.

Non-Fast Track

Stone pavers/concrete pavers/solid bricks may be used as edging provided that they are installed at ground level with no more than a 2 inch reveal. These items may not be stacked.

Vinyl or rubber edging is permissible, but it must be solid one-half inch thick, earth-tone or black and solid color throughout. Vinyl and rubber edging may be installed up to three inches above ground level.

Stone, pebbles, river rock or other decorative items that are adjacent to edging shall not be any higher than the edging.

These provisions apply to all edging. Details and photos of materials must be provided with the application through the normal ARC approval process.

7. Buffer Areas

There are required Buffer Areas between, on and adjacent to the home sites within Carolina Gardens that are currently planted with a variety of shrubs and several species of trees. These plantings meet the requirements of the local ordinances, and they serve as landscape screening for the individual homes as well as to enhance the environment of Carolina Gardens. It is the intention of the HOA to maintain the buffer Areas in a natural state rather than the look of a formally pruned garden. This document is intended to set forth the guidelines for the maintenance of these Areas.

a. While growing to their full maturity, the trees in the buffer Areas will be pruned by the Landscape Contractor, during the appropriate season, up to a height of 12'. This pruning

will include general thinning for good light penetration and air circulation and dead or diseased branches.

b. The shrubs in the buffer Areas will be pruned once a year, by the Landscape Contractor, during the appropriate season and in such a manner as to maintain their natural shape. Individual homeowners who wish to perform their own pruning on their lot may do so, if they strictly adhere to the guidelines included in this notice.

c. Once mature, the shrubs shall be maintained at a maximum height of 6'- 8'. It is intended that all of the shrubs in adjoining buffer beds be maintained at a similar height to maintain continuity in the neighborhood.

d. In the event of the loss of any tree and/or shrub, they shall be replaced with the same or similar species, at the Association's prerogative. Trees and Shrubs will be replaced by one of similar size as the original planting. Request for the selection of other tree or shrub species will only be permitted with a written exception from the Reviewing Entity. Replacement should be accomplished at the appropriate time, to help ensure viability of the new plants.

No alterations of the buffer Areas, the removal or addition of trees or shrubs, shall be performed without the express written approval of the Reviewing Entity.

III. ARCHITECTURAL REVIEW AND RESIDENTIAL PROPERTY OWNER REQUIREMENTS

The architectural review process has been established to maintain the integrity of the architectural and design character of Carolina Gardens. To this end, the Reviewing Entity will review all proposed additions, improvements, or alterations and all landscaping, on homes for conformity with the Design Guidelines. Article IX of the Declaration sets forth provisions with respect to the review process, including possible delegation of certain review functions to the Reviewing Entity/Architectural Review Committee (ARC) and ultimate transfer of the review function to that committee at the end of the Development Period. Until such transfer, any and all approval or denial rights rest with Del Webb and each such approval or denial will be in writing. In the event certain review functions are delegated to the Reviewing Entity/Architectural Review Committee, Del Webb reserves the right during the Development Period to withhold approval even if granted by the Reviewing Entity/Architectural Review Committee.

A. Residential Property Owners

Homeowners are required to submit plans to, and receive written approval from, the Reviewing Entity prior to application to the Town of Fuquay Varina for permit and prior to performing: 1) additions, alterations, or modifications to existing homes, 2) exterior painting, 3) landscaping, 4) spas, Jacuzzis, walls and fences, 5) any exception to or deviation from the Design Guidelines, or 6) any concrete work, ancillary equipment, signage, and any and all other such on-site improvements not listed in the Design Guidelines. However, it shall be the responsibility of all Homeowners to comply with all standards and guidelines identified in these Design Guidelines, as well as all requirements of the Declaration. The Homeowner, or their representative, e.g., neighbor, may be present at time of submission to the Reviewing Entity of an application made pursuant to these Design Guidelines.

Allow enough time for processing and approval by the Reviewing Entity in planning for construction or installation. The reviewing entity will not expedite reviews.

