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## 1 Introduction

**Architectural Control Committee Guidelines (ACC Guidelines)** were established by Article VII of the Declaration of Covenants, Conditions and Restrictions for Wood Spring. Their primary purpose is to preserve and maintain property values and the natural beauty of the development. Article VII also establishes the Architectural Control Committee to grant approval of architectural changes. It also establishes an appeals process that involves the Board of Directors.

It is part of the charter of the **Architectural Control Committee (ACC)** to maintain consistent standards while remaining flexible and open-minded to changes in our community and our lifestyles. This standard is intended to be a dynamic document that allows for creativity of design and diversity, with each request being reviewed on its own merits. The aesthetics of the modification and its impact on fellow homeowners will be the primary consideration of the ACC.

The ACC consists of up to three at-large members of the Wood Spring Homeowners association and three members of the current Board of Directors. (See Article V, Section 7 of "BY-LAWS OF WOOD SPRING HOMEOWNERS ASSOCIATION, INC." for further details.)

The ACC also attends to other relevant business, such as writing or revising this document, and reporting on area inspections and follow up inspections.

It is the interpretation of the Wood Spring HOA Board of Directors that the provisions of Article VII apply to a wide variety of aesthetic considerations in the community. Every attempt has been made to include in these ACC Guidelines those considerations that have the potential to impact property values. Suggestions for improvement of this document should be made to the ACC and/or the Board of Directors.

While every effort has been made in these ACC Guidelines to clearly identify the requirements for architectural changes, not every situation can be foreseen, so a homeowner who has questions regarding his/her situation should contact the ACC for guidance.

It must be recognized that the approval process is administered by volunteers on their own time (nights and weekends) and is inherently lengthy. The ACC and the Board of Directors meet on a limited basis within each calendar month. It is imperative, therefore, that each homeowner **plan in advance** and allow for the process time required.

### **Approval of these guidelines**

The initial release of these guidelines must be approved by the majority of quorum of the Homeowners Association (as defined by the Bylaws).

Following the initial release of these guidelines, a majority of the Board of Directors may approve changes to correct minor omissions and errors in this document. However, significant content changes (such as changing the overall process, scope or tone of these guidelines) must be approved by the Homeowners Association.

**Grandfathering**

Existing conditions that do not conform to these guidelines and are permanent in nature will be 'grandfathered'.

Existing conditions that do not conform to these guidelines and are non-permanent in nature will not be grandfathered, and must be made compliant by the homeowner.

**2 Responsibilities**

These are the responsibilities of all parties as they relate to ACC Guidelines.

**2.1 Architectural Control Committee**

The ACC is responsible for reviewing requests, making site inspections (both before and after the modifications), and approving requests. It is also the responsibility of the ACC to keep this document updated on a regular basis.

**2.2 Board of Directors**

The Board of Directors is responsible for ensuring the ACC is properly staffed and are following approved ACC Guidelines and rules.

The Board of Directors will provide an appeals process for homeowners wishing to appeal a decision of the ACC.

The Board of Directors will also make decisions regarding violations and related penalties or legal remedies, and final interpretation of the association Covenants.

**2.3 Property Management Company**

The property management company (currently Ammons-Pittman) is responsible for collecting all Architectural Review Applications submitted by homeowners and following the procedures outlined in these guidelines.

Incomplete forms will be immediately returned to the homeowner.

Complete submittals will be forwarded to the ACC in a timely manner. The property management company will confirm to the homeowner that a complete submittal has been made.

**2.4 Homeowners**

Each homeowner has the responsibility to:

- Be familiar with these ACC Guidelines.
- Properly complete and submit an Architectural Review Application when required.
- Meet all government regulations.
  - ❖ *It is the sole responsibility of the homeowner to ensure their changes meet city building codes and acquire the necessary building permits.*
- Remind neighbors that ACC Guidelines exist.
  - ❖ *Ensuring your neighbors know about these guidelines can prevent neighborhood issues from developing.*
- Notify the property management company, the ACC, or the Board of Directors of potential issues or violations.
  - ❖ *It is in all of our interests that these guidelines be applied consistently and fairly across the neighborhood. If you feel*

*this may not be the case, please notify an ACC member, or a Homeowners Associate Board Member.*

### **3 Guidelines**

This section contains the architectural standards and specifications that each homeowner must adhere to.

#### **3.1 Animals**

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot. Dogs, cats and other household pets may be kept, provided they are not bred or maintained for any commercial purpose.

##### **Approval**

Provisions for keeping household pets outside (housing, fencing, etc) for long periods of time are subject to the "Dog House and Dog Run" sections of this guideline.

#### **3.2 Attic Ventilators**

##### **Approval**

Approval is not required if the following guidelines are met.

##### **Guidelines**

Ventilators, fans and turbines must be mounted on the least visible side of the roof ridge, to minimize their visibility.

It is recommended (but not required) that attic ventilators, fans and turbines be painted to match the color of the roof (if roof mounted) or the color of the house siding or trim (if mounted on a gable end).

#### **3.3 Chimneys**

##### **Approval**

The addition of a chimney requires ACC approval.

The repair or re-construction of a chimney does not require ACC approval if the new chimney will be identical to (materials, color, size) the existing one.

##### **Guidelines**

A chimney must be masonry or enclosed by the same material as the exterior of the home.

#### **3.4 Dog Houses**

##### **Approval**

The placement of dog houses does not require approval by the ACC.

##### **Guidelines**

Dog houses must be in the back yard and compatible with the applicant's house in terms of color and material. Dog houses should be located where visually unobtrusive to neighbors. The use of fencing is optional, however, if used, must meet all requirements found in the "fencing" section of this document.

