

The Oaks at Highcroft

ARCHITECTURAL GUIDELINES AND ARCHITECTURAL REVIEW BOARD PROCEDURES

TABLE OF CONTENTS

Architectural Review Board Procedures

Architectural Guidelines Introduction

Architectural Review Board Procedures – Builder Section

Architectural Review Board Procedures for Alterations and Additions –Homeowner (post-closing) section

Architectural Guidelines

Architecture

Specific Details on Common Elements (Siding, Shutters, Brick or Stone Veneer, Roofs, Windows, Doors, Screened Enclosures, Solar Collectors)

Building Massing and Lot Designations

Setbacks for homes and accessory buildings

Square Footage Requirements

Porches and Patios

Garages and Carports

Exterior Colors and Materials

Fencing

Exterior Lighting

Mailboxes

Dog Houses and Dog Runs

Play Equipment

Retaining and Screen Walls

Tree Removal

Awnings

Satellite Dishes

Landscaping and Site Development

Construction Maintenance and Miscellaneous

Revised 10/24/2012

ARCHITECTURAL REVIEW BOARD PROCEDURES

Architectural Guidelines Introduction

The following Architectural Guidelines (Guidelines) embody what The Oaks at Highcroft is and should continue to be in the future. These Guidelines will be the primary vehicle for establishing and maintaining the architectural character for any and all residential development that is unique to The Oaks at Highcroft. The Guidelines may be periodically updated as required. The Architectural Review Board ("ARB") has full authority over the Guidelines and Review Procedures and has the right to alter, change, overrule, etc. these Guidelines and ARB decisions at its discretion and at any time.

Architectural Review Board Procedures – Builder Section

- The Oaks at Highcroft ARB shall enforce the Guidelines. Proposed houses must be submitted to the ARB for final review and approval prior to beginning any construction and clearing of the lot. The builder, superintendent, designer or sales agent should present each proposal in person.
- Approval of the ARB does not constitute a representation of warranty to the quality, fitness, or suitability of the design or materials specified in the plans or approval of any local, state or national code or ordinance. It is the applicant's sole responsibility to provide safe construction practices and meet all relevant local, state or national code or ordinances as related to each specific construction project including but not limited to verification of setbacks, utilities, existing site features, etc. The ARB shall not be held liable for any injury, damages, or loss arising out of the manner or quality of construction or any modification to a home site.
- The ARB shall also monitor the construction process in order to ensure conformance with the approved plan submittals. Any non-conformance may involve special assessments as described in the Covenants.
- All proposals and questions shall be submitted to the ARB at the The Oaks at Highcroft Sales office (when opened). Until that time, please contact J. Michael Hubbard, Architect, PA (919-795-6355, Fax 919-463-9312, JMHArchitecture@aol.com) with any questions, proposals and to schedule appointments at ARB meetings. ARB meeting appointments will be scheduled on a first- come, first-served basis and may be scheduled up until the ARB meeting if time is available. ARB meetings are scheduled in 30 minute increments. Allow 30 minutes minimum for an original full submittal review and an additional 10 minutes each for other issues such as color proposals, follow-up issues, etc. in estimating time required for ARB meeting appointments.
- Submittals shall include the ARB Submittal Checklist, Site Plan, Floor Plans, Elevations (front, sides and rear) color proposals and any alternate/special details such as handrails, columns, etc. All submittals shall be one copy, 8 1/2" x 11", one side only format. Concept drawings or preliminary plans may be submitted to the ARB for review, comment, and approval to proceed before more detailed plans are completed. Submittals not meeting these requirements will be returned to completion prior to ARB review.
- Final responses to ARB decisions (i.e. approved with exceptions and re-submittals) shall be re-submitted to the ARB for final review, approval and record prior to proceeding with construction.

