

**Richland Hills HOA, Inc.**

**Guidelines to Architectural Change Requests**

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## ARCHITECTURAL AUTHORITY

The Architectural Review Committee (ARC) is established as a requirement of the Association's DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS. If you do not have a copy of the DECLARATION, please request a copy from management.

In a planned community such as Richland Hills; the question naturally arises as how to maintain a harmonious, quality development as the community matures. The following GUIDELINES attempt to provide a meeting ground between private interests and the broader interest of the Richland Hills Community.

The COVENANTS, by virtue of your deed, are binding on all homeowners and renters and should be fully understood. The fact that each homeowner is subject to these COVENANTS should assure all homeowners that the standards of design quality would be maintained enhancing the community's overall environment and protecting property values.

## ARCHITECTURAL GUIDELINES

Please retain these GUIDELINES as part of your permanent papers. You should make these GUIDELINES available to any renters of your home.

Please read and follow these GUIDELINES. You **MUST** obtain approval **IN WRITING** from the Architectural Review Committee (ARC) **BEFORE** the start of any exterior change. The ARC is allowed up to 30 (thirty) days to act on an application. All ARC requests must be approved in writing before any work is commenced. Therefore, **DO NOT** commit labor or materials until you have received written approvals. After 30 days have passed and no response is received, the homeowner is responsible to contact the management company and verify the status of the request. Receiving no response from the ARC Committee **does not** constitute a blanket approval.

There are three major categories of items for specific home improvement guidelines. These three are very important to you because they identify which improvements are permitted and how approvals can be secured.

Category One: Blanket Approvals

Category Two: Common Improvements

Category Three: Special Improvements

**Items not specifically mentioned here require approval.**

## CATEGORY 1

### BLANKET APPROVALS

Items in this category **DO NOT** require approval, provided the guidelines mentioned are followed:

#### Landscaping and Gardening

Plants, shrubs and flowers planted within three (3) feet of the front of your house should not grow higher than the lowest portion of the windows.

Bedding border, if constructed of common landscaping borders, are not to exceed 8" in height (eight inches).

Planting of flowers & shrubs around trees. Hose caddies affixed to homes.

Vegetable gardens in rear yards provided it is not visible from the street. The plants may not exceed allowed fence heights or grow through to the neighbor's yard.

#### Paint/Siding/Repairs

Lawn furniture, barbecue equipment, toys, bikes, trampolines, basketball hoops, etc. are **OK** if kept in good repair. These must be stored in rear area when not in use and they **cannot** be seen from the street; "the exception is a basketball must be played in the driveway and **storage of goals cannot be at the end of driveway, sidewalk nor the verges**. They should be placed at the front of garage or side of house. Repainting or re-siding of your house or house shutters should be in the original colors of your builder's color scheme (if available) or a similar material and composition. If you do not know or cannot determine the identity of the original builder, a clean picture (take a few) shown to the Paint Store or Siding Store should ensure a very close match. Refurbishing the façade (siding, trim) with the same colors requires no approval.

Painting the shutters black, regardless of previous color, requires no approval.

#### Exterior Fixtures

Satellite dishes, no more than 39" in diameter, with hidden cable. Placement of the dish must be located in rear of house whether on roof or on the ground. whichever application best suits your installation. They must not be visible from street. Homeowners are responsible for

misplaced dishes. If dishes are on side of a home, they must be concealed by shrubs. FCC regulations permit a dish to be in the front of a home if that is the only location to get reception. In this case, the HOA requires a letter from the dish company stating this was the only option.

- Mailbox post and box, if replaced in the original colors, (post in white, boxes in black).
- Storm doors, they may now be full view or half view with the screen on the bottom half. They are white or same as existing trim/door color, anodized aluminum including baked on enamel.
- Outside seasonal decorations may be displayed up to 3 weeks before or after the holiday season.

## Fences

If being repaired using the same materials and color as the original fence, no ARC approval needed.