#### **3.5 Dog Runs**

##### **Defined**

- 1.) A fenced structure constructed to allow dogs to exercise or otherwise move about portions of the owner's property without escaping.
- 2.) A permanent constraining device (such as a post and leash) which allows an animal to roam in a tethered fashion.

**Intent**

The intent of these guidelines is to prevent unattractive sights, sounds and odors from impacting the neighborhood.

**Approval**

A fenced-type dog run requires the construction of a fence, and therefore, requires ACC approval.

Other permanent constraining devices (such as post and leash) are prohibited.

**3.6 Antennas and Satellite Dishes****Approval**

Small satellite dishes (less than one meter in diameter) located in the rear or side yards may be installed without ACC approval.

All other exterior antennas, towers, discs or dishes to be erected must be approved by the ACC.

**Guidelines**

Antennas and dishes must be located to minimize their negative impact on the aesthetics of the neighborhood.

If the ACC objects to the location of an exterior antenna or dish, the homeowner must demonstrate that a less-obtrusive location permitting reception of the intended signals does not exist.

**3.7 Awnings****Approval**

Awnings must be approved by the ACC.

**Location**

Awnings are permitted in the rear of the home, provided they are designed and constructed in a manner consistent with the guidelines designated below. Awnings will not be permitted in the front or on the side of the home.

**Construction**

Awnings must be a color that is compatible with the color scheme of the home. The awning material must be made of a fade resistant material. Retractable-type awnings are permitted.

**3.8 Clotheslines****Approval**

Permanent exterior clotheslines are prohibited.

**Guidelines**

A temporary (retractable) clothesline is allowed; however, it must not be viewable from the street or any neighbor's property.

**3.9 Decks****Approval**

Any change or addition to a deck must be approved by the ACC.

Exceptions are listed below.

**Guidelines**

There is no predefined style. However, the deck should complement the dwelling and be in proportion to the house and lot.

**Location**

A deck must be located in the rear-yard and must not protrude past the sides of the building. Exceptions may be made for homes with rear-yards that are not suitable (but this must be approved by the ACC).

**Material**

Standard decking materials change over time. Materials that are considered "generally acceptable" for building decks in this region of the country (at the time of an application) must be used. If local contractors do not use it, and it is not available in local lumber yards, it is not to be considered a "generally acceptable" decking material".

The material to be used must be specified in the application.

The material to be used must be considered to be of high quality.

The material used must be compatible with other existing external structures.

Plans for sealing, staining or painting the deck must be specified in the application.

If the deck is to be sealed, stained or painted it must conform to the ACC Guidelines for exterior color changes (see "Exterior Colors and Materials" section).

**Height**

The deck flooring may not be constructed at a level higher than the main floor of the house. Decks are not permitted on the 2<sup>nd</sup> floor level of the house.

**Accessories**

The following items are permitted, but must be included in the application.

- Attached standing screens (should not exceed 6 ft in height).
- Arbors.
- Planters.
- Ornamental embellishments, such as starburst features.
- Lattice (for uses other than "storage under deck").

**Storage under deck**

If the space under the deck is used for storage, it must be screened with lattice. Adding lattice to screen the bottom of a deck does not require approval by the ACC. However, shielding under a deck with any other material (non-lattice) requires ACC approval.

### **3.10 Driveways and Parking Pads**

Driveways provide a direct connection between the street and a garage.

Parking pads are driveway extensions, constructed to increase the surface area of a driveway.

**Approval**

Any change or addition to an existing driveway or parking pad requires ACC approval.

Repair or replacement of a driveway that utilizes the exact same material and shape (foot-print) of the original driveway does not require ACC approval.

**Appearance of parking pads**

The layout or design should preserve and complement the original driveway and walkway. The surface shall be the same color and finish as the existing concrete drive. Depending upon lot configuration, screening with landscaping may be required to visually block the area from adjoining property owners. Circular, and other complex driveway configurations, are

not recommended for Wood Spring homes. Note: Not all lots can accommodate a parking pad.

**Location of parking pads**

Parking pads must be adjacent to and contiguous with the original concrete driveway on the side opposite of the front walkway.

**Dimensional Limitations:** Maximum width of 9'-0". Each lot will be reviewed individually.

**Set Back Requirements:** Minimum set back from the side property line is 18" except that the set back may be less with specific approval of the ACC on cul-de-sac lots because of lot configuration and size.

**Drainage/Slope:** Slope of the parking pad and that of the adjacent yard shall preserve the original run-off flow pattern and shall not cause excessive water to be directed to a neighboring property or to the house foundation.

**Materials**

Concrete shall be the only allowable material for driveways and parking pads unless otherwise approved by the ACC. The preparation of the soil base shall be consistent with sound construction practices to minimize the risks of settling, excessive cracking and improper drainage.

### **3.11 Enclosures and Building Additions**

Enclosures and building additions include screened porches, sunrooms or any new living space or storage area that is physically attached to the main structure.

**Approval**

Proposed plans for enclosures and building additions must be submitted to the ACC for approval. The committee will take into consideration proposed materials, colors, location, scale, lot drainage and related details of the plan. The intent is to preserve the architectural character of the neighborhood. Accordingly, plans should be designed to reflect aesthetic compatibility with the community.

**Location**

Proposed enclosures and building additions may be located on any side of an existing dwelling.

**Materials**

Materials for use on any enclosure or building addition must meet or exceed the quality of and be consistent with the materials used in construction of the original structure. A plan's compliance with the current City of Raleigh building codes will be deemed to have met the minimum standards of construction. The ACC reserves the right to require homeowners to exceed these standards if necessary to maintain the architectural character of the community.

