

# **GEORGETOWNE**

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Homeowners Association of Cary, Inc.

REVISION 4  
October 2017

## **Architectural Guidelines**

Standards and Specifications

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## **I. PURPOSE AND POLICY**

The Architectural Standards and Specifications (hereafter referred to as the guidelines) established by Article VI of the Georgetown Homeowners Association of Cary, Inc., Master Covenants and Restrictions. Their primary purpose is to preserve and maintain the aesthetic harmony and balance in the residential structures and landscaping of Georgetown to ensure and enhance the property values and the natural beauty of the development. Article VI also establishes the Architectural Review Committee with final approval authority given to the Board of Directors.

It is part of the charter of the Architectural Review Committee 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 living document that allows for individual creativity of design, with each request being reviewed on its own merits. This document is not intended to be comprehensive; rather it is a guideline for residents considering modifications to their lot or exterior of their home. The aesthetics of the modification will be a primary consideration of the committee.

The committee is composed of a minimum of three (3) but no more than eleven (11) members with volunteers solicited during the annual homeowners' association meeting and all members must be approved and/or appointed by the Board of Directors. The committee meets regularly every other month with additional meetings as needed to discuss pending issues. The primary purpose of the meeting is to review all architectural requests received during the previous month and to determine if approval is recommended as long as the request falls within these written guidelines. Requests outside of these guidelines will require additional Board of Directors approval prior to starting the requested change. If approval is not recommended it can be appealed to the Board of Directors. Homeowners may be requested to attend meetings to (1) ensure that the committee fully understands the request and (2) to offer comments about architectural concerns that they may have, either planned or underway.

## **II. RESPONSIBILITIES**

**These are the responsibilities of all parties as they relate to the Architectural Standards and Specifications.**

### **BOARD OF DIRECTORS**

The Board of Directors is responsible for reviewing appeals of all architectural requests as well as making decisions about non-compliance violations and related penalties or legal remedies, and the final interpretation of the Declaration of Covenants, Conditions, and Restrictions.

### **ARCHITECTURAL REVIEW COMMITTEE**

The committee is responsible for reviewing requests, making site inspections (both before and after the modification) and making recommendations to the Board of Directors.

## HOMEOWNERS

Each homeowner has the responsibility to properly complete and submit an Architectural Request Form (ARF) to the Property Management Organization in accordance with the requirements of these standards and specifications. Each homeowner is also responsible for adhering to this policy, complying with the decisions made by the Board of Directors, and reporting any problems or noncompliance to the Property Management Organization.

## PROPERTY MANAGEMENT ORGANIZATION

It is the Property Management Organizations responsibility to collect all Architectural Request Forms submitted and to do an initial screen to assure completeness. Incomplete forms will be immediately returned to the homeowner. Completed submittals will be distributed to the Architectural Review Committee in a timely manner.

The Property Management Organization (hereafter referred to as the management company) also acts as the clearinghouse for problems or concerns within our community, the management company then channels these messages to the appropriate committee.

The management company is responsible for sending to the homeowner the Board of Directors response for each complete submittal that was reviewed by the Architectural Review Committee. The management company is also responsible for maintaining the files and records of the Architectural Review Committee and Board of Directors meetings and for providing any information or assistance that the committee or the Board may request in order to carry on their functions.

## III. GUIDELINES

It is the interpretation of the Georgetown Homeowners Association Board of Directors and the Architectural Review Committee that the provisions of Article VI apply to a wide variety of aesthetic considerations. Every attempt has been made to include in the guidelines those considerations, which have the potential to impact property values. Suggestions for improvement of this document should be submitted to the management company.

The following are examples of the current standards, regulations, and types of changes, additions, or deletions that would (1) require a submittal of an Architectural Request Form (2) not require a submittal or (3) are prohibited. **It is the responsibility of the homeowner to consult and adhere to the Town of Cary Ordinances. Any modification required to bring an alteration into compliance with the Town of Cary is solely the responsibility of the homeowner.**

While every effort has been made to identify all aspects of change, the homeowner who has doubt if his/her situation is adequately addressed should contact the management company.