Architectural Review Board Procedures for Alterations and Additions

Homeowner (Post-Closing) Section

- After plans are initially approved, as noted in the preceding section, or after homeowners have closed on their property, the procedures of this section must be followed and completed for any alterations and additions.
- The ARB Alterations and Additions Submittal Checklist must be submitted to the ARB for review of all exterior changes or additions to your residence or property. The list of changes, alterations or additions includes, but is certainly not limited to, the following: Attached or detached garages, any addition to an existing dwelling, awnings, decks/front or side entrance porches, dog houses/dog runs, exterior color changes, fencing, landscaping projects, retaining walls, screened porches, storage sheds/playhouses, satellite TV dishes, etc.
- All proposals and questions shall be submitted to the ARB at
Omega Association Management, Inc, located at 1010 Buck Jones Road., Raleigh, NC 27606,
(Tele.919-461-0102, Fax 919-461-0106) Email: djohnson@Omegamgmt.com
- The Guidelines are in total effect concerning any alteration or addition. A copy of the Guidelines is available for reference from the office of Omega Association Management, Inc.
- The Application submittal should include the following as required to communicate the scope of the proposed new construction:
 1. ARB Alterations and Additions Submittal Checklist
 2. A plot plan (site plan) showing the location of the proposed alteration or addition, the existing building, and property lines.
 3. Detailed construction drawings, to scale, including a full view of the addition, with elevations, as it will look attached to the existing structure. A view of the entire structure is necessary to help determine balance.
 4. Drawings or photographs showing the existing conditions before the proposed changes.
 5. Samples of colors and materials, if different from existing building.
 6. A landscape plan and plant schedule, if applicable or required.
 7. Perspective drawings of complex projects
- Concept drawings or preliminary plans may be submitted to the ARB for review, comment and approval to proceed before more detailed plans are completed.
- All submittals shall be one copy, 8 -1/2" X 11" in size, one side only format.
- Final responses to ARB decisions (i.e. approved with exceptions and re-submittals) shall be re-submitted to the ARB for final review, approval and record prior to proceeding with construction.
- No project may be started without formal ARB review and approval. It is the sole responsibility of the applicant to insure complete compliance with all relevant building practices, code permits, and licensing requirements.
- Failure to comply with ARB requirements and approved plans and elevations, etc. may result in the required removal of any non-conforming construction, detailing, colors, etc.

- Major additions often have an impact on neighboring property. Plans must be well thought out to minimize any adverse impact on neighboring properties or impairment of the view of neighbors. Changes in grade or drainage must not adversely affect adjacent properties. Applicants should consult with neighbors while making plans, and include Neighbor Notification as specified on the Application.
- The design for major additions must be compatible in scale, massing, character, materials, and color with the original house. New windows and doors should match, and be located to relate well with existing windows. The roof pitch should match the original roof of the home, with the exception of porches, which may have a varying roof pitch.
- Additions should be located to minimize the removal of trees and the destruction of natural areas. The ARB may require supplemental landscape treatment to compensate for the removal of vegetation, or to soften the addition visually.

The Oaks at Highcroft

Architectural Guidelines

Architecture

Architectural correctness is strongly encouraged and required with all architectural applications.

Specific Details on Common Elements

- **Siding** which includes textured finish materials such as shake or a different width and orientation (i.e. board and batten, etc.) siding is encouraged. Aluminum siding and trim, concrete masonry block units and prefabricated metal buildings and similar siding materials are not allowed. All exterior siding shall be finished, painted, stained or otherwise protected from the elements.
- **Shutters** are allowed where appropriate and as approved by the ARB, but are not allowed under any condition on Palladian windows, most circle head windows and other special shaped windows, as determined by the ARB. Shutters shall be painted wood, vinyl or fiberglass.
- **Brick or stone veneer** Synthetic stone veneer, natural stone veneer, synthetic stucco and hard coat stucco are allowed where architecturally appropriate. Please refer to the Town of Cary LDO, 8.6.3 (C) regarding standards.
- **Roofs** may not be flat, except on porch and stoop. Asphalt shingles and metal roof materials are allowed and the color and texture shall be consistent with the house's design and detailing. Accent colors on upper gable ends and dormers are strongly encouraged. Shingles colors other than the black, gray or brown range shall be submitted to the ARB for review and approval prior to beginning. All roof mounted equipment and penetrations (i.e. plumbing vents, HVAC vents, ridge vents, skylights, attic fans, etc.) shall be painted or finished to match the roof color.
- **Windows** shall be double paned insulated glass, GBG (grid between glass) muntins are allowed; however along with the sash color shall be coordinated with the proposed trim color of the house. Grids shall be placed in the front windows but are not required on the sides and rear. White windows are allowed, however, if a color other than white is used, the window colors must match the color of the trim. Accent colors on window sashes are strongly encouraged. Cantilevered chimney, bays and bay windows are generally not allowed on front elevations or corner lot street side elevations, however, cantilevered bays are allowed on a case by case basis and also as appropriate to the architecture of the house as determined, reviewed and approved by the ARB. Window or wall air conditioning units will not be allowed on elevations visible from the street or adjacent public properties, and is subject to ARB approval on a case by case basis.
- **Doors**, especially entrance doors, shall be compatible with the house design. Doors with upper glazed panels and sidelites are encouraged. Accent colors on doors are strongly encouraged. Door material shall be solid wood, fiberglass or metal insulated