### **3.12 Exterior Colors and Materials**

**Approval**

**Maintenance of existing color:** Provided that the existing colors are replicated, an application to the ACC is not required for repainting, re-staining or re-sealing the siding, doors, shutters, trim or deck. A clear sealant may be applied to unprotected decking material without approval.

**Color change:** Any changes to the original exterior paint color for siding, doors, shutters, trim or deck must be approved by the ACC. Proposed color changes will be approved provided the color is both visually

compatible with the architectural scheme found on existing structures in the community.

**Materials**

Siding must be painted with exterior flat paint. The use of other finishes will be approved on a case-by-case basis by the ACC.

Doors, shutters and trim must be painted with exterior semi-gloss paint. The use of other finishes will be approved on a case-by-case basis by the ACC.

### **3.13 Fencing**

**Intent**

The construction of fencing is discouraged in Wood Spring. The physical definition of individual lots visually detracts from the natural open feeling that exists throughout much of the development.

It is the intention of these guidelines, however, to allow specific types of fencing so that the homeowner has the option of creating an enclosed or semi-enclosed area for privacy, security, or protection of small children.

**Approval**

**Any and all** fence construction must be approved by the ACC.

Detailed plans need to be submitted with application, including construction type, location, and material. A plan of the lot showing all existing buildings, drives, walks, natural area and specific tree locations shall be provided with the proposed location of the fence with exact dimensions to property lines or right-of-ways.

If requested by the ACC, all proposed fencing will be flagged or staked in the field for review by the ACC prior to approval.

**Location**

Fencing must be located in the rear-yard only.

No fencing shall be constructed beyond the back corners of any residence, except for fencing to screen trash cans and HVAC units from view.

Fencing shall be six (6) inches or more from property lines. Corner lots will be required to have a setback of five (5) feet from the curb on the side of the lot facing the street.

The ACC retains the discretion of requiring additional setback as is deemed necessary on site-specific situations. Existing topography, vegetation, flood plain and or adjacent lot relationships are factors to be analyzed in determining a setback requirement.

**Materials**

High quality wood, vinyl (or similar synthetic) or wrought iron may be used. Chain-link or wire will not be permitted.

Fencing must follow the contour of the land.

Fencing higher than four (4) feet is discouraged. Fencing higher than six (6) feet is prohibited.

The open space between pickets must not exceed two (2) inches.

Fencing greater than four (4) feet in height must be constructed using at least three (3) rails.

Fencing must be finished (sealed, stained or painted). This requirement may not apply to synthetic materials.

The 'finished' side of the fencing must face the exterior of the lot (posts and rails must face the interior of the lot).

### **3.14 Firewood**

#### **Approval**

Use of a wood pile does not require ACC approval, provided the following guidelines are met.

#### **Guidelines**

Firewood shall be kept neatly stacked, only in the rear yard of the owner's property.

Firewood should be stacked in piles which do not exceed six feet in length and four feet in height, for both aesthetic and safety considerations.

Other than a limited quantity of firewood intended for immediate use, firewood shall not be stacked on patios or decks.

### **3.15 Garage doors**

#### **Approval**

Replacement of a garage door with an identical one (configuration, size, color, texture) does not require ACC approval.

Installation of a new type of door does require ACC approval (e.g. installing a 'custom' garage door).

#### **Guidelines**

The appearance of the garage door should be compatible with the design of the home.

### **3.16 Gazebos**

#### **Approval**

All gazebos must be approved by the ACC.

#### **Intent**

Gazebos should be of a scale and style that are compatible with the home, adjacent homes and the environmental surroundings. Gazebos will be approved based on considerations of visibility, scale and size.

#### **Location**

Gazebos must be located in rear yards, except that variances for side yards may be granted if the gazebo does not interfere with the view from the adjacent neighbor's home.

#### **Materials and Color**

All gazebos, including their rails, landings and supporting posts, must be constructed of cedar, redwood, or pressure treated lumber. Variances may be granted for materials on a case-by-case basis. Wooden portions must be fully painted the color of the home trim, stained, or otherwise treated.

#### **Underside Storage**

Elevated gazebos may utilize lattice to create a storage area (see section on "Decks" for further details).

### **3.17 Generators**

#### **Approval**

The installation of a permanent generator requires ACC approval.

The temporary use of a generator when there is a power outage does not require ACC approval.

#### **Guidelines**

The location chosen must minimize the negative noise and visual impact the equipment has for surrounding homeowners.

### **3.18 Greenhouses**

#### **Approval**

An attached greenhouse will be treated as a major alteration to a dwelling and follow the rules for building additions (see the section on "Enclosures and Building Additions" for details).

Detached greenhouses and cold-frames must be approved by the ACC.

#### **Guidelines**

Whether attached or detached, a greenhouse must meet the following criteria to be approved:

- It must be located in the rear yard.
- Its size and design must be architecturally compatible with the home and surrounding homes.
- There shall be no adverse visual impact for adjoining properties.

### **3.19 Grills (permanent)**

#### **Approval**

The installation of a permanent grill does not require approval from the ACC if the following guidelines are met.

#### **Guidelines**

The permanent grill being installed must be a "standard product" available on the market (i.e. it is available as a "stock item" in home improvement stores). The construction of customized cooking structures (e.g. built-in outdoor kitchens, brick or stone grills and fire-pits, etc.) require ACC approval.

Permanent grills must be placed in the rear yard of the house.

Permanent grills should be as far as practical from adjacent property lines.