If a French drain is needed for drainage problems, you do not need ARC approval, but you must get Town of Wake Forest approval with permits they request.

## CATEGORY 2

### COMMON IMPROVEMENTS

**Items in this category require APPROVAL. An architectural application must be submitted and meet the following guidelines.**

#### Exterior Painting

The color you're painting must be within the same color family provided to you/applied by your builder. If you choose to repaint with any other color, samples of these colors must be submitted to the Architectural Review Committee (The ARC will require an actual paint sample on similar material) and approved prior to commencing any repainting projects. **Approval must be received in writing.**

**Doors can be solid wood in brown or black with etching, glass or full view. You need the ARC application sent in with a picture of the door. Approval must be in writing.**

## Fence

### **All fences must receive written approval.**

They may enclose all or part of the backyard and may not extend more than 25ft. (twenty-five feet) from the side of the house forward (this will allow all crawl space doors and air conditioner units in fenced area).

They must be no taller/higher than 6' (six feet) in total height. Panels must be consistent.

The smooth side of the fence must face outwards. The front yard may not be fenced.

### **Fencing types not permitted in the community:**

Chain Link

Chicken Wire

Small Picket (this refers to height, below 4' high/tall)

### **Types allowed (with approval)**

Outdoor Metal Porch Railings: If you have a black metal fence surrounding the backyard, you may also apply for the porch stairs. Homeowners must follow Town of Wake Forest Building/Inspection Department (**Handrails/Guardrails on the sides of steps are required to be 34" - 38" measured vertically from the leading edge of the tread nosing. Handrails are only required when there are four or more risers**).

If the stairs are less than four risers a handrail would not be required therefore a permit would not be required. If the existing handrails that are being replaced or repaired a permit would not be required.

Stockade(wood): These must be stained within the suggested time, (normally 6 six (six) months to a year. The stain must be maintained, sealed and if not sealed, pressure washed or re-stained to maintain aesthetics. They may not be painted.

PVC fencing, pressure washed as needed. Wrought iron, black only.

You may not connect your fence to your neighbor's fence without written approval and consent from your neighbor(s). If the fence will be connected on both sides, each adjacent homeowner must give their consent in writing. The written consent from each homeowner must be included in the ARC request at the time of submission.

**Corner lots will receive special consideration, when approving the Fencing on corner lots, the decision must be by a majority vote of all HOA Board members.**

#### Exterior Façade

If you are not refurbishing the façade (siding, trim) with the same family of colors and building materials, you should supply a sample of each for approval.

#### Patios and Decks

They must be neutral in color.

**Be sure to obtain the proper permits from your local government prior to commencing your projects. All patios and decks must receive written approval from the ARC.**

#### Storage Sheds

All shed installations must receive written approval.

They must be no larger than 12' x 14' (twelve feet by fourteen feet) in size;

They must be constructed of wood or heavy-duty plastic resin; no aluminum sheds allowed; and must be kept clean and in good repair.

They must be placed on the property behind the house so that the shed can not be seen from the road;

They must be at least 10' (ten feet) from the neighboring property;

They must be screened from adjacent properties and from street view. The street view in this case would be for lots that cannot properly screen the shed by simply placing the shed behind the home. Corner lots will receive special consideration. **When approving the sheds on corner lots, the decision must be made by a majority vote of all HOA Board members.**

Siding material must be similar in color and composition to what is on the home. Roof must have similar pitch, be of similar materials and similar color as that of the home.

## Trash Can Enclosures

All structures must be constructed using pressure treated wood;

Structure must not come any closer than 3' (three feet) from the front of the house. Structure must be no higher than 4' (four feet) in height.

Structure must not be more than 5' (five feet) deep.

Structure must not be more than 6' (six feet) in length.

Lattice (including PVC) or 6" (six inch) dog-eared or stockade fencing may be used for the enclosure.

Shrubbery or plants may be planted in front of the enclosure to reach 4' (four feet) in height within two years.

Shrubbery or plants themselves may act as an enclosure if they are of the type that will reach 4' (four feet) in height within two years and totally block trash cans from street view.