B. Submittals for Changes and Additions

The Homeowner shall submit an application form as provided in Appendix B showing the plans for the proposed improvement as follows:

1. Planning and Preparation of Submittal

   a. Using these Design Guidelines, determine if a submittal is required. [Note: All modifications require an application, unless otherwise noted in this document that approval is not required.] If yes, continue.

   b. Can it be Fast Tracked? If no, continue.

   c. Prepare the Modification Request Form, Appendix B, and attach any drawings, sketches and supplemental documents for the Reviewing Entity/ARC's review. A complete submittal will FULLY describe/depict the change and stand on its own without need for further explanation or clarification.

   d. Sign the form.

   e. Present the complete submittal to all adjacent or impacted property owners who may be impacted by the change and obtain their signatures. These signatures represent the acknowledgement of the affected homeowners. Signatures of neighbors does not signify agreement or approval of the proposed modification. If a neighbor refuses to sign the request, it must be noted on the application form. A neighbor's refusal to sign does not mean the application is denied. If a neighbor objects to the requested addition or change, they must raise their concerns to the Reviewing Entity immediately. If a neighboring lot is still owned by Pulte indicate such on the application.

After completing the above steps, submit the submittal to the Community Office or submit to the appropriate email address. The Homeowner's Association will perform an initial review of the submittal for completeness and legibility. Incomplete or illegible submittals will be returned to the homeowner. Neighbors must list their address. No Modification Request form shall be deemed to have been submitted if all required information has not been included in the submittal.

2. Architectural Review Committee Review

   a. The Homeowner's Association will forward copies of all submittals to the chairperson and members of the Reviewing Entity.

   b. Site inspections by the Reviewing Entity may be conducted for all non-fast track modification requests.

   c. Response, received in writing, by impacted property owners will be reviewed and taken into consideration.

   d. The Reviewing Entity will make a determination.

   e. Construction should begin at the indicated start date (but no sooner than receiving official notification of approval) or within three months after the date of the written approval by the

Reviewing Entity. Work must be completed within three months after construction begins, unless an extension is requested and granted.

i. Approval for projects that are not begun as specified above will lapse, and the applicant must resubmit the proposal.

j. The Homeowners Association will complete a standard response letter indicating the Reviewing Entity's decision, by letter and/or e-mail it within five working days of receiving the Reviewing Entity's decision. Requestors can select an alternative method of delivery on the request form.

k. Approval of any submittal or portion thereof does not ensure approval of similar submittals, as each submittal will be considered on its own merits.

3. Reviewing Entity Review/Decision (If Reviewing Entity is different than the ARC)

a. At its regular meeting, the Reviewing Entity will review the recommendations of the ARC or community manager. Particular attention will be paid to any recommendations for disapproval.

b. The Reviewing Entity will vote on each submittal as approved or disapproved. Note: Disapproval may be on any grounds and the details will be communicated to the homeowner.

c. The Homeowners Association will complete a standard response letter indicating the Reviewing Entity's decision, by letter and/or e-mail it within five working days of receiving the Reviewing Entity's decision. Requestors can select an alternative method of delivery on the request form.

d. Approval of any submittal or portion thereof does not ensure approval or similar submittals, as each submittal will be considered on its own merits.

e. A proper submittal approved by the Reviewing Entity is like a contract to comply with the specific details. Alteration/deviations will require re-submittal.

f. Submittals approved in error do not create precedent for other applicants to install the same errored improvement.

4. Appeals/Re-submittals

To appeal a disapproved submittal, the homeowner must submit a written response including specific detailed information that clarifies why the submittal should be reconsidered. The homeowner may also request a meeting with the Reviewing Entity or the Board to further discuss the submittal. See Appendix K.

5. Details for Submittal

In some cases, many attributes or details of a proposed change, addition or deletion are required for the Reviewing Entity to make sound responsible decisions. In other cases, the nature of the change will be simple and straightforward, as will be the submittal. The specific requirements are listed with the item being requested in Appendix K. Any other aids that will assist the Reviewing Entity in their review should be included with the request. Drawings need to be to scale to show a relationship to the location, height, etc., with the dimensions clearly marked on all drawings. For major construction projects such as additions, sunrooms, dormers, etc., for which a hired contractor is used, the design drawing should suffice, showing rooflines and other such detail.

C. Inspection

The Reviewing Entity and the Homeowner's Association have been directed by the Board of Directors to conduct on-site inspections to assure compliance with approved submittals.

Homeowners are asked to cooperate during such inspections. At a minimum, the homeowner is asked to notify Homeowner's Association within 30 days of the completion of the project.

D. Violations

The Board of Directors will handle violations as described in Section V.A. below.