### **3.20 Hot Tubs / Spas**

#### **Approval**

The addition or modification of a hot tub or spa requires ACC approval.

#### **Guidelines**

Exterior hot tubs or spas must be located in the rear-yard.

When a hot tub or spa is desired by the homeowner, incorporating the hot tub or spa as an architectural feature of decks or patio is preferable.

The exterior finish of an elevated hot tub should blend with the exterior finish of the home, deck, or patio to which it is attached or most closely related.

Fencing is required for open hot tubs/spas.

All hot tub/spa additions must meet the City of Raleigh zoning requirements and Wake County regulations.

All hot tubs/spas must incorporate proper drainage on the site. The addition of a hot tub or spa must not introduce drainage concerns for neighboring property owners.

### **3.21 HVAC objects**

HVAC objects are heating, ventilation and air conditioning components residing near the foundation of a home.

#### **Approval**

Modification to the location and configuration (size, number of units, etc.) of an external HVAC object(s) requires ACC approval.

The replacement of an HVAC object(s) in the same location with one(s) of identical size and shape does not require ACC approval.

**Guidelines**

The location chosen must minimize the negative noise and visual impact the equipment has for surrounding homeowners.

### **3.22 Landscaping**

#### **3.22.1 Landscaping not requiring approval**

ACC approval is NOT required for landscaping of a minor nature. Examples of minor landscape improvements include:

- Planting of flowers in planting beds and natural areas.
- Converting grassed area to planting bed or natural area (as long as minimum grassed area percentages are maintained, see "Lawn section below).
- Mulching with pine straw, hardwood or pine bark mulch
- Replacement of existing shrubs, plants or trees that die or are diseased with same variety and size shrub, plant or tree in the same location.
- One level of edging (8 inches or less in height above ground level) consisting of unstained pressure treated lumber, brick, stone, pre-cast concrete edging, flexible steel or black plastic edging. Edging exceeding this height should be considered a retaining wall and follow the guidelines set forth below for such structures.

#### **3.22.2 Easements**

Landscaping and plantings in utility easements will be reviewed on a case by case basis and normally will be permissible, but with the full understanding that any planting or structure may have to be removed for utility work in that easement without any liability on the part of the homeowners association or the utility company.

#### **3.22.3 Flower Boxes and Pots**

**Approval**

Attachment of flower boxes to the front of the home must have ACC approval.

The addition of flower pots to the yard does not require ACC approval unless a large number of pots (greater than 10) or large pots (greater than 3 feet in height or width) are being added to the front yard.

**Guidelines**

The size of flower boxes must be in proportion to the size of the window below which they hang.

Flower boxes and pots in the front of the home should be removed when they contain no plant material.

#### **3.22.4 Garden - Vegetable & Herb**

**Approval**

Exceptions to guidelines below require ACC approval.

The use of "raised beds" gardening techniques requires ACC approval to ensure their use will be unobtrusive to neighboring properties.

**Guidelines**

Vegetable and herb gardens must be confined to the rear of the yard out of view from the street.

The maximum height for plants in these gardens should not exceed 5 feet.

### **3.22.5 Lawn**

All front yards must have a minimum of 50% grassed area. The rear and side yards each must have a minimum of 25% grassed area. The addition of landscaping features that would bring the percentage of grassed area below these minimums must have approval of the ACC.

### **3.22.6 Shrubs and Trees**

#### **Approval**

ACC approval is required if:

- The addition or removal of the shrub or tree will materially alter the drainage pattern into neighboring property, common area or easement.
- The shrub or tree will, at maturity, overhang or impede upon a neighboring property, common area or easement. In general, setbacks to allow for plant growth should be taken into account when planting any shrub or tree.

#### **Guidelines**

Planting of shrubs or trees that will, at maturity, impede a driver's vision at intersections is prohibited.

### **3.22.7 Retaining Walls**

#### **Approval**

The addition of a retaining wall requires ACC approval.

The following additional material is required by the ACC when submitting a request for a retaining wall:

- Details on how the wall will be secured to prevent collapse.
- The effects on drainage and runoff patterns as a result of the addition of the wall.

#### **Guidelines**

"Natural" building materials such as stone, slate, brick and pressure treated timbers shall be considered acceptable materials. Railroad ties are prohibited.

Materials and colors chosen should complement existing colors and structures on the site.

### **3.22.8 Water Features**

#### **Approval**

The addition of any water feature (including water gardens, ponds, waterfalls and water fountains) requires ACC approval.

The following additional material is required by the ACC when submitting a request for a water feature:

- Plans to limit the potential for accidents such as electrocution and drowning.
- Plans for landscaping.
- Plans for fish or other living creatures.

#### **Guidelines**

Water gardens and ponds are discouraged in the front-yard (due to safety concerns).

The size and scale of the water feature should be compatible with the home.

### **3.22.9 Lighting**

#### **Approval**

Low voltage lighting to enhance landscape plantings or home appearance does not require ACC approval.

#### **Guidelines**

As the effects of proposed lighting may be difficult to assess prior to installation, the ACC reserves the right to require adjustments to installed lighting if it is found to have adverse effects after installation.

Lighting that illuminates common areas or the property of others, including reflected "backwash", is prohibited.

Lighting must not have an adverse visual impact to any other property due to factors including, but not limited to, location, color or wattage.

Seasonal holiday lighting must be removed within one month of the holiday.

### **3.22.10 Sculpture**

Any sculpture that is to be placed in the front yard or that exceeds three feet in height regardless of placement must receive ACC approval.