**Above ground Pools:** are allowed with written ARC request, picture of the pool, permits approved by Wake Forest, Franklin County or Wake County, need a fence included that must be 4-6' (four-six feet) with a locking mechanism on the door, plot of your land along with ariel map of house and approval letters from your neighbors.

## CATEGORY 3

### SPECIAL IMPROVEMENTS



Items in this category include fireplace chimneys, window or door changes, landscaping changes, brick or foundation painting, addition of stone/brick to façade, roofing, solar panels and structural changes or other major improvements.

Any of these require submission of a standard Architectural Review Committee application including complete plans and specifications. The processed changes/improvements must conform to our community standards and guidelines and to those of the city. Our objective is to maintain a uniform appearance in our community.

The Architectural Review Committee approval does not substitute the approval by the city. These requirements do not in any way mean that these types of changes will not be approved. However, a complete record of all changes must be maintained to ensure that we are acting in the best interest of the community.

### Solar Panels

Placement of the solar panels must be located in rear of house whether on roof or on the ground, whichever application best suits your installation. They must not be visible from the street. Homeowners are responsible for misplaced solar panels. Solar panels might be approved to be installed in the front (roof) of a home if that is the only location to get optimal solar exposure. In this case, the HOA requires a letter from the company performing the work stating this was the only option and the reasoning why. Additional documentation such as solar exposure testing is also required.

When approving Solar panels to be installed in the front roof of a house, the decision must be by a majority vote of all HOA Board members after being approved by the ARC Committee.

Solar panels must be maintained and free of disrepair. There must be no peeling, chipping, cracking, or discoloration.

All solar panels installed must be consistent in size color and style.

## **APPEARANCE STANDARDS**

### Overall Appearance

The home, mailbox and fences must be maintained and in good repair; to include paint, stain and overall condition.

Properties should be free of any debris.

Front facing window Air Conditioners are prohibited.

Trash storage needs to be screened from the road and trash cans must be removed from street view by 12:00 NOON the following morning after a scheduled pick up. These standards are in addition to any listed in the Declaration of Covenants.

### Fences

If fences have been painted or stained, they must be continually maintained (repainted or re-stained) when necessary. There must be no peeling, chipping, cracking, or discoloration. Home must be kept free of mold, mildew and grime. This includes siding and shutters and sheds.

### Lawns

Must be well kept with uniform ground coverage. Grass should be kept no more than 4" high. The designated lawn area should be fully covered with grass, not weeds. Any brown area or bare patches should be repaired during the spring or fall seeding season. Dead trees and shrubs must be removed and replaced with plantings of similar size and shape. Trees should be surrounded with a mulch/pine straw/ or rock bed.

### Recreation

No items (toys, bikes, garden equipment, trash containers, chairs, wood, recycling bins etc.) may be left in front or side yards.

## Vehicles/Storage/Other

There is to be **NO STREET PARKING** on garbage pick-up day.

No parking vehicles on lawns or over sidewalks at the home or in/on common elements. Parking parallel to the sidewalk on the driveway apron is prohibited.

No commercial truck, commercial bus, or other commercial vehicle of any kind may be kept or parked overnight upon any portion of the properties without Board of Directors approval, additional reference to Covenants, Article VI section 7.

No portion of the properties may be used for the repair of automobiles, nor shall any vehicles other than private automobiles be parked in any of the parking spaces maintained by the Association.

No mobile house trailer (whether on or off wheels), vehicle or enclosed body type vehicle (known as "campers"), boat, marine craft, hovercraft, aircraft or trailer shall be parked within the right of way of any public or private street adjacent to any lot, Common Areas, or ON any lot and must be completely screened from street view and view of the adjoining lot. The Owner/Lessee must receive written approval from the Board of Directors, if there is a request for any of the above to be stored in view for a maximum of one week. They may be parked completely inside a garage.

No POD or storage containers may remain on the street for more than 10 days or in the driveway for more than 14 days.