**NOTE:** It must be recognized that the submittal/approval process is administered by volunteers on their own time (usually nights and weekends). It is imperative that each homeowner submits complete Architectural Request Forms to allow enough time for the committee to meet and process the request. Any request for changes not covered or outside these written guidelines will require Board of Directors approval and could lead

to additional approval time for the request. **Please plan accordingly.** Throughout this document, the term “changes” shall include additions and deletions.

**A. Changes which *require* submittal of a completed Architectural Review Form**

1. Changes to the exterior of the home such as:
  - a. Addition of:
    - Awnings
    - Decorative Lighting (gas, low voltage landscaping, etc)
    - Solar Panels
    - Satellite Dishes
  - b. Addition of:
    - Color
    - Materials (such as siding)
2. Other exterior changes such as:
  - a. Building/Storage Sheds
  - b. Decks, Deck Skirting or Screening and Patios
  - c. Driveway Extensions and Parking Pads
  - d. Enclosures
  - e. Fences
  - f. Hedges and Screen Plantings
  - g. Landscaping
  - h. Parking
  - i. Mailboxes
  - j. Permanent recreational sport equipment to include: basketball goals, play-sets, playhouses, etc. (Permanent is defined as any item that cannot be regularly removed from its location.)
  - k. Signs
  - l. Structures
  - m. Swimming Pool and Hot Tubs
  - n. Tree Removal—Live
  - o. Garage Doors (if changing from existing style)

**B. Specific Changes which *do not* require a submittal**

1. Flower boxes, which are painted to match exterior color, approved for the home.
2. Minor landscaping.
3. Non-permanent children's play equipment.
4. Removal of dead trees.
5. Small garden plots, which meet the guidelines for the Georgetown Homeowners Association and are located ***behind*** the residence out of view from the street.

**C. Specific Changes which are *prohibited***

1. Animals other than household pets.
2. Metal sheds.
3. Wire-backed wood fences, chain link fences and other fence designs except those approved under the fence guidelines.
4. Commercial advertising signs.
5. Encroachment on other property.
6. Parking of vehicles or trailers on streets overnight.
7. Permanent clotheslines or those installed on the exterior of the home or property.
8. Unclean, unsightly, unkempt, unhealthy or unsafe conditions, which tend to substantially decrease beauty and safety.
9. Bright colors.
10. Addition of basketball goals other than those permitted in the guidelines. Basketball goals attached to the garage are prohibited.
11. Any items not in compliance with the Georgetown Homeowners Association Covenants, Conditions, and Restrictions.

**IV. STANDARDS AND SPECIFICATIONS**

The detailed specifications listed below apply to both items requiring submittal and not requiring submittal and are those that have been identified by the Architectural Review Committee and/or Board of Directors as requiring a specification. For items detailed below, while not requiring submittal, the expectation is that this minimum detail will be met.

**A. AWNINGS****Guidelines:**

1. **All awnings require architectural approval.**
2. Awning material shall be fabric grade specified by commercial awning manufacturers only.
3. Fabric color shall blend with or otherwise complement the color of the house.
4. Can be retractable or stationary.
5. Any wood structure must be same color as house or deck.

6. It is expected that upon visible deterioration, such as but not limited to, torn or tattered fabric, the awning will be placed in good repair and appearance within a reasonable time.
7. Awnings must be attached to the house and not freestanding.

**Information required in Awning submittal:**

1. Plot Plan showing location of awning.
2. Elevation showing location of awning.
3. Description and sample of material to be used or color and fabric style designated by awning contractor doing the work.

## **B. CLOTHESLINES**

**Guidelines:**

1. Permanent clotheslines are prohibited.
2. Temporary clotheslines and all clothes drying activities shall be located in the back yard and not be visible from the street.

## **C. DECKS, PATIOS, ARBORS AND SCREENS**

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

**Guidelines:**

### **1. Deck Materials**

- a. Deck materials are generally pressure treated wood and must be weather resistant.
- b. The type and treatment of wood are natural or white.
- c. Posts may be made of brick, pressure treated wood or other suitable material.
- d. Include any landscaping plan and/or screening of the area and/or underneath the deck.

### **2. Height of deck, arbors, and screens**

- a. Decks shall meet the construction requirements of the Town of Cary and Wake County.
- b. Deck arbors should be no higher than eight (8) feet above the deck surface.
- c. Screens as part of an arbor may extend to the height of the arbor.