### **3.22.11 Hedges and Screen Plantings**

Hedge or screen plantings are defined as plantings which form a barrier between properties.

#### **Approval**

The addition of a hedge or screen planting must be approved by the ACC.

#### **Guidelines**

No hedge or screen planting shall be erected on any lot closer to the front lot line than the front of the home.

Hedge or screen plantings should have:

- Agreement for maintenance access.

Hedge or screen plantings must have:

- Setbacks to allow for plant growth.

## **3.23 Mailboxes**

This section applies to Wood Spring residences only; Wood Spring Estates residences are exempt.

#### **Approval**

Approval is not required to replace an existing mailbox; however, only an exact match can be re-installed.

#### **Size and Color**

All mailboxes and mailbox posts must remain the same size and color as originally installed by the builder. The color of the mailbox and post must remain white. No exceptions will be granted.

#### **Replacements**

Information concerning the configurations and retail sources for approved mailboxes and mailbox posts may be obtained by contacting the property management company or the ACC. Replacement costs are incurred at the homeowner's expense.

#### **Maintenance**

Mailboxes and mailbox posts must be replaced or repainted, as appropriate. Maintenance costs are incurred at the homeowner's expense.

### **3.24 Newspaper Tubes**

#### **Guidelines**

Newspaper tubes are not permitted. No exceptions will be granted.

### **3.25 Parking**

#### **Guidelines**

Homeowners should make every attempt to park their vehicles in their driveway or garage.

Comprehensive regulations concerning prohibited vehicle types (boats, campers, trailers, recreational vehicles) and areas which permissible vehicles may be parked or stored are contained in Wood Spring Declaration of Covenants, Conditions and Restrictions, Section 14.

### **3.26 Patios**

#### **Approval**

The addition or modification of a patio requires ACC approval.

#### **Guidelines**

There is no predefined style. However, the patio should complement the dwelling and be in proportion to the house and lot.

Proper landscaping is required for patios, and landscaping plans must be included in the application.

Drainage must be considered. Plans for water run-off must be included in the application.

Acceptable materials are concrete, stone or brick.

#### **Location**

A patio must be located in the rear-yard and should not protrude past the sides of the building. Exceptions may be made for homes with rear-yards that are not suitable (but this must be approved by the ACC).

Any negative impact on drainage must be remedied and must not adversely impact a neighbor.

#### **Materials**

Concrete:

- Can be smooth or textured finish or with exposed aggregate.
- Large concrete slabs are not recommended, as they are aesthetically poor and water run-off issues exist with these types of patios.
- It is highly recommended that concrete slab patios be landscaped.
- The edges of concrete slabs that are above grade must be screened with landscaping.

Brick or stone:

- Brick or stone must be filled with sand, grout or other material to keep bricks and stones together while providing a neat and finished appearance.
- A consistent stone or brick material must be used throughout the patio.

### **3.27 Play and Recreational Equipment**

#### **Approval**

ACC approval is required if play or recreational equipment is not located in the rear yard.

#### **Play Equipment Defined**

Swing sets, jungle gyms, climbing equipment, slides, sandboxes and similar items are classified as play equipment for the purposes of this guideline. This guideline does not apply to play equipment that is temporary and movable in nature such as bicycles, wagons, and items of a similar nature.

**Recreational Equipment Defined**

Trampolines, basketball goals, horseshoe pits, permanent volleyball courts, permanent golf putting surfaces and similar items are classified as recreational equipment for the purposes of this guideline. The guideline does not apply to temporary recreational equipment such as badminton and volleyball nets, and items of a similar nature.

**Location**

Lot configuration permitting, play and recreational equipment must be located in the rear yard. In the event lot limitations require placement of play or recreational equipment in the side yard area, plans must first be submitted to the ACC for approval. Such plans should include details as to how the equipment will be screened or shielded from view. Under no circumstances may play and recreational equipment be located in the front yard. The location of the play and recreational equipment must take into account and minimize the adverse impact on adjacent properties, specifically relating to noise, safety and line of sight. This guideline does not apply to basketball goals; see below.

**Set Back**

Play and recreational equipment shall not be located closer than ten (10) feet from the property line. This set back requirement is applicable to all lots, whether the yard is fenced in or not.

**Basketball Goals**

Basketball goals, fixed or portable, may be located adjacent to the driveway in the front or side of the home. The location of the basketball goal must take into account and avoid the possibility of balls striking vehicles, landscaping or other items located on the adjacent property. Neither fixed nor portable basketball goals may be permanently (allowed to remain overnight) located adjacent to the street, where the street is utilized as a playing surface.

**3.28 Poles**

Permanent free standing poles (such as flag poles) are prohibited.

**3.29 Security Bars**

**Approval**

The installation of security bars requires ACC approval.

**Guidelines**

Security bars or gates on windows and doors are strongly discouraged. Security bars or gates may be approved if a homeowner can demonstrate exceptional circumstances and/or the security apparatus will not be visible from the street and from adjoining properties.

**3.30 Sidewalks and Pathways**

**Approval**

The installation of private sidewalks and pathways must be approved by the ACC.

The replacement or repair of an existing private sidewalk or pathway with identical materials and specifications does not require ACC approval.

**Guidelines**

Private sidewalks and pathways must be set back at least four feet from the property line and installed flush to the ground.

Only brick, stone, concrete or similar durable construction material should be used.

The scale, location and design should be compatible with the lot, home, and surroundings.

### **3.31 Signs**

**Approval**

The construction of a permanent sign on a homeowner's property is not permitted.

The placement of small, inconspicuous security service signs are permitted and do not require approval of the ACC.