IV. NON-LIABILITY FOR APPROVAL OF PLANS

Article IX Section 9.6 (g) of the Declaration contains a disclaimer by Del Webb, the Homeowner's Association, Reviewing Entity, and the Architectural Review Committee of liability or responsibility for the approval of plans and specifications contained in any request by a Homeowner. PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW, THE APPLICANT SHOULD READ AND UNDERSTAND THIS DISCLAIMER. IF YOU DO NOT UNDERSTAND IT, PLEASE ASK A REPRESENTATIVE OF THE HOA MANAGEMENT COMPANY TO EXPLAIN IT.

V. ENFORCEMENT OF INSTRUMENTS

Article IV of the Declaration describes scope of authority of the Homeowner's Association, including the review and determination of alleged violations by Homeowners and Residents, execution of certain remedies, and recommendations to the Board of Directors of the Homeowner's Association for further action. Del Webb or the Homeowner's Association may execute certain remedies as provided for in Article IV 4.3 of the Declaration.

A. Non-Compliance by Homeowner.

Non-compliance with these Design Guidelines shall result in such enforcement procedures as are allowed in Article IV of the Declaration of Covenants, Conditions and Restrictions. For example, Article IV, section 4.3 of the Declaration describes the Homeowner's Associations right to require the Homeowner to remedy any non-compliance. After notice of the violation, and an opportunity for a hearing, the Homeowner shall have 30 days to complete the remedy. If the remedy cannot be performed within 30 days, the Homeowner's Association shall take the time estimated for taking the remedial action into consideration. If Homeowner has not complied within 30 days, or the time period otherwise designated by the Homeowner's Association if applicable, Del Webb or a duly authorized representative of the Homeowner's Association shall have the right to enter the property to perform the necessary work to bring the property into compliance. All costs incurred by Del Webb or the Association to bring the non-complying Homeowner into compliance, including the cost of the work and interest, shall be charged to the Homeowner as a Benefited Assessment. Any amounts invoiced to the Homeowner pursuant to this paragraph or pursuant to the Declaration as Benefited Assessments shall be due and payable within 30 days of receipt of such invoice by Homeowner. The failure of the Homeowner to pay a Benefited Assessment levied against Homeowner is a default and could subject Homeowner to suspension of his voting rights and rights to use the Common Area(s) and the Recreation Center and such additional remedies as provided in the Declaration. The decision to suspend a Homeowner/Member's rights to use such facilities will be made by the Board of Directors of the Homeowner's Association.

B. Appeal of Decision.

Any Homeowner, lessee, or other resident aggrieved by a decision of the Reviewing Entity may appeal such decision. The HOA Board will solicit input from the Reviewing Entity as a part of the appeals process.

VI. CHANGES AND AMENDMENTS TO THE DESIGN GUIDELINES

The Design Guidelines may be amended as follows:

A. Changes to these Design Guidelines may be proposed by the Board of Directors of the Homeowner's Association and/or the Architectural Review Committee. Additionally, any Homeowner may submit to the Board of Directors proposed changes to these Design Guidelines for review and consideration. The Board of Directors may forward homeowners proposed change to the ARC/Reviewing Entity for a vote prior to being considered by the Board.

B. Any ARC recommendation to amend the Design Guidelines shall be approved by two-thirds (2/3) of the Committee members and be forwarded to the Board of Directors for consideration.

C. If the Board of Directors approves the proposed amendment, it shall become an amendment to the Design Guidelines. Such amendment shall be promptly posted at all Recreational Facilities bulletin boards and copies made available at the Homeowner's Association office.

D. All amendments shall become effective upon adoption by the Board of Directors. Such amendments shall not be retroactive to previous work or approved work in progress.

E. In no way shall any amendment to the Carolina Gardens Design Guidelines change, alter or modify any provision of the Declaration, any Supplemental Declaration or the Articles or Bylaws of the Homeowner's Association.

F. The ARC and Board of Directors may choose to only review proposed changes once per year.

VII. DECLARANT'S IMPROVEMENTS

As part of the planning and development of Carolina Gardens, Del Webb has prepared a development plan and provided certain architectural designs, color palettes, landscaping design packages, parks, wetlands mitigation Areas, streets, model home packages, a sales pavilion, and recreation center. Market conditions, styles, marketing strategies, or other factors may cause Del Webb to change the type of models, size of homes, location of future amenities or streets, color palette of homes, landscaping styles or plant materials, construction methods or materials or the landscaping on the Common Area. Notwithstanding the current provisions of these Design Guidelines, the terms of the Design Guidelines may be amended in the future by the Board of Directors.

