

Hermitage Park Homeowners' Association

Architectural Control Standards

And

Specifications

April, 1999

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Dear Homeowners and Prospective Buyers:

This document is designed to supplement the Hermitage Park Covenants document, providing a more detailed description of the architectural change process in layman's terms. If there are any errors or discrepancies between this document and the Covenants document, the Covenants supercede this document and are legally binding.

Covenants and Architectural Standards were instituted in the early stages of development of our Association and require all property owners to adhere to those stipulations and guidelines contained in the documents. The primary purpose of the covenants and standards was to maintain and enhance the appearance of our community by assuring that any architectural changes were evaluated and approved in accordance with our Covenants.

This booklet should be your first reference when you need information pertaining to architectural changes. If you need to know something that is not in this guide, please refer to the Covenants document or call the management company.

The management company for Hermitage Park is R S Fincher & Co., LLC. They can be reached by phone at 362-1460 or in writing at P. O. Box 1117 Apex, NC 27502. Their office hours are 8:00 AM to 5:00 PM Monday through Thursday and Friday 8:00 AM to 12:30PM. There is a 24-hour on-call staff member available, should you have an emergency and need immediate assistance, call 873-8705.

Our primary goal has been to develop standards that will help to ensure a high quality of life and maintain property values without being unnecessarily restrictive.

We hope you enjoy your new home.

Sincerely,

Board of Directors,
Hermitage Park Association

R S Fincher & Co., LLC
P. O. Box 1117
Apex, NC 27502

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DISCLAIMER

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SUBMITTAL AND APPROVAL PROCESS

Each homeowner has the responsibility to complete an Architectural Request Form prior to making any changes, additions or deletions to the exterior of their home or property. Depending on the nature of the request, the homeowner may be asked to provide additional information (items 3 – 4, for example).

Items to be submitted:

1. Architectural Request Form completed in its entirety.
2. Plot plan outlining the position or placement of the change or addition.
3. Drawings / plans showing the construction of the change or addition.
4. Samples of paint, siding, or any other items that may be helpful in making a decision.

Submit your completed Architectural Request Form to the *management company* for initial review. Incomplete submittals will be returned to the homeowner.

Completed submittals will be forwarded to the Hermitage Park Architectural Committee representative prior to the next scheduled meeting for review and site visit.

A homeowner who wishes to meet with the Architectural Committee should contact the management company to be placed on the agenda for the next scheduled meeting.

The management company will complete a standard response letter indicating the final decision. Approval of any submittal or portion thereof does not ensure approval of similar submittals, as each submittal will be considered on its own merits. Any alterations/deviations may require re-submittal. Please contact the management company for more information.

Reminders:

1. Construction cannot begin without written approval.
2. If any Wake County building permits and/or city of Cary building permits need to be obtained, it will be the responsibility of the homeowner to do so.
3. Allow sufficient time for processing and approval in planning for construction.

APPEALS

The homeowner may appeal a denied submittal by submitting a written request for reconsideration to the Board of Directors via the management company. Specific, detailed information should be included that clarifies why the submittal should be reconsidered. The homeowner may request a meeting with the Board of Directors to further discuss the submittal. Please contact the management company to be placed on the agenda for the next Board of Directors meeting.

VIOLATIONS

The Hermitage Park Homeowners Association Board of Directors has a legal responsibility to enforce the covenants of our association. Part of this responsibility includes establishing a set of penalties for violations of the covenants. This section defines the steps that will be taken by the Board in the event of a violation of one of the covenants.

After being informed of a violation, the Board (or the management company acting on behalf of the board) will

1. Notify the homeowner in writing of the violation. This notification will include the details of the violation, the steps required to correct the violation, and the potential fines associated with the violation. If the homeowner takes steps to correct the violation, to the satisfaction of the Board, within a reasonable amount of time (generally considered to be fourteen days), no further penalties will apply.
2. If the violation persists, the Board may levy fines against the homeowner. The amounts of the fines vary by the type of violation. This document establishes three classes of violations.
 - Class A – The most severe. Fines in the range of \$101 - \$150.
 - Class B – Fines in the range of \$51 - \$100.
 - Class C – Fines in the range of \$1 - \$50.
3. If homeowner has not corrected the violation within thirty days after notification, the Board reserves the right to have the violation corrected and charge the expense to the homeowner.