### **3. Location and restrictions**

- a. Patios must be located behind the house and may not extend beyond and/or around corners except as part of a walkway approach from the side of the house.



- b. Decks shall not extend outward beyond the rear corners of the building line.
- c. Avoiding obstruction of views or breezeways of adjoining properties will be given consideration in all cases.
- d. Construction of decks or patios within the buffer area is not allowed.
- e. Only exterior materials comparable to those on existing structures and compatible with the architectural character of the community will be approved.
- f. All permits (Town of Cary and/or Wake County) must be secured before construction begins.

**Information required in Deck/Patio submittal:**

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

**D. DETACHED STRUCTURES**

**Guidelines:**

1. **All detached structures require architectural approval.** Examples include but are not limited to storage sheds, storage boxes, enclosures, greenhouses, and garages.
2. No metal sheds are permitted.
3. Permanent structures must be installed to be as inconspicuous as possible and should be placed out of view of any street. It cannot be placed any closer to the adjoining property lines than ten (10) feet.
4. The preferred location is in the rear, directly behind the house, within the building envelope, but each request will be reviewed on its own merit.
5. No structure shall infringe upon the setbacks and side lot minimum for the lot as listed in the Covenants.
6. All structures must be properly maintained.
7. The Board of Directors may restrict the placement of detached structures along ponds and greenways (if such amenities exist).

**Information required in Detached Structures submittal:**

1. Official plot or survey showing lot boundaries with the existing building and the proposed structure.
2. Two (2) elevations of the proposed construction showing the proximity to the residence.
3. Description of materials to be used including color samples.
4. Description and location of any trees to be removed.

## E. DRIVEWAYS AND PARKING PADS

### Guidelines:

1. **All parking pad additions or changes require architectural approval.**
2. No parking of motor vehicles, trailers, camping trailers and recreational vehicles on soft surfaces.
3. Driveways and vehicle parking pads shall be concrete only. Any other type of pad (i.e. brick, stone, etc.) shall be reviewed on an individual basis and approved by the Architectural Review Committee and/or the Board of Directors.
4. Aggregate base, thickness, reinforcements, etc. should comply with good engineering practices.
5. Close attention must be paid to structure placement, setbacks and encroachment onto buffer areas, association owned common property and neighboring lots.

### Information required in Driveway and Parking Pad submittal:

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

## F. FENCES

**All fences require architectural approval.** Each fence request will be examined on its own merit. No previously approved installation shall constitute precedent for approval. No construction shall begin without prior written approval from the Architectural Review Committee and/or Board of Directors.

Homeowners are cautioned that building a fence that infringes on easements or access right-of-ways may result in enforcement proceedings that may result in long delays, injunction and/or destruction or removal of the fence at owners expense.

### Guidelines:

1. **Style** (the following styles are approved):
  - a. Picket Fence with decorative posts (see Figure 1)



Figure 1. Picket Fence

- b. Stockade Fence: Stockade fences must be finished in a “Scalloped” or “Rainbow” design with decorative posts (see Figure 2 and Figure 3).



**Figure 2. Scalloped Fence**



**Figure 3. Rainbow Fence**

## 2. Color

- a. Wooden fences may be left natural or stained, but not painted (stains allow the wood grain to show). Wood preservative and/or water repellents should be applied, provided color requirements are followed.
- b. PVC fences must be left unpainted.

## 3. Materials

- a. Fences may be constructed of PVC, wrought iron or treated lumber.
- b. Wire, chain link, or concrete fences are strictly prohibited.

## 4. Height

- a. The maximum height allowed is to be determined based on the environment and application. Fence posts must maintain a uniform height relative to the ground.
- b. The maximum height for a Picket Fence is 4<sup>1</sup>/<sub>2</sub> feet measured from the ground to the top of the decorative posts.
- c. The preferred maximum height for a Stockade Fence is 5<sup>1</sup>/<sub>2</sub> feet measured from the ground to the top of any decorative posts. The height shall not be allowed to exceed six (6) feet as measured from the ground to the top of the decorative posts.

