

EATON'S CROSSING HOMEOWNERS ASSOCIATION ARCHITECTURAL REVIEW COMMITTEE (ARC)

ARCHITECTURAL REQUEST APPLICATION

Your application must be submitted, reviewed and APPROVED by the ARC before you begin any construction-related activity on your lot. Please check the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Eaton's Crossing (dated 1/22/2014) and the attached documents for specific requirements and details pertaining to our community.

Applications shall be submitted with all required information. Incomplete applications will be returned without review. Please complete this application and submit with all required materials to:

Rogers Property Management
P.O. Box 742
Creedmoor, NC 27522
emma@rogerspm-nc.com

APPLICANT NAME(S) _____

PHONE _____ EMAIL _____

LOT NUMBER _____ LOT ADDRESS _____

TYPE OF REQUEST _____

Estimated Completion Date: _____
New home construction must be completed within 18 months of approval.
Other improvements must be completed within 9 months of approval.

Construction activity will be inspected by the Association during the construction process to verify that improvements are compliant with the approved plans. Any deviation from the approved plans may be subject to fines.

***** Please allow at least 30 days for ARC reviews to be completed. *****

After you have received your approval from the Association, contact Warren County to apply for and obtain a building permit prior to commencing construction.

To be Completed by Rogers Property Management:

Date Request Received _____ Date Application Accepted as Complete _____

A decision was made regarding your request on _____. Your application has been:

Approved

Approved with Conditions
(attached)

Denied

Signature of Association Director, Agent, or ARC Chair: _____

Disclaimer

The Association's approval of the request is not any representation to constructability, stability, feasibility, or any other warranty. The Association expressly disclaims any warranty or liability with regard to the request. The Association's role in approval of the request is purely for aesthetic purposes and shall not be interpreted or used for any other purpose whatsoever. The homeowner also acknowledges that anything installed within an easement, right-of-way, or common area, may be removed by the HOA and/or easement holder at the homeowner's sole expense.

The Association reserves the right to inspect all new construction, additions, modifications and alterations to make sure they are consistent with the request submitted for approval. Please follow the plan exactly as submitted or submit an additional request form with revisions for ARC review in the event that you cannot follow the original plan.

Please keep in mind that compliance with all County and State of North Carolina building code requirements and applicable permits is the sole responsibility of the homeowner. This would include, but is not limited to, verifying setback, easement and buffer requirements. Also, be aware that you are responsible for contacting the appropriate entities before digging.

Certification

I hereby certify that I am the lawful owner of Lot # _____ and that I have read, understand, and agree to all of the following HOA Standards and Requirements:

- Attachment **A** – General Requirements (Page 3)
- Attachment **B** – Architectural Standards (Page 4-5)
- Attachment **C** – Submittal Requirements (Pages 6-8)
- Attachment **D** – Homeowner Requirements (Page 9)

Additionally, I have read and understand Attachment **E** - Construction Requirements (Page 10), and agree that I will follow the indicated requirements and that I am responsible for the actions of my contractor/builder, and will ensure he/she is aware and abides by the requirements listed in Attachment **E**.

Finally, I understand that all construction shall be consistent with the approved plans and that HOA Board Members and/or duly appointed members of the ARC may from time to time inspect the home interior, exterior, and grounds (as per the covenants) to ensure compliance with the plans as filed, and that construction and operations are consistent with all requirements of the Association.

Owner's Signature

Date

Owner's Signature

Date

ATTACHMENT A – GENERAL REQUIREMENTS

Overview

- 1) Your Association's Board of Directors has appointed members to the Architectural Review Committee (ARC) to review and approve the plans for all new structures and additions or modifications to existing structures. The ARC is also responsible for reviewing and approving landscaping, patios, hardscape, driveways, sidewalks, paths and lighting on each lot.
- 2) No construction or installation activity shall commence without prior written approval from the Association and all other required government approvals.
- 3) In addition to the requirements and standards included in the ARC Application Form and Attachments, compliance must be demonstrated with all sections of the "Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Eaton's Crossing" dated January 22, 2014 (in particular, pages 17 to 28).