exterior. Screen or storm doors are allowed and shall be compatible with the design and color of the house and shall be full screen/glass (i.e. no split in the middle)

- **Screened Enclosures** or greenhouse type enclosures are not permitted on the front of the house. Patio or pool enclosures are permitted as reviewed and approved by the ARB on a case by case basis. All detailing shall be consistent with the main house (i.e. match siding, trim and roof detailing, match colors, etc.) Exterior attached or detached enclosures which obstruct the view of natural areas by adjacent properties are not allowed.
- **Solar collectors** require ARB approval. A drawing showing location of the unit on the roof showing visibility from streets and neighboring lots must be submitted to the ARB. Solar collectors shall be located as inconspicuously as possible. Whenever possible, collectors should be placed on the rear of the home or on the side that has the least public exposure. Collectors should be attached only to the roof, not free standing or ground collectors. This camouflage may require completely encasing the collectors. All metal parts should be painted to match the roof color. There should be a minimum exposure of piping with no piping running down the side of the dwelling. The ideal installation is one that is laid flat on the roof. Any tree removal required to permit increased solar exposure to the collectors must adhere to the tree removal guidelines. No topping or removal of trees on the Association common areas shall be allowed.

Building Massing and Lot Designations

- The same or similar elevation will not be approved to be built within two lots on the same side of the street or same directly across the street distance opposite side of street. Same or similar detailed elevations on the same street will only be reviewed on a case by case basis. Please see the Town of Cary LDO 8.6.1 regarding rules on Anti-monotony.
- The allowable impervious surface may vary from lot to lot and may have been shown on the recorded plat and or the plot plan. Specific lot by lot impervious surface reductions may be required in the future based on this requirement.
- Build-to lines are established for each lot on the recorded plat (reference for actual setbacks and other details on the recorded plan) as noted below and by the ARB. Houses are to be built as close to the minimum front yard setback as possible unless steep topography or narrow lot width at street (i.e. cul-de-sac lots) require otherwise. House locations on atypical sites including difficult topography shall be verified on site including finish floor elevations with ARB prior to proceeding with construction.

Setbacks for homes and for accessory buildings

Phase 4

Front yard setback: **18 feet**

Rear yard setback: **15 feet**

Side yard setback: **3 feet minimum**

Phase 5

Front yard setback: **18 feet with parking, 8 feet without parking**

Rear yard setback: **15 feet**

Side yard setback: **3 feet minimum**

Corner side yard setback: **12 feet**

Square Foot Requirement

- The minimum heated square footage for homes at The Oaks Highcroft will be 2400 square feet for Phase 4 and 2100 square feet for Phase 5. This square footage does not include garages, covered walks or porches and unfinished spaces. Variances for minimum sizes may be granted by ARB if the site conditions present a hardship. NOTE: All “finishable” floor area is counted as “heated” square feet, including unfinished basements. Walk-up attics and other spaces are not included in “finishable” floor areas.

Porches and Patios

- Various porch columns and handrail detailing is encouraged (i.e. brick piers with concrete caps and tapered wood columns, tapered round columns, triple and double square columns at corners and major elements such as steps, etc.) and in some highly visible locations and conditions (such as corner lots) may be required by the ARB.
 - Metal porch roofs are allowed and shall be consistent with the house’s design detailing.
 - Where grades allow, patios are allowed in lieu of decks, however the impervious surface limitations may limit such patio requests.
 - The size of the patio should be consistent with the size of the house and yard. All patios will be reviewed with respect to their visual impact on adjacent property.
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Garages and Carports

- As a minimum, all homes must have an attached two car garage.
- Side load garages are allowed on certain lots (i.e. corner lots, wide lots, etc) to provide a varied streetscape
- Garage finished floor elevations shall be coordinated with the main house finished floor elevation with a maximum of 3 feet difference or 5 risers maximum from garage to main house to minimize the amount of siding and trim above the garaged doors. Finished floor elevations on lots with questionable (i.e. moderate to severe) topography shall be reviewed on site by the ARB on a case by case basis prior to beginning construction.