Any fines levied by the Board have the legal authority of a lien against the house involved.

CLOTHESLINES

Permanent exterior clotheslines are prohibited.

Class C Violation.

MAILBOXES

By design, the mailboxes in our neighborhood are uniform in appearance. Any changes to existing mailboxes and/or any replacement mailboxes should conform in size, color, and detail to the original.

Class C Violation.

PARKING

1. No industrial or commercial type trucks, or tractors, or inoperable vehicles, may be regularly parked on the lot or on common property or within any right-of-way of any street in or adjacent to the Subdivision as written in the Declaration of Covenants.
2. No automobiles, trucks, vans, travel trailers, campers or other trailers or any other apparatus designed for movement over and upon streets or highways shall be regularly parked on the streets within or adjoining the Property.
3. Neither a motorboat, houseboat or other similar waterborne vehicle, nor any airplane, nor any travel trailers, other trailers, or "camper" vehicles (e.g., RV) may be maintained, stored or kept on any portion of the Property, except in (a) enclosed garages; (b) in area(s) specifically approved and with screens or covers as specifically approved by the Architectural Committee.

Class C Violation.

STORAGE

1. No trade materials or inventories may be stored on residential lots.
2. Temporary storage of materials for repair or remodeling projects must be discreetly placed and orderly maintained.

Class C Violation.

AWNINGS

All awnings require Architectural approval.

Information required in submittal:

1. Plot plan showing location of awning.
2. Elevation showing location of awning.
3. Description and sample of material(s) to be used.

Guidelines:

1. Fabric must blend with color of house.
2. Awning material must be fabric.
3. May be either retractable or stationary.
4. Any wood structure must be same color as house or deck.
5. Upon deterioration, the awning will be repaired or replaced within a reasonable time.
6. Must be attached to house, not free standing.

Class B Violation.

BASKETBALL GOALS

Items requiring Architectural approval:

1. Basketball goals mounted in the back yard.
2. Basketball goals mounted on the house over the garage or on poles located on edge of driveway pad.

Items not requiring Architectural approval:

1. Portable basketball goals. Portable basketball goals may not remain in cul-de-sacs overnight. Town/County ordinances may prohibit playing in the street, including cul-de-sacs.

Information required in Submittal:

1. Plot plan showing location of basketball goals.
2. Picture or description of item.
3. Description and placement of screening.

Permanent and portable basketball goals are not allowed along the street right-of-way.

Class C Violation.

PLAY EQUIPMENT

All permanent play equipment must be approved by the Architectural Committee prior to placement.

Information required in submittal:

1. Plot plan showing location of play equipment and distance from the property lines.
2. Drawings or pictures of the play equipment to be placed.

Guidelines

1. Play equipment must be left natural, painting is prohibited. No metal play equipment will be allowed.
2. Permanent play equipment must be installed to be as inconspicuous as possible and should be placed out of view of any street. It cannot be placed any closer to the adjoining property lines than 10 feet. The preferred location is in the rear, directly behind the house, but each request will be reviewed on its own merit.
3. The Architectural Committee reserves the right to request that a homeowner remove play equipment if surrounding neighbors complain about disrepair. A site inspection will be conducted by the management company to verify if the complaints are valid and if action needs to be taken.
4. Screening may be required along the property lines in order to block the view and/or noise from neighboring lots. Landscape plans should accompany the submittal.
4. Non-permanent play equipment must also be placed inconspicuously so that it does not detract from the neighborhood surroundings.

Class C Violation.

VEGETABLE GARDEN PLOTS

Vegetable garden plots in the single family residential areas will not require prior approval of the Architectural Committee if they are wholly located in the rear portion of the lot and a minimum of ten feet from the side and rear lot lines. Any tree removal required to provide space for the garden plot must adhere to the tree removal guidelines.