**Guidelines**

Real estate signs (for the sale of the lot on which it sits) do not require submittal.

Garage/yard sale signs do not require submittal if they are removed no later than one day after the sale.

Political campaign signs that meet the requirements of city ordinance do not require approval if they are removed within one week of election day.

Commercial advertising signs are prohibited.

### **3.32 Solar panels**

**Approval**

The installation of new or additional solar panels requires ACC approval.

**Guidelines**

Solar panels that are visible from the front of the home are prohibited. (Exceptions to this to be granted on a case-by-case basis)

### **3.33 Storage and portable storage units**

**Approval**

ACC approval is not required if the following guidelines are met.

**Guidelines**

Portable storage units may not be located on the premises (e.g. in the driveway) for more than one week.

Temporary storage of materials for construction or landscaping projects must be discretely placed and orderly maintained. The materials must be promptly removed when the projects are complete.

No trade materials or inventories may be stored on residential lots.

### **3.34 Storage Sheds**

**Approval**

Storage sheds must be approved by the ACC.

**Guidelines**

Detached freestanding storage sheds are discouraged. Where possible, storage sheds should be attached to the rear of the house. In most cases, this is less expensive than a freestanding structure and would be more aesthetically pleasing as well as more convenient. However, if owners feel

he/she has inadequate storage and there is no structural way to add a storage shed attached to the house, the following minimum criteria apply to freestanding sheds:

- Siding material must be the same color and composition as the home.
- Roof must have the same pitch, materials and colors as that of the home.
- The shed must have a suitably constructed floor system and/or foundation.
- The maximum size of any storage shed is 120 square feet (i.e., 10'x12').
- Placement of a detached shed in relation to the house should be to the rear of each lot and not in the side yard areas that are highly visible from the street. They must also be located at least 10' from the neighboring property lines.
- Paint colors for windows, shutters, and door should match those of the house.
- All exterior freestanding structures shall maintain proper drainage on the site.
- If electrical service will be provided to the detached structure, the application must include details of how that service will be run and must comply with all applicable electrical codes and regulations. Overhead electrical service is not permitted.
- Metal storage structures will not be approved.

### **3.35 Storm and Screen Doors**

Doors must be full view, with kick plates no greater than 12 inches in height and no panels other than glass or transparent screening intended to impede insects. 'Full view' is defined as allowing an uninterrupted view of the underlying door, but may include so called 'split full view' doors with two separate removable panels, provided that the cross bar securing the panels is not greater than two inches wide.

'Split full view' doors should not be used on the front entrance.

Discreet decorative etching on the glass border of a single panel glass door will not disqualify the door as 'full view'.

Storm or screen doors must match the color of the underlying door or that of the immediately surrounding trim. (Note: A homeowner planning on painting a storm door should verify the material used to construct the door can be painted.)

#### **Approval**

The installation of storm and screen doors must be approved by the ACC.

Replacement of storm and screen doors does not require approval, provided the replacement doors match the guidelines below.

#### **Guidelines**

### **3.36 Storm Windows and Screens**

#### **Approval**

Storm windows must be approved by the ACC.

The use of screens does not require approval, provided they meet the guidelines listed below.

#### **Guidelines**

Storm and screen window frames must be white or the color of the immediately surrounding trim.

### **3.37 Swimming Pools**

#### **Approval**

Swimming pools must be approved by the ACC.

#### **Guidelines**

In general, only in-ground swimming pools will be acceptable. Above-ground pools (excluding portable pools which are play equipment for children) will be considered only if there are no adverse off-site visual impacts.

A pool must be located in the rear of the property.

All pools must be fenced in, and meet all code requirements of the City of Raleigh and Wake County.

All pools will maintain proper drainage on the site. If a pool is planned, homeowners are required to provide a plan that details drainage patterns and runoff.

### **3.38 Trash**

#### **Guidelines**

Trash and recyclables should be placed at the curbside no earlier than sunset before the day of pick-up.

Trash and recyclables must be placed in front of the home disposing of the material and must not impose upon or impede neighbors.

Trash located outside residences will be kept only within covered, rigid metal or plastic containers manufactured specifically for trash purposes. Trash containers should be kept out of site.

Newspapers and other recyclable items should be left for pick-up in city-supplied recycling containers or other similar container that keeps material neat and organized at the curb. Recycling containers must be kept out of view at all times, except when placed at curbside for pickup.

### **3.39 Wires and cables**

#### **Guidelines**

Wires and cables, including those installed to convey radio or television signals, shall be hidden, buried or secured flush with the side of each home so as to minimize their visibility.

## **4 Maintenance**

It is the primary responsibility of each homeowner to maintain his/her 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 private Sidewalks
3. Decks
4. Fencing
5. Play and recreational Equipment

6. Roofing
7. Paint and Stain
8. Siding
9. Mailboxes

#### **4.1 Repairs (emergency situations)**

Repairs utilizing identical materials, styles and colors do not require ACC approval.

In the case of storm damage and other emergency situations, temporary repairs and covers may be used (that do not match existing constructions methods) to prevent further damage to the house and property until more permanent measures can be taken. These temporary measures do not require ACC approval.

#### **4.2 Deterioration**

If at any time the Board of Directors is made aware of a property that has deteriorated to a point that it is affecting the aesthetics of the community, the ACC will be directed to make a site inspection (exterior only). They will then make recommendations to the Board of Directors.

Based on the severity of the deterioration, the homeowner will be given a specified length of time to make the necessary repairs or corrections. If after that time, the repairs or corrections have still not been made, the Board of Directors may use the enforcement procedures at its disposal to effect the necessary changes.