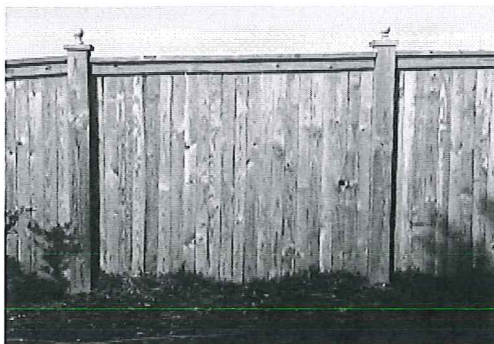
Exterior Colors and Materials

- For homes being repainted, one color scheme must be selected and submitted to the ARB for review and approval prior to painting the house a color different from the original. In case of conflict with existing homes, another color choice may be required for ARB review and approval.
- Various exterior colors are encouraged on the same house (i.e. siding, siding in gable ends, dormers, doors, shutters, window sashes, etc.).
- Brick colors shall be in the red/brown range and shall be submitted for preliminary ARB review and approval prior to proceeding with formal lot submittals and proposals. Other brick colors shall be in the red/brown range and shall be submitted for preliminary ARB review and approval prior to proceeding with the formal lot submittals/ proposals. Other brick colors will be reviewed and approved by the ARB on a case by case basis

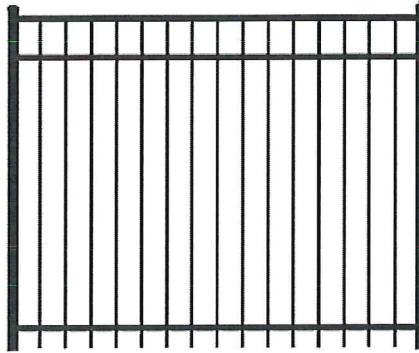
Fencing

There are two approved styles, which include:

1. **Wooden, closed picket, panel fencing, 6 feet in height, with decorative cap, with at least one gate. (See graphic below). This fence should have a protective coating such as a clear sealant applied to prevent deterioration.**



1. **Black aluminum fencing: Ascot style, 5 feet in height, flat top, with at least one gate.** (See graphic below) A “puppy panel” may be installed at the bottom to further secure smaller animals.



- Fences approvals will be considered that ‘tie in’ their fence with a neighbor’s existing fence provided the adjacent fence is within 2’ of the adjacent property line. It is the homeowner(s) responsibility to prepare the necessary agreement(s) if a fence from one lot connects to the fence on another lot. An acknowledgement of this agreement from the affected owner should be reflected in the application.
- The fence must be placed within the Owner’s property and not encroach into common areas nor ‘tie in’ to common area fencing.
- Existing topography, drainage, and landscaping shall not be disturbed for the construction of a fence except with the approval of the ARB.
- Acknowledgment of the fence application is required of neighboring and affected owners.
- Only rear yards and a portion of side yards may be fenced in. Front yard fencing is not permitted.
- The location of side yard fence will be 10 (ten) feet from the back corner of the home. More than 10 feet may be considered on a case-by-case basis at the discretion of the ARB with explanation (i.e. include or exclude water spigots, utility boxes, windows, corner lots with large side yards, etc.)
- Fences constructed inside a property line must account for and accommodate maintenance of the lawn area that is not enclosed.
- Building a fence within an easement (utility, drainage, etc.) *may* not be allowed, or there may be restrictions placed on the approval. The owner is cautioned that if fence installation infringes on buffers, access, right of way, or easements, removal or destruction of the fence is at the owner’s expense.

Exterior Lighting

- Post lights are encouraged and must be approved prior to installation.