Architectural Committee approval is required for any vegetable garden plot location deviating from the above guidelines.

Guidelines:

1. Maintenance of the garden plot is required. Excess debris will be removed at the end of the gardening season and the plot returned to a natural state. This would include stakes and any other structural additions required for harvesting the garden.
2. In addition, no compost piles are allowed on any portion of property located within the subdivision.

Class C Violation.

PETS

No animals, exotic animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that:

Dogs, cats or other household pets may be kept, provided that they are not bred or maintained for commercial purposes. In no event shall more than three dogs and/or three cats be regularly kept on any lot. All laws and ordinances of the State of North Carolina, the County of Wake, and other governing agencies must be adhered to regarding pets.

Guidelines for the Housing of Animals:

1. Pet pens will not be permitted. Fencing will be allowed within the guidelines for fences. Architectural approval must be obtained before placement of any fencing.
2. Chain link and metal fencing are not allowed. Fencing type must be one of the approved styles.

Information required in submittal :

1. Plot plan showing the location of the proposed structure.
2. Description of the materials to be used in construction.

Class B Violation.

PAINTING OF EXTERIOR OF HOUSE

Changes of existing colors requires Architectural approval (submit color samples to the Architectural Committee).

Brick finishes are required to remain unpainted except to match any existing painted brick house color.

Class A Violation.

SKYLIGHTS AND ATTIC FANS

The addition of a skylight or attic fan that changes the exterior of the roof requires Architectural Committee approval.

Information required in submittal:

1. Plot plan showing the location of the addition.
2. Description of style, size and materials to be used.

Guidelines:

1. The addition of a skylight or attic fan, must be located on the section of roof facing the back of the lot.

Class B Violation.

SWIMMING POOLS AND HOT TUBS

No swimming pools are allowed except for small wading pools.

Hot tubs which are a permanent part of the deck and/or patio require Architectural approval.

Information required in submittal :

1. Plans and specifications showing the nature, kind, shape, height, and materials.
2. Plot plan showing the location of hot tub.
3. Plan for screening (fencing or live screening).

Guidelines:

1. Any wood support structure must be the same color as the house or deck.
2. Pool or hot tub cannot be located within a buffer or easement.
3. All Health Department regulations must be met.
4. Pool or hot tub must be screened from view from any street.

Class B Violation.

SOLAR COLLECTORS

All solar collectors require architectural approval.

Information required in submittal :

1. Drawing showing the location of the unit on the roof.
2. Plot plan showing visibility from streets and neighboring lots.

Guidelines:

1. Solar collectors must be installed to be as inconspicuous as possible. Whenever possible, collectors should be placed on the rear of the home or on the side that has the least public exposure.
2. Collectors should be attached only to the roof, not free standing or ground mounted.
3. Every effort must be taken to camouflage the plumbing and supports for the collectors. This camouflaging may require completely encasing the collectors. All metal parts should be painted to match roof coloring. There should be a minimum exposure of piping with no piping running down the side of the dwelling.
4. Any tree removal required to permit increased solar exposure to the collectors must adhere to the tree removal guidelines.
5. No topping or removal of trees on association common areas and/or greenways shall be allowed.

Class B Violation.

LAWN ORNAMENTS, DECORATIONS, OUTSIDE LIGHTING, SIGNS, AND FLAGS

Lawn ornaments, free standing flagpoles and lantern poles, flood lights and security lights, and fish ponds all require Architectural approval..

Items not requiring Architectural approval:

1. Decorations including holiday decorations, landscape or accent lighting, wall-mounted flags and lanterns,
2. For sale, for rent, garage sale, yard sale, and political campaign signs, provided that no sign be placed on common property and as long as the signs are removed within a reasonable amount of time.