### **THE ARCHITECTURAL REVIEW COMMITTEE PROCESS:**

1. Owner submits to the Architectural Review Committee, in care of the Management Company, an application for Architectural Improvement. The Architectural Review has 30 (thirty) days to review the application and make a decision.

2. The application, noted with the date of receipt by the Management Company, is turned over to the Architectural Review Committee within 2 (two) working days providing all information necessary for review has been received. (The Management Company will make a cursory review of the application and request from the owner any additional information needed. The Architectural Review Committee may still require additional information as detailed in 4D below. The 30 (thirty) day timetable begins when the application is complete and appropriate for review).
3. The Committee will act on the application within 30 (thirty) calendar days from receipt. After 30 days have passed and no response is received, the homeowner is responsible to contact the management company and verify the status of the request. Receiving no response from ARC Committee **does not** constitute a blanket approval.
4. The Committee's decision will be noted on the application. The owner will be notified by the Management Company of all final decisions in writing. The decisions will be one of the following:
  - a. APPROVAL: The application is approved as submitted.
  - b. APPROVAL WITH CONDITIONS: The overall proposal is accepted but with certain specific changes, limitations or requirements that must be followed.
  - c. DISAPPROVAL: The application is denied. The owner can appeal the Architectural Review Committee decision to the Board of Directors. The appeal must be submitted in writing within 30 (thirty) days and sent to the Board of Directors via the Management Company.
  - d. ADDITIONAL INFORMATION REQUIRED: The Committee has determined that additional information is needed for appropriate review of the application. In this case, the entire process begins again once the Management Company receives the information. The owner shall follow the same submission procedure.
5. ARCHITECTURAL REVIEW COMMITTEE INSPECTION: The Architectural Review Committee reserves the right to visit your lot and inspect the improvement/change. This will be done for 2 (two) specific reasons:
  - a. To ensure that the application details were followed and to note problems encountered which might help other residents on similar projects and:

- b. To learn any “pointers” that other residents might employ in more easily completing an improvement project.
6. Approvals remain in effect for 1 (one) calendar year from date of approval. Once work has begun it must be completed within 90 (ninety) days of the start date. If work does not begin within the 1-year time limit, you must resubmit your application for approval.

## **INSPECTIONS, NOTICES, PENALTIES & VIOLATIONS**

One of the benefits of living in a community with an HOA is to maintain consistency and value in our neighborhood. Our HOA must ensure our members are clear as to the rules and standards. Homeowners in turn need to know their Covenants, ByLaws and Rules and Regulations. The process below lists the steps taken should a violation occur. The goal and intention are that no homeowner will be penalized but will take corrective action after being notified of a violation.

### **Type 1 Violations**

If a homeowner receives a violation such as overgrown lawn, siding/fencing in disrepair, or there is mold, the HOA Management Company will issue an initial warning that will state the homeowner has a specified time to comply. If by that date the homeowner has not complied, they will be given a final warning and be given 20 (twenty) days to correct the deficiency. If this creates a hardship or other extenuating circumstances exists, the homeowner should immediately contact the management company. After 20 (twenty) days and no action have been taken, the Management Company will contract to have the issue resolved. The cost of the maintenance or repair will be passed on to the homeowner.

### **Type 2 Violations**

If a homeowner is in violation with any other item not included in a Type 1 violation such as, but not limited to, the shutters need painting, or another maintenance issue has been noticed, hanging or missing shutters, missing mailbox, or dead trees. The HOA Management Company will issue a warning letter explaining the deficiency and will give a specific date as to when it must be

rectified. If the issue is not corrected or it reoccurs in the allotted time frame, then the Management Company will issue a Final Warning and set up a hearing date for the owner to appear before the Board and allow due process. At the hearing the owner can dispute the violation or give reasons why they should not be fined. Afterwards, the Board will discuss and decide whether fines are warranted and establish the amount, and frequency of the fine. The owner will be notified within 5 (five) business days after the hearing of the results.