VIII. AUTHORIZATIONS

These Design Guidelines have been prepared by Del Webb Corporation, a Michigan corporation, for use at Carolina Gardens.

These Design Guidelines are to be adopted by the Board of Directors of the Carolina Gardens Homeowner's Association, Inc. These Design Guidelines may be amended from time to time by the Board of Directors. During the Declarant Control Period, Del Webb will provide leadership of the Homeowner's Association Board and will control amendments and revisions to these Design Guidelines.

MEMBERS OF THE BOARD OF DIRECTORS OF CAROLINA GARDENS HOMEOWNER'S ASSOCIATION, INC.

CAROLINA GARDENS BOD _____

CAROLINA GARDENS BOD_____

CAROLINA GARDENS BOD_____

Appendix A

BUILDING SETBACKS

A. RESIDENTIAL AREAS

The building setbacks described below are applicable to all homes in Carolina Gardens and recognized by the Reviewing Entity. Notwithstanding any other provision of law, all building setbacks must meet these requirements, except for such buildings that are built by HOA pursuant to approvals obtained from the Town of Fuquay Varina. The building setback requirements apply, as noted. The building setback requirements generally define the Private Area, except as noted in Section II.B.2 of the Design Guidelines:

1.	Front Yard:	20’ Minimum
2.	Rear Yards:	15’ Minimum
3.	Side Yards:	6’ Minimum
4.	Corner Side Yards	16’ Minimum

B. COMMON AREAS TO BE OWNED BY THE COMMUNITY ASSOCIATION

The non-residential Areas of Carolina Gardens will be Common Area or Neighborhood Common Area as defined in the Declaration. Additionally, the sales and recreation center, parks, and other uses will have various building setback requirements.

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Appendix B
Modification Request Form

Box for Office Use Only

Version 1.2

Received Date: Request #:
By:

1) Homeowner Information

NAME: _____ ADDRESS: _____

PHONE: _____-_____-_____ EMAIL: _____ HOME MODEL: _____

2) Modification Request Detail: (Include as much detail as possible; cite specific section of Design Guidelines)

_____
_____
_____
_____
_____
_____
_____

ESTIMATED START DATE: _____/_____/_____ ESTIMATED COMPLETION DATE: _____/_____/_____

CONTRACTOR NAME: _____ PHONE #: _____-_____-_____

3) Checklist for Submission:

Please attach details of request with any information applicable. If the necessary items are not included, or the reviewing entity cannot clearly understand the modification, the application will be returned to you for written clarification and therefore delayed. If you have any questions about the requirements, please refer to the Design Guidelines.

Design Plans w/ Dimensions (required)	☐	Plot Plan w/ Design & Location (required)	☐
Floor Plan for My Specific Home	☐	Permits from the City of Fuquay Varina	☐
Samples or Pictures of Materials (required)	☐	Neighbor Signatures* (required)	☐
Pictures of Existing Area being altered (required)	☐	Elevation Drawing	☐

Neighbor Signatures & Address (Use back of form if more room is necessary)

1_____ 2_____
Name Address Name Address

3_____ 4_____
Name Address Name Address

*Per the Board of Directors, all adjacent or impacted neighbors must be asked to sign acknowledgement, not approval, of this application. It must be noted on this application if a neighbor refuses to sign. Not signing does not mean the application is denied. Neighbors who have concerns should contact the Association Office.

4) Acknowledgement & Signature

Approval will be granted contingent upon the "Terms and Conditions" on Page 2 of this form. Applicants' signature below indicates agreement with the Terms and Conditions cited above. Approval Notification will be sent by Email if listed above; otherwise, it will be printed for pickup at the Community Amenity.