Bedroom Count & Size of Home

- 4) Per the Eaton's Crossing Property Owners Covenants, the number of bedrooms per home varies by lot, and these allocations were determined based on the capacity of the neighborhood's on-site wastewater treatment plant. The capacity of the plant was determined by a permit with the North Carolina Department of Environmental Quality (NCDEQ), which continues to have oversight of the plant. This permit limits the number of bedrooms in the neighborhood, thus our covenants have restrictions regarding the number of bedrooms per home/lot.
- 5) Per NC State Statutes, the bedroom count for an individual home is determined by counting the number of bedrooms in the home, with the clarification that "any other room that can function as a bedroom shall be considered a bedroom for design purposes." This language presents a challenge when reviewing house plans, especially those homes with a study, home office, bonus room, etc. Specifically, we need to balance the ability to develop nice spacious homes in Eaton's Crossing with our obligation to remain in compliance with the neighborhood's wastewater permit. In this regard, we have developed the following guidelines to balance these objectives and provide direction when designing homes:
 - a) If a room has a closet, it will be counted as a bedroom.
 - b) If a room has direct access to a bathroom, it will be counted as a bedroom.
 - c) If a room has close proximity to a full bathroom (e.g. the full bathroom is adjacent to the room or is directly across the hall), and there is no other reason for a full bathroom, it will be counted as a bedroom (note this situation can often be remedied by alternatively utilizing a half-bathroom instead of a full bathroom).
 - d) Rooms that do not fall into one of the above categories may be approved for purposes other than a bedroom (e.g. study, home office, bonus room, etc.).
- 6) Homes shall meet the minimum size requirements and may not exceed the number of bedrooms allowed in the Restrictive Covenants:

Lots 1-12: No less than 1,800 square feet of heated living area, excluding any basement footage, no more than three (3) bedrooms.

Lots 13-25, Lots 31-38, Lots 44-57 and Lots 64-80: No less than 2,000 square feet of heated living area, excluding any basement footage, no more than three (3) bedrooms.

Lots 26-30, Lots 39-43, Lots 58-63 and Lots 81-98: No less than 2,400 square feet of heated living area, excluding any basement footage, no more than four (4) bedrooms.

Wastewater System

- 7) **All homes shall be equipped with an E-One pump system for wastewater (no exceptions). Additional information can be found at <https://eone.com/sewer-systems>.** Tanks must provide 24 hours of storage – which is currently 90 GPD per bedroom with a minimum of 180 GPD.

ATTACHMENT B – ARCHITECTURAL STANDARDS

Architecture & Materials

- 1) Fiber cement siding, brick and/or stone shall be the primary materials used on home exteriors. Vinyl siding is not allowed.
- 2) Wood or fiber cement boards shall be used for trim.
- 3) Wood, stone, or a composite material designed to replicate look of wood shall be used for decking.
- 4) Brick or stone (or a brick or stone veneer) shall be used to decorate the front foundation of each home. Side and rear foundations may be covered with brick, stone or hard stucco (synthetic stucco is not permitted).
- 5) On corner lots, brick or stone (no stucco) shall also be used to decorate any side or rear foundation that is directly visible from the street.

Roofing

- 6) Roofs shall have a minimum of 12-inch overhang.
- 7) Roofs shall be covered with asphalt or fiberglass shingles or pre-painted metal roofing.

Deck Landings, Stairs and Side Doors

- 8) No front decks, side decks/porches or entrances are permitted
- 9) A single pedestrian garage side door may be approved, but it must exit at ground level (no steps).
- 10) Rear decks and stairs may not extend past the sidelines of the home. Exceptions may be granted for a rear deck landing and stairs if they (1) are not located in the 5-foot-wide side yard setback, (2) are not visible from the street, and (3) utilize see-through pickets or railings (wire or glass).

Garages & Driveways

- 8) Garage doors are limited to 8 feet in height. Garage doors may be increased to 9 feet in height if the garage door is a minimum of 35 feet from the back of the curb and a decorative door is utilized (decorative shall mean the door includes dimensional panels, windows, and/or hardware).
- 9) Driveways shall be concrete and/or decorative paver blocks.
- 10) Driveways shall be limited to a width of 20 feet at the curb.