Information required in submittal :

1. Plot plan showing location of item.
2. Picture or description of item.

Guidelines:

1. Every effort should be made to not disturb or adversely affect neighbors particularly with the installation of flood and security lights. The committee reserves the right to require a homeowner to remove an item if surrounding homeowners complain, and if, upon inspection, the committee considers the item unsightly or a nuisance.
2. Commercial advertising signs are prohibited.

Class C Violation.

MAJOR LANDSCAPING

After initial construction, removal of a tree with trunk diameter exceeding six (6) inches at a height of four feet above ground level requires Architectural Committee approval. Other types of landscaping that are structural, or change the contour of the land, or are adjacent to a property line, or obstruct a neighbor's view require Architectural Committee approval.

Items not requiring Architectural approval:

1. Landscaping of a minor nature such as naturalizing an area of the yard or adding low growing shrubs and bedding flowers provided they do not encroach upon neighboring properties.
2. Removal of a tree that is dead or diseased or poses an imminent threat or danger to persons or property.

Information required in submittal:

1. Plot plan showing quantity and location of plants.
2. Description of plants.
3. Details of any landscape plan that may change the flow of any drainage/runoff shall be submitted with details, including a Plot Plan, drawings showing the present drainage/run off and the proposed drawings showing the change in the drainage flow as a result of this change.

Guidelines:

1. Hedges and Screen Plantings:
 - No hedge or screen planting shall be erected on any lot closer to the front lot line than the front of the house.
 - Hedge or screen plantings which form a barrier between properties should have agreement for maintenance access and setbacks to allow for plant growth.
2. No changes or modifications can be made to Common Property without prior Board of Director's written approval.

Class B Violation.

RADIO/TV ANTENNAS AND SATELLITE DISHES

Antennas located in the attic do not require approval.

Exterior antennas do not require approval so long as they meet the following requirements:

1. Only customary television or radio reception antennas may be installed.
3. No antenna may extend more than ten feet above the top roof ridge of the house.
4. No free-standing antennas will be allowed
5. No antenna may be installed along the roofline within twenty feet of the front of the house.
6. Antennas must measure less than three feet across.

Any antennas not meeting these requirements must be submitted to the Architecture committee for approval.

Exterior satellite dishes do not require approval so long as they meet the following requirements:

1. Dishes must be less than or equal to twenty-four inches in diameter.
2. Dishes must be located on the side of the house away from the street. Dishes may not be installed on the front of the house.
3. Dishes must be installed at least ten feet above ground level.
4. Dishes must be located or screened in such a way that they cannot be seen from any street within the subdivision.

Satellite dishes installed at ground level or dishes that don't meet the above requirements must have Architectural approval.

Information required in submittal :

1. Plot plan showing location of antenna or dish.
2. Description of plantings used to camouflage the equipment, if applicable.
3. Description/drawing of the antenna or dish.

Class C Violation.

ADDITIONS AND STRUCTURAL CHANGES TO HOMES

All external additions or structural changes to homes must have architectural approval before construction begins. This includes, but is not limited to, new rooms, porches, or attached structures. Changes to windows, doors or chimneys/fireplaces also require approval.

Normal maintenance to preserve the structure in its original state does not require architectural approval.

Information required in submittal:

1. Plot plan showing the location of the structure and distance from any lot lines, as well as the location of any existing trees that may need to be removed to complete the addition.
2. Elevations showing the planned appearance of the structure.
3. Description of materials to be used including siding, paint colors and shingle samples if applicable.

Guidelines:

1. No addition shall encroach upon the setbacks for the lot as listed in the covenants.
2. Additions should match the house color and style as much as possible.
3. Any building permits needed are the responsibility of the homeowner. The homeowner must submit copies of the permits before construction begins.

Class A Violation.

DRIVEWAYS AND PARKING PADS

Any parking pads or changes to driveways require architectural approval.

Location and Restrictions:

1. No parking of motor vehicles, trailers, camping trailers and recreational vehicles on soft surfaces.
2. Driveways and vehicle parking pads must be concrete. Other types of pads (i.e., brick, stone, etc.) shall be reviewed on an individual basis. Aggregate base, thickness, reinforcement, etc. should comply with good construction practices.
3. Close attention must be paid to structure placement, setbacks and encroachment onto buffer areas, association owned common property and neighboring lots.