HOMEOWNER SIGNATURE: _____ SUBMISSION DATE: _____/_____/_____

Receiving Employee Checklist (Do not accept application until all required materials are provided)				Box for office use only
Design Plans w/ Dimensions	☐	Plot Plan w/ Design & Location	☐	
Samples or Pictures of Materials	☐	Neighbor Signatures	☐	Date Submitted to ARC: ___/___/_____
Pictures of the Existing Area	☐	Homeowner Signature	☐	Employee Name: _____

Del Webb® CAROLINA GARDENS

Appendix B (cont.)
Modification Request Form
Terms and Conditions

The signature on previous page represents my agreement to the terms and conditions cited below:

1. The applicant understands that this approval action does not relieve you from any Covenant or Design Guidelines requirements. Additionally, applicant understands that work is not to commence on their project until the applicant receives written (either email or USPS) approval to proceed.
2. The applicant agrees to conform to the specifications for the modification as submitted as well as any other terms and conditions noted in the approved application.
3. No additional modification or deviation may be made without prior written approval from the Architectural Review Committee (ARC) on behalf of the Board of Directors (BOD). Any non-conforming request must be approved by the ARC and the BOD.
4. Should any permits be required by the Town of Fuquay Varina, the applicant agrees to obtain necessary permits and submit the copies to the management office prior to commencing work on their project.
5. Any modification found not to be in compliance with the design modification submitted and the terms or conditions contained therein must be brought into compliance at the Homeowner's expense within 60 days of notification.
6. All rules and specifications must be followed in the architectural modification. Should the Homeowner not adhere to all requirements, the modification may be corrected or removed by the Association at the Homeowner's expense.
7. The Homeowner is responsible for the maintenance and upkeep of the modification, as well as any damage to common elements, Homeowner's property, or neighbor's property resulting from the installation of use or the modification.
8. Neither the HOA nor the ARC makes any guarantee on the warranty on the home or any other components of, or on the lot, after the modification. It is the responsibility of the Homeowner to verify warranties with any modification.
9. The applicant has three (3) months from the date of the approval letter to begin the approved modification and three (3) months to complete the approved modification once the work has begun.
10. The applicant should provide the Association with a copy of the Contractor's Insurance (CI) listing Carolina Gardens HOA, the Declarant (Del Webb), and the Homeowner as additional insured. If the applicant is unwilling or unable to obtain this document, the applicant understands that the applicant may be responsible for any damage or liability that would have been the responsibility of the contractor, including any worker's compensation claims.
11. Upon completion of the work approved, the applicant must contact the management office for inspection of this modification.
12. The request and attachments will be retained for Association records.

Please submit the application to the Community Office in person, by mail, or by email to the Assistant Community Manager.

Appendix C

Approved Front Doors

Smooth Fiberglass Panel 1-Lite Over 2-Panel (Painted)



Smooth Fiberglass Panel 3-Lite Over 2-Panel with Dentil Shelf (Painted)



Smooth Fiberglass ¾-Lite over 1-Panel (Painted); Glass may be clear or privacy



Smooth Fiberglass Panel 3-Panel (Painted)



Appendix C

Approved Front Doors

Thermatru Stain-Grade

*Note: These doors can be selected for any elevation

3/4 Lite – Privacy Glass (4 SDL Grids) over 1 Panel



1/2 Lite Privacy Glass (4 SDL Grids) over 2 Panel



1 Lite (No Grids) over 2 Panel



Appendix C

APPROVED REAR DOORS

Rear entrance doors must be white and similar in design to that Originally provided by Del Webb.

Thermatron Traditions Steel TS118
Clear Glass Painted



Sliding Glass Doors



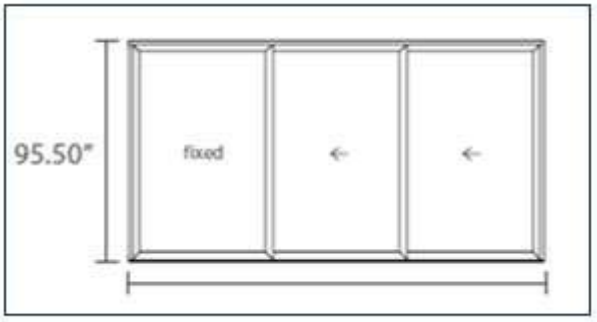






Large 2- & 3-Panel Slider Doors

- Model: PGT 470 Series w/ insulated glass
- Available in white or almond (color to match windows) with powder coated raised handle, and SB60 tinted glass.
- Size and location per plan
- 6′ x 8′ (2-panel)
- 8′ x 8′ (2-panel)
- 9′ x 8′ (3-panel)
- 12′ x 8′ (3-panel)
- All sliders will feature 8′-0″ tall panels