Fencing/Screening

- 11) Fencing shall be black aluminum with vertical pickets (no other fencing materials are permitted).
- 12) Fences shall be a minimum of 4 feet and a maximum of 5 feet in height.
- 13) Regarding location, fences shall not extend further forward on a lot than the rear-most corner of the home. However, other architectural features or demising corners may be approved on a case-by-case basis as the rear-most corner of the home as long as the fence is still located the greater of at least two-thirds the depth of the lot from the street or two-thirds the depth of the home.
- 14) Utility equipment (heating and cooling, irrigation, propane tanks, etc.) and trash cans shall be screened from the view of the street with landscaping. Shrubs that grow to 4-6 feet (or can be maintained at that height) shall be utilized for this screening. Fencing shall not be utilized for this purpose. This requirement is only applicable to new construction approved after 3/01/2026.

Lighting

- 15) No exterior lighting is permitted which illuminates any adjacent property off the lot on which it is being installed and may be approved on a case-by-case basis (the ARC may request a study to prove such if an applicant desires to add exterior lighting). All such lighting must use fixtures that direct the light downwards with the exception of wall washes and tree/plant uplighting that may also be approved on a case-by-case basis.

Setbacks

- 16) Buildings, porches and decks shall be built to comply with all setback requirements. The applicable setbacks are 20 feet for the front yard, 5 feet for the side yard, and 0 feet for the rear yard. For corner lots, the corner side yard has a 10-foot setback. Homes shall not be placed on or immediately adjacent to the rear property line due to the need to be able to construct homes without off-site impacts. Rear decks and patios may be able to extend to the rear property line if off-site grading is not necessary.
- 17) HVAC units, propane tanks, generators and E-One wastewater pump systems may be located in side yard setbacks as long as they are screened in accordance with Standard 14.
- 18) HVAC units, propane tanks, generators and other similar above-ground utility equipment shall not be located in a front yard or on a corner side that is directly visible from the street.
- 19) HVAC units, propane tanks, generators and other similar above-ground utility equipment shall not be located on a side that is directly visible from a boathouse path (applicable to new construction after March 1, 2026).

Accessory Structures

- 20) Enclosed accessory structures are not allowed due to the small size of the lots in our neighborhood.
- 21) Shade structures (shall not be enclosed) may be permitted if they are proposed in coordination with an approved swimming pool or hot tub.

Items Not Allowed

- 22) Wood-burning fire pits are not allowed. Gas fire pits shall be allowed if they are located behind the rear of the home.
- 23) The following are not allowed:
 - a. Above-ground pools,
 - b. Clotheslines,
 - c. Window AC units,
 - d. Basketball goals,
 - e. Tree houses, or
 - f. Trampolines.

ATTACHMENT C – SUBMITTAL REQUIREMENTS

The following is a schedule of the minimum information required at each review. Only complete submittals will be reviewed.

Application Form:

- ☐ Completed and signed copy of the **Architectural Request Application (pages 1-2)**

The Site Plan or Plot Plan shall include:

- ☐ Clearly marked site survey showing the location of the proposed structure(s)
- ☐ Illustrate applicable setbacks. Make sure that the proposed activity does not encroach into the 20-foot front setback from the street right-of-way or the 5-foot side setbacks from adjacent lots (10-foot side setback if a corner lot)
- ☐ Verify that proposed construction activity, including the structure(s) and associated grading, does not extend across your rear lot line
- ☐ Label dimensions between the structure and all property lines so that compliance with setbacks can be verified
- ☐ Identify any easements on the lot (several lots in Eaton's Crossing have an 8-foot wide pedestrian easement across the rear of the lot) and provide dimensions to document that no structures are located in the easement
- ☐ Location of E-One Wastewater Pump
- ☐ Location of exterior HVAC equipment
- ☐ Location of propane tank (if applicable)
- ☐ Location and dimensions of driveway (include both width and length)

The Building/Architectural Plans (new construction, additions or structural changes) shall include:

- ☐ Floor plans for all levels
- ☐ Renderings of all exterior elevations including basements, showing height, dimensions, roof pitches, materials, etc.
- ☐ Full detailed building plans (all dimensions must be included and legible)
- ☐ Digital samples or photographs of all exterior building materials, colors and finishes
- ☐ Color and type of shingle

The Landscape and Hardscape Plan shall include the location of proposed structures and:

- ☐ Locations of existing trees
- ☐ All trees/vegetation proposed for removal
- ☐ Proposed landscaping (including all plant species and locations for shrubs and trees)
- ☐ Patios and terraces with all dimensions and a selection of all materials and colors
- ☐ Retaining and/or screening walls with dimensions, colors, materials, and elevations
- ☐ Location and construction methods, materials, and colors for all paved areas including but not limited to driveways, sidewalks, paths, patios, etc. and decks.
- ☐ If a pool is being requested, include the location, shape, depth, capacity, location of filters, location of drain, method for disposal of drain water, fencing and screening. Only in-ground pools will be considered on a case-by-case basis, depending on size and shape of lot.
- ☐ If a hot tub is being requested, include the location of the hot tub.
- ☐ If playground equipment is proposed, include the location and type of equipment.
- ☐ Gardens may be approved on a case-by-case basis depending on the footprint of the home and the size and shape of the home. Gardens may not be located between the front façade of the home and the street.

If Landscape or Architectural lighting is proposed, a lighting plan shall be provided that includes:

- ☐ All landscape lighting (must be low voltage) with locations of all fixtures and transformers. Landscape lighting fixtures shall be located to not be visible from the street.
- ☐ All architectural uplighting or downlighting (must be low voltage) with types and locations of all fixtures. Such fixtures shall be located so as to not be visible from the street.
- ☐ No exterior lighting shall be permitted that illuminates any adjacent off-site areas.

Utility information may be provided on a separate sheet or on the Plot Plan and shall include:

- ☐ Locations of HVAC, gas, and utility equipment, and method of screening
- ☐ Locations of irrigation equipment (if applicable)
- ☐ Above utility equipment shall not be located along the front of a home.
- ☐ For corner lots, the above utilities shall not be located along the side of the home facing the street.
- ☐ For lots adjacent to boathouse paths, utilities shall not be located along the side of the home facing the boathouse path (only applicable to new construction or revisions approved after March 1, 2026).
- ☐ Satellite dishes shall be no more than one (1) meter in diameter, with a hidden cable. Such equipment shall be placed to minimize its view from the street.

Construction Fencing is required:

- ☐ In order to protect off-site vegetation and contain the limits of disturbance to the lot being built upon, the following note shall be included on the cover sheet for all new construction and all other projects that involve bringing significant equipment and/or supplies on-site:

“Prior to removing any trees or starting any construction on the lot, tree protection/ construction limits fencing [Fencing] shall be installed along the rear and side property lines to prevent vegetation removal or grading activity from occurring on adjacent property. The Fencing shall be installed, inspected and approved by the HOA prior to the commencement of any construction activity on the site.

If work commences prior to the installation, inspection and approval of Fencing, then the property owner shall pay a fine of \$100 per day to the HOA for such violation until the Fencing has been installed, inspected and approved. As work progresses, it is the responsibility of the property owner and builder to ensure that Fencing remains in place until the external home construction has been completed and groundcover is about to be installed.”

- ☐ Silt fencing is often needed with new construction to keep sediment from washing into the lake. If silt fencing includes fencing that is at least 3 feet in height, it may be used in lieu of tree protection/construction limits fencing [Fencing]. If silt fencing is utilized in addition to tree protection/construction fencing, then the silt fencing shall be located inside the tree protection/construction fencing (i.e. on the lot).
- ☐ In instances where flexibility with Fencing is needed along a rear lot line, the property owner may request permission from the ARC as part of constructing a new home to have an additional 5-10 feet of space in the HOA common area for construction, if justification is provided and the situation is not due to a self-created hardship by the builder.
- ☐ In instances where flexibility with Fencing is needed along a side lot line, the property owner may request permission from the ARC as part of constructing a new home if the proposal is submitted with written approval from the affected neighbor(s).

ATTACHMENT D - HOMEOWNER REQUIREMENTS

Parking & Storage

- 1) Residents are not allowed to park vehicles on the streets.
- 2) No storage or parking of boats, campers, trailers, or motor homes is permitted on streets or driveways.
- 3) No overnight parking or storage of watercraft, trailers, or vehicles are allowed in the Day Docks parking area from 8 pm Sunday to 1 pm Friday. Such activity is only allowed from 1 pm Friday through 8 pm Sunday.