- d. However, heights in excess of 5<sup>1</sup>/<sub>2</sub> feet must be approved based on extenuating circumstances by the Architectural Review Committee and/or Board of Directors. Justification for higher fences must be provided with the application. Additional screening (i.e. shrubs, Leyland Cypresses, etc.) may be required for such fences to insure they are hidden from the view of the streets within three (3) years of fence placement/construction.
- e. Fences higher than 4<sup>1</sup>/<sub>2</sub> feet should have a minimum gap of <sup>1</sup>/<sub>2</sub> inch.

#### 5. Location

- a. No fence shall extend beyond the front line of the dwelling.
- b. All fences must be constructed on the property line, except where restricted by setback requirements, flood plains, or easements.
- c. Existing topography and landscaping within a buffer shall not be disturbed except with the approval the Architectural Review Committee and/or Board of Directors. Construction within a buffer area may also require approval from the Town of Cary.

#### 6. Setback

- a. A setback may be required for landscaping.

#### 7. Landscaping

- a. Fences that face a street must have live screening planted along the exterior of the fence. Planted screening must obscure the fence within a three (3) year span. The homeowner must maintain planted screenings in healthy, growing condition.

#### 8. Construction

- a. All hardware shall be galvanized.
- b. For Picket Fences, a maximum spacing of one (1) inch shall be used between vertical slats.
- c. All posts shall be set securely to maintain plumb.
- d. The finished side of the fence must face the street and adjoining lots.

#### 9. Maintenance

- a. All fences shall be maintained (see Maintenance guideline). A translucent preservative is recommended for wood fences. Wrought iron fences must be maintained with paint.

#### Information required in Fence submittal:

1. Description of the type or style of the fence to be installed.
2. Plot plan showing the location and distance to nearest property line.
3. Plot plan showing the location of any gates.
4. Elevation view(s) showing the planned appearance of the fence (including gates) with dimensions.
5. Description of the landscaping and/or screening to be provided (see guideline #7 above).
6. Justification for any requested deviation from the guidelines.

**G. LANDSCAPING AND TREE REMOVAL****Guidelines:**

1. **Minor landscaping** such as naturalizing an area of the rear yard or adding low growing shrubs and bedding flowers do not require submittal for approval provided they do not encroach upon neighboring properties.
2. **Major landscaping and tree removal require prior approval.** Major landscaping represents significant projects that may be structural, have an impact on adjacent properties, or require strong aesthetic consideration and will require submittal. Major landscape changes include but are not limited to the following:
  - a. Retaining walls.
  - b. Major change in plant material.
  - c. Change in topography, drainage, and runoff.
  - d. Major aesthetic changes to front yard.
3. **No trees having a trunk diameter exceeding six (6) inches at a height of four (4) feet above ground level**, shall be removed without the Architectural Review Committee and/or Board of Directors prior written approval (unless the tree is dead, diseased, or poses an imminent threat or danger to person or property).
4. **Hedges and Screen Plantings**
  - a. No hedge or screen planting shall be erected on any lot closer to the front lot line than the front of the house.
  - b. Hedges or screen plantings which form a barrier between properties should have the following:
    - Agreement for maintenance access.
    - Setbacks for plant growth.

**Information required in Landscaping and Tree Removal submittal:**

1. Plot plan showing quantity and location of plants.
2. Description of plants.
3. Details of any landscape plan that may change the flow of drainage/runoff shall be submitted with details, including a plot plan, drawing identifying existing drainage/runoff, and the proposed drawings showing the change in the drainage flow because of this change.
4. Details and location of any tree removal (see Guideline #3 above).

## H. LAWN 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 and appearance of the neighborhood.

It is hoped that every homeowner will take this responsibility seriously, as this can severely affect the value of all properties. Well-maintained lawns and homes add to the value of the entire neighborhood and help to increase the enjoyment of all residents. Following is a list of guidelines that should be reviewed and maintained on a regular basis.

Additional information and advice regarding lawn care can be obtained at local garden centers, home improvement stores, online, and by asking a neighbor who maintains a beautiful lawn.