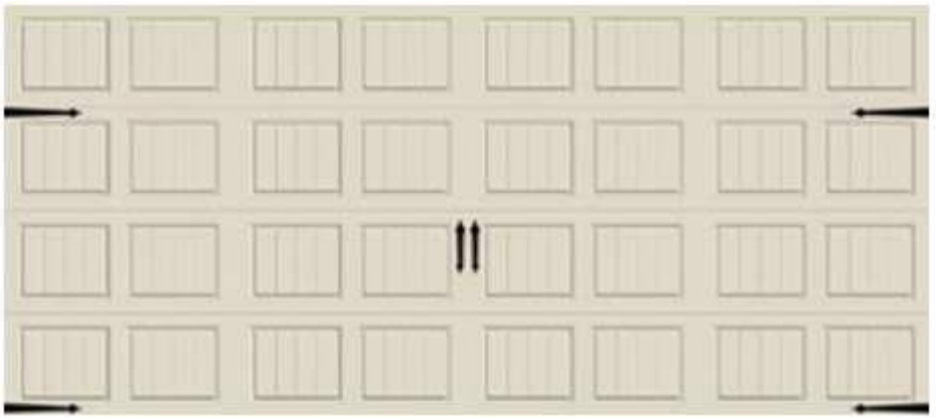
EZ Breeze Option adds removable window panels, screen, and door to covered patio.



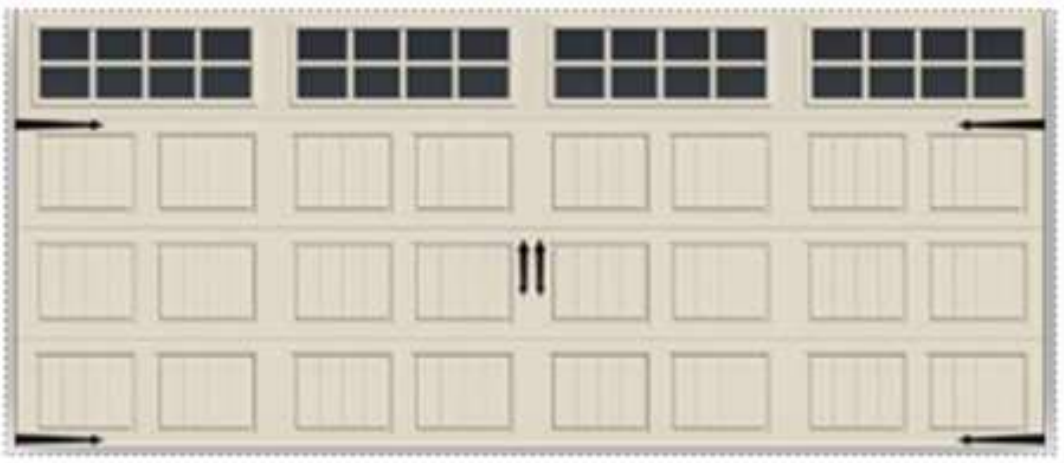


Appendix D
APPROVED GARAGE DOOR

Gallery Short Panel
(GD5S) No Glass



Gallery GD5S: Rectangle
Glass with Grids



Appendix D
APPROVED GARAGE DOOR

8’ x 7’ Gallery
With or Without Glass



Appendix E

APPROVED STORM AND SCREEN DOORS















Appendix F
Approved Materials for Fences

Black aluminum tubular fencing (no chain link). An example is shown below:



Also approvable is the installation of a ‘puppy panel’ as an addition. See example below:



Appendix F (cont'd)

Fences installed in a concreted area surrounding the home, or those that act as a railing should use white vinyl coated or black aluminum fences. See examples below:





Black Aluminum Metal Inserts with Stained Wood Railing Suitable for Decks



Appendix G

APPROVED MATERIALS FOR LANDSCAPE WALLS

Brick, cultured or natural stone, or masonry block. Examples below:











Appendix H

EXAMPLES OF APPROVED PERGOLAS, TRELLISES, AND ARBORS and SCREENS











Pergola





Trellis

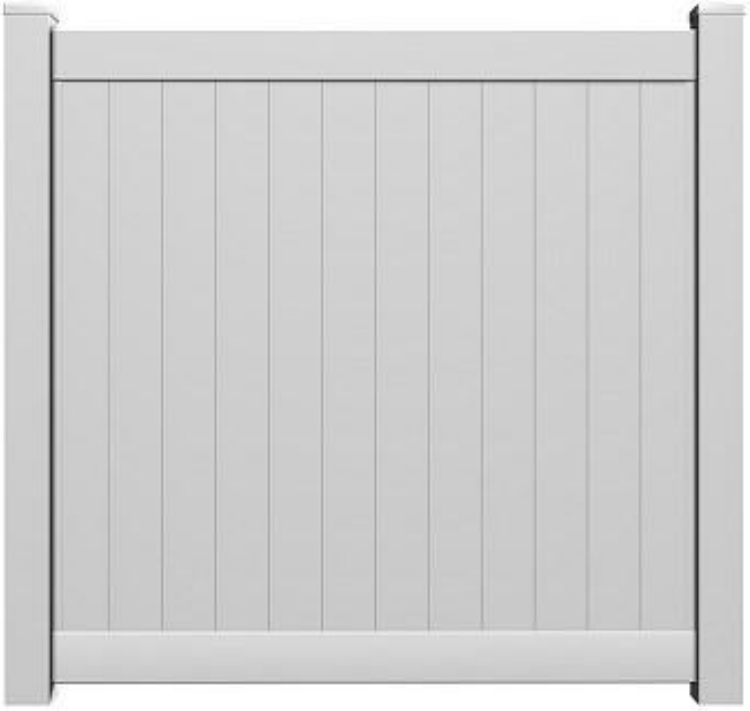




Arbor

Appendix H (cont'd)

Examples of approved panel style screens for screening spas, etc.





Appendix I

HOMEOWNER'S ASSOCIATION COMMON AREA AND RECREATIONAL FACILITY DESIGN GUIDELINES

The following Design Guidelines govern the maintenance and operation of the Common Area, Neighborhood Facilities, and Recreational Facilities, including the Recreation Center. In the event additional Recreation Centers are constructed in future phases, the singular reference herein shall include such additional assets.

A. Architectural Character

The physical structures constructed by Del Webb and conveyed to the Homeowner's Association shall be maintained and/or replaced by the Homeowner's Association utilizing the same or similar design, size, location, style, structure, materials, color and architecture.

B. Landscaping

1. The Homeowner's Association shall be responsible for the maintenance of the landscape corridors, medians, and other common area. The Homeowner's Association shall maintain the landscaping required to be maintained by the Homeowner's Association under any Supplemental Declaration which may be adopted by the Board of Directors of the Homeowner's Association creating a Neighborhood Expense without materially changing from the original design.
2. All Common Area at build out, where not built upon or paved, unless included in a wetland or other natural preserve area, will be landscaped. Landscaping shall extend to the back of the curb on all adjacent street sides of the site.
3. The minimum density of plant material shall depend upon the size of the site and the extent of the landscaped area. There shall be an appropriate amount of specimen sized trees at maturity and shrubs. Ground shall be covered with a combination of inert and living materials.
4. All areas paved for pedestrian traffic such as walkways, plazas, and courts shall be a hard surface material with limited vertical irregularities.
5. All landscaping shall be designed and maintained so as not to interfere with the view of any ground signs on the site or adjacent properties, and not obstruct the view of traffic entering, exiting, or passing by the site.
6. Where the landscaping of a new project is to adjoin an existing landscaped area, the new landscaping shall include an appropriate transition between the two areas.

C. Ancillary Equipment

Heating, ventilation, and air conditioning equipment, ancillary mechanical equipment, radio and television transmitting and receiving antennas, trash receptacles, and similar appurtenances (as approved by the Reviewing Entity and in compliance with the Declaration) shall be screened from general view from neighboring properties, all residential Areas, pathways, open Areas, parks, and streets. Roof-mounted units are permitted on roofs with screening where the screen is integral with the building forms and materials. The placement of any such equipment must receive written approval from the Reviewing Entity.

Appendix I (cont.)

D. Site Development

1. Fences and Walls. Fences up to six feet (6') in height (or higher if required by the Town of Fuquay Varina or a utility) may be used to screen and create privacy between the commercial or institutional developments, streetscape and the residential areas of the Community. See Section II.C.13 for additional information.
2. Building Setbacks. All building setbacks shall conform to the criteria set forth in Section II.B.2 and Appendix A.
3. Drainage. Site drainage will conform to the drainage analysis performed for the platted property.