- Site lighting shall be low intensity, and when used, should be used to accent entrances and special features. Overall high levels of light are not desired, nor allowed by the Town of Cary Code. Intensity should be no greater than required for pedestrian safety, other than as accent on landscape plantings or buildings.
- Exterior lighting shall be shielded from adjacent properties. Exterior lighting fixtures shall be proportioned per the scale of use and coordinated with the architectural style of the house.

Mailboxes

- All single family homes built at The Oaks at Highcroft are required to have a standardized mailbox and pedestal. The mailbox structure shall be installed at the front of the lot at the edge of the road pavement. A standardized mailbox design has been selected. Contact Omega Management for mailbox details and authorized suppliers.

Dog Houses and Dog Runs

- Dog houses should be located so as not to be visually intrusive. They should be built and painted to blend with their immediate surroundings and match the existing house.
- Solid fencing and/or landscaping may be required to soften the structure visually.
- Dog runs must generally follow the guidelines for fencing. Pre-fab chain link dog runs generally will not be approved unless totally screened from off-site views by wood fencing and located in a heavily planted area and must be black or dark green in color.

Play Equipment

- Play equipment shall be placed in rear yards. Consideration should be given to lot size, equipment size, material, design, amount of visual screening, and relationship to neighboring property.
- Equipment constructed from natural materials is encouraged
- Painted metal play equipment, not including wearing surfaces (i.e. slides, sliding poles, and climbing rungs) shall be painted dark green or brown to blend with natural areas.
- Tree houses are generally discouraged because of their visibility from neighboring property and are reviewed on a case by case basis. Detailing shall be consistent with the house's design, detailing and colors.
- Playhouses must be placed in rear yards and must be in scale with the size of the yard and existing buildings. The playhouse must be painted to blend with the natural open space or with

the colors of the house if the house is located nearby. Playhouses, as well as play equipment, should be screened by natural vegetation or additional landscaping.

- Skateboard, bike, and other type of ramps are not allowed.
- Above-ground swimming pools are not allowed. In ground swimming pools are allowed and will be reviewed on a case by case basis prior to beginning construction. Pools shall comply with all local, state, and any other municipal safety codes and requirements.
- Basketball goals are not allowed to be mounted on the house. Permanent basketball goals, cemented in-ground preferred and mobile basketball goals are allowed. Permanent goals should be installed on the side of the drive, approximately half-way between the street and the home. Mobile basketball goals must not be used in the street, and when not in use, must be stored either in the garage or the back of the home, where it is not highly visible from the street or public areas. Posts shall be black or dark green in color and shall have clear Plexiglas type backboards. Lighting fixtures attached to goal post and backboards are not allowed. All basketball goals will be reviewed and approved on a case by case and lot by lot basis.

Retaining and Screen Walls

- Retaining walls shall be unobtrusive as possible and built to the minimum height needed to serve their function.
- Material may be brick, natural stone, square corner timbers, or concrete, depending on location and contextual relationship. Generally, landscape timbers will not be approved due to their lack of stability when used to retain earth, the strong horizontal lines created by the juxtaposition of the timbers, and their appearance.
- The ends of the walls should be tapered into the ground rather than abruptly ending in space. If the height of the wall would require a railing to comply with county building codes, the applicant should consider stepping the wall in a terracing effect.
- Landscaping will usually be required to soften the visual impact of retaining walls, screen walls and other exposed structures.
- All garbage and recycle containment and receptacles shall be located inside the home or garage, or totally screened from view. Garbage and recycling receptacles may remain outside near the street as required for pick-up, however, they shall be returned to their concealed location at the end of such days.

Tree removal

- No live ornamental trees (i.e. holly, dogwood, and redbud) may be removed without specific written approval.
- No live deciduous or evergreen trees the trunks of which are six (6) inches or more in diameter may be removed without specific written approval.

- Removal of live trees will be approved if their continued existence would be detrimental. In many cases, the ARB may require replacements. “Detrimental” conditions include physical intrusion by trees, roots, and branches on buildings or other structures in a way that could cause damage, excessive shade, or could block paths and sight lines from vehicles. Overgrowth may also be considered detrimental.
- Trees destroyed by storms may be removed without approval.

Awnings

- Awnings may be appropriate for rear or side-yard patios and decks, or even exposed rear entrances.
- Awnings must be consistent with the architectural style and scale of the house. The color of the fabric must be compatible with the existing house colors. Any exposed frames must be painted to match the trim or the dominant color of the house.