### **Guidelines:**

1. Regular lawn mowing and trimming. Maximum height of grass is six (6) inches.
  - The best mowing height is between three (3) and four (4) inches for all fescue type lawns. Bermuda and Zoysia type grasses can be maintained at shorter heights.
  - Lower cutting height leads to thinning and burning during summer.
2. Bare spots should be reseeded, fertilized, and watered to ensure growth of new grass.
3. Hard surfaces such as sidewalks, driveways, concrete slabs, curb lines and planting bed edges should be trimmed and edged.
  - Edging is an important step for an attractive, neat, and clean appearance. The best method is with a mechanical edger and/or string trimmer.
  - Weeds and grasses growing in the cracks of the driveway and sidewalks should be removed.
4. Trim around road signs, posts, trees, shrubs, utility poles, and fences.
  - The grass should be trimmed to the same height as the mower setting for consistency.
5. Grass clippings on hard surfaces should be removed.
  - This can be done easily with a broom and/or leaf blower.
  - Grass clippings can be swept or blown back into the lawn, or they can be collected and bagged for disposal and placed at the curb on the day of garbage pickup.
6. Flowerbeds and shrubs should be kept free of weeds.

7. Shrubs, bushes, and trees should be pruned to maintain an attractive appearance. Prune groundcover plantings to restrain growth onto adjacent walkways, curb lines, and streets.
  - Prune to maintain proper size in relationship to adjacent plantings and intended function.
  - Major pruning is normally a winter or late spring activity; timing depends on tree or shrub variety.
8. Beds should be mulched at least once a year.
  - Mulch/ground cover makes a lawn more attractive. It also provides water retention for landscaping.
  - If pine needles, pine bark nuggets, or mulch is used, an application semiannually may be required to keep a uniform appearance.
9. The lawn is treated for weeds and fertilized on a regular basis.
  - Fertilizers can be applied periodically throughout the year. Several fertilizer manufacturers offer “program” fertilizer systems customized by area of the country, and the best time of year for application.
  - Herbicide treatments for weeds and undesirable grasses is important for an attractive lawn. Typically these treatments are included in the fertilizer.
  - Lack of weed control makes lawns unsightly and infests neighboring lawns.
10. All litter, trash, refuse, and wastes should be promptly removed from lawn.
11. Edging materials (i.e. stones, brick, plastic edging, landscape fencing etc.) that surround flowerbeds, hard surfaces, trees, shrubs, gardens, etc. should be maintained, repaired, and/or replaced as needed.
12. Removal of dead shrubs, bushes, trees and plants should occur as needed.
13. No trees having a trunk diameter exceeding six (6) inches at a height of four (4) feet above ground level, shall be removed without the written approval of the Architectural Review Committee and/or Board of Directors. Please review the Landscape and Tree Removal section of this guideline.
14. Annual maintenance such as aerating, reseeding, and fertilizing of the lawn typically occurs in late September to the end of October for fescue type grasses. Annual maintenance for warm season grasses such as Bermuda usually occurs in the spring.
  - A lawn service can be used, or the homeowner can do the work. Because of the clay soil, annual aeration of lawns is recommended. This helps improve drainage, will break up compacted soil, and provide an excellent base for reseeding. Aeration machines can be rented from local rental companies or home improvement stores. This service is also available from lawn maintenance firms

**Lawn Deterioration**

If at any time, the Board of Directors is made aware that a property has deteriorated to the point that it is affecting the aesthetics of the neighborhood; the management company will be notified to make a site inspection. The management company will assist the Board of Directors in describing the non-conformance. This applies to lawn, grounds, and home.

Based on the severity of the deterioration, the homeowner will be given a specified length of time to make the necessary corrections and/or repairs. If after that time the corrections and/or repairs have still not been made, the Board of Directors has the obligation of enforcement as described in the Covenants and Bylaws of the Georgetown Homeowners Association to do the following:

1. Assess fines and penalties.
2. Hire someone to bring the lot into compliance at the homeowner's expense.
3. Please reference the Violations and Remedies section of this guideline for details.

**I. LAWN ORNAMENTS, DECORATIONS, OUTDOOR LIGHTING, SIGNS AND FLAGS****Items *requiring* architectural approval:**

1. Lawn ornaments, floodlights, security lights and fishponds.
2. Flagpoles not attached to the house.
3. Flags should be hung outside via an attached flagpole.