Common Areas

- 5) Common areas are owned by the HOA, not individual property owners.
- 6) Homeowners wishing to make any changes to the vegetation in the HOA common areas adjacent to or behind their lots shall be required to complete and submit a "Common Area Maintenance Plan" in order to receive approval for such activity.
- 7) No changes to the topography of common areas (or adjacent lots) are allowed without prior approval from the ARC.
- 8) No trees or vegetation shall be removed from adjacent common areas without prior approval from the ARC.
- 9) No recreational equipment, including but not limited to boats, jet skis, canoes, kayaks, or paddle boards shall be placed or stored in HOA common areas behind or beside a lot.
- 10) Fire pits, cooking stoves, and camping-related equipment are not allowed in common areas.

Other

- 11) No mooring or anchorage of any watercraft is allowed in the waters adjacent to Eaton's Crossing Development (per VECP agreement, and as stated in Eaton's Crossing Property Owners Covenants).
- 12) Loud music that would be an annoyance to the neighbors is not allowed.
- 13) Seasonal decorations are permitted for 4 weeks prior to a Holiday and for 2 weeks after a holiday.
- 14) All signs, posters, banners, or other signage, excluding "for sale signs," are prohibited.

ATTACHMENT E – CONSTRUCTION REQUIREMENTS

Tree Protection/Construction Limits Fencing

- 1) It is the responsibility of the property owner and builder to ensure that tree protection/ construction limits fencing is installed prior to starting any construction-related activity on a lot and remains in place until the external home construction has been completed and groundcover is about to be installed.
- 2) If the tree protection/construction limits fencing is damaged or knocked down, it shall be repaired or replaced within 24 hours. A fine of \$100 per day will be assessed for each day the fencing is not maintained during construction.

Construction Staging & Activities

- 3) From the commencement of construction through completion of construction, a porta-potty and a dumpster must be located and maintained on the lot.
- 4) A Track Pad must be installed at the entrance to the lot being constructed upon.
- 5) Loading and/or unloading of heavy equipment with metal tracks, must occur on the owner's lot, or as close as possible to the work site, and not driven over neighborhood streets. Homeowners shall be responsible for repairing or replacing any damage done to streets or curbing by construction equipment.
- 6) All construction debris must be picked up daily.
- 7) All construction materials must be maintained on the lot. No material is allowed to be placed or stored upon adjacent lots or common areas without prior approval from the neighboring owner and the ARC.

Parking

- 8) Contractors or subcontractors shall be allowed to park a maximum of one vehicle in the street during construction, if not blocking access to another owner's property.
- 9) Additional contractor vehicles may temporarily stop and park for brief periods (an hour or less), if actively loading or unloading materials.
- 10) Additional contractor parking is available in the parking lots adjacent to the community playground and field beside the pool.

Excess Dirt/Fill

- 11) No fill may be stored on adjacent lots or in common areas without prior approval from neighboring owner and the ARC.
- 12) Excavated dirt/fill must be spread or removed within 30 days of completion of the construction phase of the foundation. In the event foundation excavation has started, and is not completed within (60) days, the excavated fill must be spread or removed, and safety fencing must be installed around any open foundation areas.

Verification of Compliance with Approved Plans

- (13) Prior to requesting the Certificate of Occupancy from Warren County for a new home, the owner or developer shall (A) schedule an inspection with the ARC to document that the constructed home matches the approved plans, and (B) provide an as-built survey prepared by a professionally licensed surveyor verifying the location of the home, including any hardscape and landscape features. The home shall not be considered compliant with HOA requirements until the ARC has approved both the home inspection and the as-built survey as being compliant with the ARC-approved plans.

As part of preparing the as-built survey, the homeowner needs to determine whether the following situations are applicable:

- A. Does the lot back up to HOA common area? If so, the common area shall be included in the as-built survey so that it can be used as part of submitting any future Common Area Maintenance Plan application (see separate application form for additional details and requirements). The survey should also identify relevant dimensions, including the distance from the rear of the home to the rear lot line, and the distance from the rear lot line and rear property corners to the boundary between the HOA common area and Dominion land. These points on the HOA common area/Dominion land boundary shall also be permanently marked in the field by the surveyor with an Iron Pipe or Rod for reference and future inspections.
- B. Does the lot have an 8-foot-wide pedestrian easement across the rear of the lot (applicable to Lots 14, 15, 25, 26, 29, 30, 31, 36, 37, 38, 39, 40, 57, 58, 61, 62, 63, 64, 81, 82 and 97)? If so, the 8-foot-wide easement shall be shown on the as-built survey. In addition, dimensions shall be provided to confirm that no structures, hardscape, or landscaping are located in the easement.