Satellite Dishes

- Provide specifications on size and color of the dish and proposed location. The ARB requests that the owner work with the installer to determine an install location of the dish which obscures the dish from view the street. Dishes larger than 1 meter in diameter (approximately 3 feet 3 inches) are not allowed. Landscape screening may be suggested around ground mounted dishes where the dish is visible from street or public areas.

Landscaping and Site Development

- All landscaping will be in accordance with the requirements of the Town of Cary Unified Development Ordinance and these Guidelines. Nothing herein shall be construed to be less than nor to reduce the requirements of those documents. In particular, streetscape and buffer requirements shall be adhered to.
- Landscape design should be integrated into the design of the home, from its inception. The use and preservation of nature and naturalized landscape materials is strongly encouraged. Planting plans should strive to have as strong an impact as possible at the time of the installation. New planting compositions should employ simple plant massing and a limited palette of plant types in order to build unity and cohesiveness in the design.
- The paving and drainage design for The Oaks at Highcroft, including curb and gutter, shall not be altered in any way. Homebuilders and homeowners shall refer to site development drawings for any information of these areas.

- Buildings and landscape material shall be placed on the site so the maximum number of desirable trees and other natural features are preserved. The site shall be finish graded to prevent ponding or soil erosion on the site of adjacent property.
- Encroachment Permits are required by the Town of Cary for irrigation systems located in the public R/W. The irrigation system shall be permitted by, and constructed to Town of Cary standards. The irrigation system shall be automatically controlled by a time clock. Pop up sprinklers shall be submitted with the landscape plan. It shall be at the same scale as the landscape plan. All head locations, pipe sizes, valve locations shall be shown. All equipment shall be identified on the plan.
- Sod is required for all homes whether original new construction or changing/upgrading lawn areas on homeowner lots (i.e. current established lots shall be sodded and maintain sod). Hybrid Bermuda sod is required. This must be installed prior to closing and shall extend from the back of curb to the front of the house along the side yards. Corner lots must also sod side yards adjacent to the street. However, mulched natural areas are permitted on up to 60% of the side yard. Any plant material that dies or becomes unsightly after installation must be replaced by approved plants within 30 days of notification by the ARB.
- Mulch application shall be brown in color, and shall not be man-made material (i.e. rubber). Reddish mulch is not allowed.
- Screening plants shall be planted in accordance with the Town of Cary regulations.
- No fence, wall, hedge, shrub planting or grades, which may obstruct vehicular sight distance, shall be permitted at any driveway turnout or intersection. No fence, wall, hedge, shrub or tree may be planted on any street right of way except as approved by the ARB.
- Permanent exterior clotheslines are not allowed.
- Lawn ornaments, freestanding flagpoles, lantern poles, flood lights, security lights, fishponds, bird baths, etc. also require approval of the ARB. Items not requiring approval of the ARB include holiday decorations, for sale/for rent signs, garage/yard sale signs, and political campaign signs provided that such signs are in accordance with standards set forth by the ARB and the Town of Cary. On the items which do not require approval, the ARB reserves the right to request removal of an item if surrounding homeowners complain and if, upon inspection, the ARB considers the item unsightly or a nuisance.
- Artificial flowers, plants, etc. of any size are not allowed on any lot, home, flower pot, flower bed, etc. for any reason or amount of time, without exception.

Construction Maintenance and Miscellaneous

- During construction, all debris shall be placed in a single location on the lot of the construction site only. The debris shall be contained by some type of barrier (i.e. wire fencing) to assist in keeping the debris from being scattered.
- It is the primary responsibility of each homeowner to maintain his property in a way that does not detract from the overall beauty of the The Oaks at Highcroft Community. Following is a list of areas (including but not limited to) that should be reviewed on a regular basis to ensure that your

home is in good repair: Shrubby, trees and lawn; driveways and sidewalks; decks; fences; play equipment; roofing; wood; paint and stain; and garbage can storage.

- There are many changes and additions that property owners can make to their property. The ones described in these Guidelines, refer to the one that is closest in concept to your project and use it as a guide for preparing an application to the ARB.
- Most of all, in all that is proposed, consider the neighbors and neighborhood to provide the best aesthetic and quality project possible.