**Items *not requiring* architectural approval:**

1. Decorations including holiday decorations.
2. Landscape or accent lighting.
3. Wall mounted flags and lanterns.
4. For sale, for rent, garage sale, yard sale and political campaign signs (provided that no sign is placed on common property).
5. Political campaign signs must go through the Town of Cary for permitting.
6. It is solely the responsibility of the homeowner to verify and abide by all Town of Cary Sign Ordinances.

For those items that do not require approval, the Architectural Review Committee reserve the right to request a homeowner to remove an item if the surrounding homeowners complain and if, upon inspection, the committee considers the item unsightly or a nuisance.

**Guidelines:**

1. Commercial advertising signs are prohibited.
2. Every effort should be made not to disturb or adversely affect neighbors, especially with the installation of floodlights and security lights.



**Information required in Lawn Ornament, Decorations, Outside Lighting, Signs and Flag submittal:**

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

**J. MAILBOXES**

The design and color of the mailbox and post used in the HOA is the standard established when the Georgetowne subdivision was built. As stated in the DECLARATION OF COVENANTS for Georgetowne, no alteration is allowed and any maintenance and/or replacement must be an exact match to the standard. Furthermore, the UNIFORM MAILBOX REGULATION defines the specifications of the established standard.

**UNIFORM MAILBOX REGULATION:**

1. New replacement mailboxes will be supplied by the HOA with the address numbers applied and must be installed by the homeowners within 30 days.
2. It is the responsibility of each lot owner to maintain the mailbox and/or post when cited by the management company to perform maintenance.
3. Mailbox post must be of metal construction, conform to the existing style, set securely into the ground to maintain plumb, and painted glossy black.
4. Mailbox must be of metal construction, painted glossy black, and with a red flag
5. Standard mailbox size is 8.25" wide by 10" high by 21.5" deep, within a .25" tolerance.
6. Mailbox must have 2 brass bands each 1.25" wide
7. Brass Bands Location: one at 5.125" to center from the front edge of the mailbox, and one at 5.125" to center from the back edge of the mailbox.
8. Numbers will be provided by the HOA via the management company. Numbers are to be installed by the owner, and centered vertically and as close to horizontally as possible without being obscured by the flag.
9. Mailbox and post in good condition must be cleaned and/or repainted as needed to maintain a neat appearance
10. Mailboxes and posts in poor condition must be replaced
11. Plantings that are in compliance with Landscape guidelines are allowed around the base of the mailbox.

References for installation, maintenance and replacements for mailboxes and posts are available on the website.

**K. PAINTING EXTERIOR OF HOUSE****Guidelines:**

1. **Any change to the exterior color(s) requires architectural approval.**
2. Periodic repainting and retaining with the existing color(s) for maintenance does not require submittal.
3. No bright colors are permitted.

**Information required in Painting Exterior of House:**

1. Drawing showing proposed paint scheme.
2. Sample paint chips of all colors to be used.

## L. PARKING

### As per Georgetown Homeowners Association Covenants

#### Guidelines:

1. No automobiles, trucks, tractors, boats, campers, trailers, or any other vehicle shall be regularly parked within the right-of-way of any street.
2. No vehicle, motorcycle, trailer, or any wheeled unit shall be offered for sale with visible signage on or from common property.
3. The association prohibits the parking of recreational vehicles, such as but not limited to, campers, boats, trailer, on the common areas or on any lot, unless in a fully enclosed garage or fully screened from the street or adjoining lot.
4. No vehicles may be parked overnight within any right of way of any street with the exception of temporary out-of-town guests.
5. Vehicles may not be parked on any lawn.
6. Vehicles parked in driveways where a sidewalk exists shall be parked so as not to obstruct the sidewalk. Where no sidewalk exists, vehicles shall be parked the same distance from street to curb as if a sidewalk exists (i.e. six (6) feet from the curb.) This is a safety issue, to allow good visibility for drivers to see children or pets that may run into the road.

## M. PETS, PET HOUSES AND PENS

#### Guidelines

1. No animals, exotic animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot.
2. Dogs, cats, or other domesticated household pets may be kept, provided that they are not bred or maintained for commercial purposes.
3. The number of dogs, cats or other domesticated household pets shall not exceed the Town of Cary Ordinances.