## 5 PROCESS

Changes, additions or deletions that have been previously identified as requiring an Architectural Review Application submittal, or other projects that the homeowner believes may require submittal, shall follow the process described in this section. The process will be the same for all applications, with the required details varying depending upon the type of change.

### 5.1 Reminders

- No construction shall begin without ACC (Architectural Control Committee) approval of the application.
- It is the homeowner's responsibility to determine if a City of Raleigh or Wake County building permit is required for their project. It is the homeowner's responsibility to obtain permits and comply with city and county imposed requirements.
- Allow enough time for ACC processing and approval when planning for construction.

### 5.2 Homeowner Steps for Preparing the Application

**Step 1.** Prior to any alteration, addition or improvement, the property owner is to refer to the Wood Spring Architectural Guidelines and determine if an application is required. If yes, continue.

**Step 2.** Prepare the application (copies are available from the management company, Ammons Pittman, or the Wood Spring community website). Reference should be made to the appropriate section in the Architectural Control Committee Guidelines for the requirements specific to each project.

**Step 3.** Attach drawings, sketches and supplemental documents that will assist the ACC in their review. Depending on the project, some attachments are required for the review process. You will find those details on the application listed beside each specific project. A complete application will fully describe/depict the change and stand on its own without need for further explanation or clarification.

Suggested attachments include:

1. Pictures, magazine cutouts, etc.
2. Photographs
3. Paint/Stain color chips
4. Plot plans\*/Survey - top down drawing showing location of existing structure(s), property boundaries in relation to adjoining property(s), and location of proposed change(s).
5. Elevation drawings\* - a side view that will show height, topography of land, and visual image of the change.
6. Written and/or visual depiction\* of construction details.
7. Location of building material storage during construction, soil disposal plan, drainage plan, and landscaping plan (as applicable).

\* *Drawings need to be to scale to show a relationship to location, height, etc., with the dimensions clearly marked on all drawings.*

**Step 4.** Sign the Application.

**Step 5.** Application must be mailed, faxed or taken to the property management company. The property management company will perform an initial review of the Application for completeness, legibility and mark the date received. A postcard will be sent back to you with the date of receipt recorded. ***A homeowner will need to contact the property management company if a postcard is not returned. A homeowner must not assume the application was received.***

**Step 6.** The property management company will forward the application to ACC for review at the next regularly scheduled ACC meeting. Incomplete or illegible Applications will be returned to the homeowner. A homeowner will receive written notice of approval, disapproval or approval with conditions within 30 days of receipt by the management company. ***In all cases the homeowner will receive written notification. Not receiving notification is not to be assumed as approval.*** No project may be started without written notification from ACC. Homeowners not receiving a notification should contact Ammons Pittman and a member of the ACC.

### **5.3 ACC Steps for Reviewing the Application**

**Step 1.** The property management company will forward all complete applications to the ACC.

**Step 2.** The ACC will review applications and supporting documents. A written response of approval or disapproval will be sent to the homeowner within 30 days of dated receipt of the application.

Incomplete or Illegible Applications: Applications that are submitted without necessary attachments, supporting documents or illegible will be administratively denied and returned to homeowner with request for missing documents.

**Step 3.** The ACC will make site inspections as needed. The application may also be reviewed with adjoining property owners who may be impacted by the change.

**Step 4.** The application will be voted on by the ACC in accordance with the Wood Spring Bylaws. A majority vote of ACC members will determine approval.

**Step 5.** A standard response letter indicating the ACC's decision will be mailed and delivered to homeowner no more than 30 days from the dated receipt of the application. An application can be approved, disapproved, or approved with conditions. Approvals are valid 180 days from approval date. Approval is contingent upon completion of project in accordance with the plan details specified in the application. In the case of a disapproved application, the reasons/requirements are to be listed on the application that is returned to the homeowner (see Appeals/Resubmittal section below). In the case of approval with conditions, conditions will be listed on the application and homeowner may begin the project provided the stated conditions are satisfied. ***In all cases the homeowner will receive written notification. Not receiving notification is not to be assumed as approval.*** No project may be started without written notification from ACC.

**Step 6.** If the ACC is notified (by homeowner or Ammons Pittman) that a homeowner has not received a response to his/her application within 30 days, the ACC must take immediate action to communicate a decision regarding the homeowner's application.

**Step 7.** An application approved by the ACC is considered a contract to comply with the details specified in the application. Alteration/deviations of a significant nature will require re-submittal of an application. Approval of any application or portion thereof does not ensure approval of similar applications, as each application will be considered on its own merits.

**Step 8.** It is the homeowner's responsibility to obtain appropriate city and county building permits prior to starting construction (if applicable).

#### **5.4 Appeals/Re-submittal of Application**

The homeowner can appeal a decision of ACC to the full Wood Spring Board of Directors in accordance with Article V, Section 7 of the Wood Spring Bylaws. According to the Bylaws, a request is to be submitted to the Secretary prior to the regularly scheduled board meeting. Any board member on the ACC cannot vote when an appeal is brought to the Wood Spring Board of Directors.

Should the Application have been disapproved on a technicality (i.e. location or height of a fence), and the homeowner is willing to comply with the remedy proposed in the ACC response letter, the homeowner need only pencil in the change(s) and initial and date the change(s) to the original Application. The ACC will then reconsider the revised application. The homeowner will receive a written approval letter within 30 days citing the change(s).

#### **5.5 Time Frame for Construction**

Construction should begin and be completed within 180 days of written approval by the ACC. Work must be completed within 180 days unless an extension is requested and granted. It is the homeowner's responsibility to comply with time restrictions imposed in their City of Raleigh or Wake County building permits.