E. Lighting

All lighting installed by Del Webb on Common Area, or installed by the Homeowner's Association, shall comply with any applicable local, state or federal law. No lighting will be permitted which causes unreasonable glare to neighboring Owners, neighborhoods or the Common Area, provided, however, the Homeowner's Association may maintain lighting on, in or around tennis courts, parking lots, Recreation Centers, Common Areas, Neighborhood Areas and other Areas where such lighting is necessary or appropriate for the use and enjoyment of the community or for health and safety reasons.

F. Temporary Facilities

Temporary buildings shall be allowed to be placed on Common Areas by Developer or the Homeowner's Association. Such uses shall be for marketing the project by Del Webb, temporary buildings during construction by Del Webb, and temporary buildings used for Homeowner's Association purposes. There shall be no other temporary Private facilities on Common Area.

G. Flagpoles

Del Webb and the Homeowner's Association may install flagpoles and flags at the Sales and Recreation Center, Model Park, the entrance to the project, and on any other Common Area.

Appendix J

APPROVED MATERIALS FOR EDGING

Stone pavers, concrete pavers, or solid bricks must be installed at ground level (no portion of the edging may be above ground, as shown below)

Brick Paver Edging:









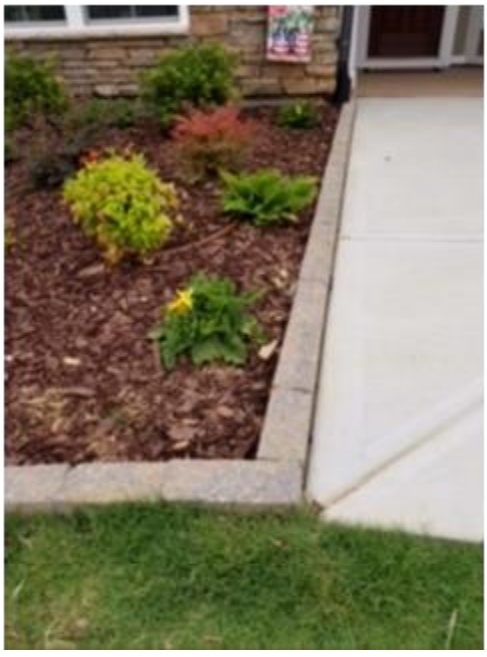
Appendix J (cont'd)
APPROVED MATERIALS FOR EDGING

Steel, Coated Edging:





Stone Edging:





Appendix K

ARCHITECTURAL REVIEW COMMITTEE APPEAL PROCESS

A. Modification Request Approval / Denial

To ensure compliance with Carolina Gardens Design Guidelines, the Reviewing Entity reviews all structural and landscaping modification requests. The Reviewing Entity or ARC will provide a written response on the Homeowner's original modification request form that indicates the approval or denial of the proposed property alteration. If the request is denied, the reason for the denial will be provided.

B. Appeal of ARC Decision

The Homeowner may appeal the Reviewing Entity/ARC's decision to the Homeowners Association Board by documenting the reason for the appeal and submitting it to the HOA Community Office. The appeal must be submitted within 10 calendar days from the date of the Reviewing Entity/ARC's decision and should include the following information:

1. Detailed documents supporting the reason for the appeal.
2. All contractor information.
3. Applicable permits, if available.
4. Clarifying or more specific measurements.
5. Drawings, sketches, etc.

C. Modification Appeal Packet

Complete submittals for appeal shall include relevant information from the original Modification Request packet and fully describe/depict the proposed changes. Modification Appeal packets must be complete without need for further documentation, explanation, or clarification.

D. HOA Board Decisions

The appeal packet will be presented to the HOA Board for review and final decision. The recommendation of the HOA Board may include a waiving of the Design Guidelines, approving the submission, or denying the submission. The HOA Board may consult with the Reviewing Entity, the Homeowner, or other subject matter experts as part of their development of a recommendation.

E. HOA Board Attendance

The Homeowner may not attend the HOA Board closed executive session unless specifically requested by the HOA Board.

F. Homeowner Notification

The Community Management office will advise the Homeowner of the HOA Board's decision by USPS mail, or electronically by email, if an email address is provided on the request form, within five (5) business days of the decision.