Information required in submittal:

1. Plot plan showing location of driveway or parking pad.
2. Elevation drawing(s) showing the measurements of the parking pad such as length, height and width as well as any landscaping that will be added along the perimeter.

Class A Violation.

DETACHED STRUCTURES

The small size of our lots prohibit the construction of detached structures such as storage sheds and greenhouses.

Class A Violation.

DECKS, PATIOS, ARBORS AND SCREENS

There are no predetermined styles for decks or patios. All new decks, patios, arbors, screening and under-deck enclosures including associated landscaping require Architectural Approval. Any appearance change or addition requires Architectural Approval.

1. Deck Materials:
 - A. Deck materials are generally pressure treated wood and must be weather resistant.
 - B. Posts may be made of brick, pressure treated wood or other suitable material.
2. Patio Materials:
 - A. Concrete slabs, smooth finish.
 - B. Bricks, with sand fill or grout.
 - C. Stone, with a sand fill or grout.
3. Height of deck, arbors and screens:
 - A. Decks should be of a reasonable height for their intended purpose.
 - B. Arbors should be no higher than eight feet above the deck surface.
 - C. Free standing deck screens(e.g., lattice) shall not exceed five feet in height.
 - D. Screens as part of an arbor may extend to the arbor.
4. Location and Restrictions:
 - A. Patios should be located behind the house, but may not extend beyond house corners, or be freestanding in other areas of a backyard.
 - B. Decks shall not extend outward beyond the rear corners of the building line.
 - C. Obstruction of views or breezeways of adjoining properties will be given consideration in all cases.
 - D. The construction of decks or patios within a buffer area will not be allowed.
 - E. Only exterior materials comparable to those on existing structures and compatible with the architectural character of the community will be approved.

Information required in submittal:

1. Plot plan showing the location of the deck and patio, in relationship to other structures and property lines.
2. Elevation drawing(s) showing style of deck and patio, including railing, steps, etc
3. Description of materials used, including samples of stain or paint, if applicable.
4. Copies of any required building permits.

Class B Violation.

FENCES

The fencing provided by the builder on the front (and the sides of some houses) may only be replaced with fencing of the same material and color.

Any proposed fencing elsewhere on lots must be submitted to the Architectural Committee for approval. New fencing should meet the following guidelines:

1. Color:
 - Either natural or natural wood color stains..
 - Painted fences are strictly prohibited.
2. Materials:
 - Fence itself to be wood only.
 - All styles above may be either cedar, redwood, or treated pine lumber.
 - No metal, wire, chain or concrete fences are allowed.
3. Height:
 - The maximum height allowed is 5 feet measured from the ground to the top of any portion of the fence, including decorative posts.
4. Location:
 - Fence shall not extend beyond midway of the front and rear of the dwelling.
 - Fences (other than those installed by the builder and suitable replacements) may not be placed along the front of the house.
5. Construction details:
 - All hardware is to be galvanized.
 - All posts must be set in concrete.
 - The finished side of the fence styles must face the adjoining lots.

Information required in submittal:

1. Plot plan showing the location of the fence, in relationship to other structures and property lines, and including dimensions, side views, and gate locations.
2. Elevation drawing(s) showing style of fence including dimensions and gate locations.
5. Description of materials used, including samples of stain or paint, if applicable.
6. Copies of any required building permits.

Class B Violation.

MAINTENANCE

It is the primary responsibility of each homeowner to maintain his property in a way that does not detract from the overall beauty of the community. It is hoped that each and every homeowner will take this responsibility seriously, as this can severely affect the value of all properties.

Following is a list of areas that should be reviewed on a regular basis to insure that your home is in good repair:

1. Shrubbery, Trees, and Lawns
2. Driveways and Sidewalks
3. Decks
4. Fences
5. Play Equipment
6. Roofing
7. Wood
8. Paint and Stain

Class C Violation.