### **6 Forms**

The form to be used by Homeowners is included below.

**Wood Spring Architectural Review Application (Page 1 of 2)  
(FOR HOMEOWNER USE)**

Homeowner Name(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: (W) \_\_\_\_\_ (H) \_\_\_\_\_  
(Cell) \_\_\_\_\_ E-Mail \_\_\_\_\_  
Estimated Starting Date \_\_\_\_\_ Estimated Completion Date \_\_\_\_\_

Please place a check beside your proposed project. The number in **BOLD** beside each project identifies the section you should reference in the Wood Spring ACC Guidelines for the standards related to your specific project. The numbers in parenthesis correspond with the required attachments for each project. Please be sure to include all required information or the request will be returned, causing a delay in the review process.

- |   |  |
|---|--|
| <input type="checkbox"/> Antenna/Satellite Dish <b>3.6</b> (1,2,3,4)                    | <input type="checkbox"/> Exterior Colors and Materials <b>3.12</b> (2,3) |
| <input type="checkbox"/> Deck <b>3.9</b> (1,2,3,4)                                      | <input type="checkbox"/> Hot Tub/Pool <b>3.20, 3.37</b> (1,2,3,4,5)      |
| <input type="checkbox"/> Fencing <b>3.13</b> (1,2,3,4)                                  | <input type="checkbox"/> Landscaping <b>3.22</b> (1,2,5)                 |
| <input type="checkbox"/> Parking Pads <b>3.10</b> (1,2,3,4,5)                           | <input type="checkbox"/> Storage Sheds <b>3.34</b> (1,2,3,4)             |
| <input type="checkbox"/> Patios <b>3.26</b> (1,2,3,4,5)                                 | <input type="checkbox"/> Sidewalks and Pathways <b>3.30</b> (1,2,3,4,5)  |
| <input type="checkbox"/> Play Equipment <b>3.27</b> (1,2,3,4)                           | <input type="checkbox"/> Other (1,2,3,4,5,6 as applicable)               |
| <input type="checkbox"/> Enclosures and Building Additions<br><b>3.11</b> (1,2,3,4,5,6) |  |

**Definition of required attachments listed above**

1. Plot Plan with project shown, a top down view drawn to scale indicating all dimensions (length, width, height, sq. footage) and distance to property lines.
2. Materials List. For landscaping requests, include list of plants to be used with locations shown.
3. Indicate color(s) and include paint/stain chip(s).
4. Provide a picture (i.e. photograph, magazine cut-out), manufacturers literature or scaled drawing with a front/side view (i.e. elevation).
5. Drainage plan, soil disposal plan or landscaping plan as applicable.
6. Building material storage location and construction debris details.

**Description of Request and Detailed Specifications:** (Attach additional sheet(s) if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Materials List:** (Attach additional sheet(s) if necessary)

\_\_\_\_\_  
\_\_\_\_\_

The homeowner requests design approval and grants permission to the ACC to visit the property to consider the request and to inspect during installation and upon completion.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Wood Spring Architectural Review Application (Page 2 of 2)**

**NEIGHBOR'S APPROVAL ENCOURAGED, BUT NOT MANDATORY**

Neighbor Approval #1: \_\_\_\_\_  
Name Address Signature

Neighbor's Comments: \_\_\_\_\_

Neighbor Approval #2: \_\_\_\_\_  
Name Address Signature

Neighbor's Comments: \_\_\_\_\_

**Mail to:** WoodSpring Homeowners Association/ Ammons Pittman Property Management  
5821-B Falls of Neuse Road  
Raleigh NC 27609

**FAX to:** (919) 790-5455

**Phone:** 790-5455

.....  
**Receipt of Application:** A postcard will be returned to you by the management company, Ammons Pittman. It will indicate the date the application was received by Ammons Pittman. **Contact Ammons Pittman if you do not receive this postcard reply.**

.....  
**Reply from ACC:** You should receive a written reply from the Woodspring Architectural Control Committee, via US mail, within 30 days from the dated receipt of your Application at Ammons Pittman. **Contact Ammons Pittman if you do not receive a response within 30 days.**

For Architectural Control Committee Use	
Date Received by Ammons Pittman _____	Date Received by ACC _____
Design Approval	___ Yes      ___ No      ___ Conditional Approval
ACC Committee Chair _____	_____
Signature	Date
Remarks / Special Conditions	
_____	
_____	
_____	
_____	
_____	
_____	

#### Violations and Association Remedies

There are essentially two types of violations that must be dealt with by the Wood Spring Home Owners Association:

- Implementing a change, addition, or deletion without approval of a properly completed submittal, and
- Deviation or noncompliance with an approved submittal or specified guideline.

### **6.1 Remedial Process**

After all attempts to resolve a violation have been exhausted, including 30 days notice and the opportunity for a hearing, the Board of Directors will select the appropriate remedy and notify the Property Owner of such action.

### **6.2 Homeowner Association Remedies**

Enforcement of this Standard is detailed in Article VII and VIII of the Declaration of Covenants, Conditions and Restrictions for Wood Spring and Article VII of the By-Laws.

Remedies include but are not limited to:

- a. Suspension of voting rights and privileges.
- b. Levying of penalties as approved by the Board of Directors.
- c. Obtaining Restraining Order to prevent an action.
- d. Obtain a Court Order to require the homeowner to remove a project.
- e. Entering a property to remove a project at the homeowner's expense.
- f. Submitting a lien against the homeowner's property for outstanding indebtedness to the Association for nonpayment of penalties, removal fees, etc.