#### Reminder:

It is the responsibility of pet owners to follow the Town of Cary Animal Control Ordinances. (Animal Control Ordinances include but are not limited to loose pets, leash laws, removal of animal waste, etc.). Additional information is available on the Town of Cary website at [www.townofcary.org](http://www.townofcary.org) or by contacting Animal Control at 319-4517.

#### Information required in Pets, Pet Houses, and Pen submittal:

1. Pet pens must be located at least ten (10) feet from any property line where lot fencing does not exist.
2. Pens must be located in the back or side yard, whichever is least conspicuous.
3. Plant screening should be provided where a pen is visible from the street.
4. No chain link or metal fencing allowed. Fencing must be one of the approved fence styles.

#### Information required in Pets, Pet House and Pen submittal:

1. Plot plan showing location of proposed structure.

2. Description of the materials to be used in construction.
3. Description of the type, sizes, and number of animal(s) to be enclosed.
4. Description of the plantings to be provided for screening

## **N. PLAY EQUIPMENT: SWING SETS, BASKETBALL GOALS, JUNGLE GYMS, ETC.**

### **Non-Permanent Play Equipment:**

Non-permanent play equipment (i.e. mobile basketball goals, swing sets, etc.) does not require approval. However, the play equipment when not in use should if possible be placed inconspicuously (behind the house and out of view from the street) so that it does not detract from the neighborhood, play equipment should be kept in good appearance and repair. The Town of Cary does not allow any play equipment in the street or street right-of-way.

The Architectural Review Committee and/or Board of Directors reserves the right to request that a homeowner remove the mobile basketball goals from view of the street if surrounding neighbors complain about disrepair (disrepair constitutes noticeable missing or broken parts, rust, peeling paint) or the way it is secured (securing by means other than manufacturers suggested methods).

### **Permanent Play Equipment:**

#### **Guidelines:**

1. Permanent play equipment must be installed to be as inconspicuous as possible and should be placed out of view of any street. It cannot be placed any closer to the adjoining property lines than ten (10) feet. The preferred location is in the rear, directly behind the house, but each request will be reviewed on its own merit.
2. The Architectural Review Committee, Board of Directors, or the management company reserves the right to request that a homeowner remove play equipment if surrounding neighbors complain about disrepair (disrepair constitutes noticeable missing and/or broken parts, rust, peeling paint). A site inspection will be conducted by the management company to verify non-conformance and determine if action needs to be taken.
3. Screening may be required along the property lines in order to block the view and/or noise from neighboring lots. Landscape plans should accompany the submittal.

#### **Information required in Play Equipment submittal:**

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

## **O. RADIO/TV ANTENNAS AND SATELLITE DISHES**

**All exterior Satellite Dishes and Radio/TV antennas require submittal to and approval be the Architectural Review Committee.** Georgetown will make “reasonable accommodation” to balance the needs of those wishing to install antennas on their property with the desire of the community to provide an

aesthetically pleasing neighborhood. Under certain conditions addressed in the Telecommunications Act of 1996, approval is required.

Note: Under certain circumstances spelled out in the Act, you may have the right to proceed with your installation prior to receiving approval. However, if the dish or antenna is not installed in accordance with the guidelines below, and the guidelines could have been adhered to without an unreasonable increase in cost or a preclusion from receiving an acceptable quality signal, or if a safety or infringement provision is violated, the Association has the right to require removal or reinstallation at homeowners expense.

The Covenants and Architectural Guidelines cannot impair a viewer's ability to install, maintain, or use an antenna covered under the Telecommunications Act of 1996. The Covenants or Guidelines impair if they (a) unreasonably delay or prevent the use of, (b) unreasonably, increase the cost of, or (c) preclude a viewer from receiving an acceptable quality signal from one of these antennas.

In addition to the following guidelines, all antenna installations must comply with all applicable Town of Cary regulations. It is the responsibility of the homeowner to ensure that the antenna installation complies with these regulations. Any costs associated with bringing an antenna installation into compliance with Town of Cary regulations is the sole responsibility of the homeowner.

All radio and television equipment shall be operated in compliance within FCC rules and regulations (i.e. Part 15, Part 95, Part 97, etc.) including but not limited to all regulation concerning exposure to RF energy and Radio Frequency Interference (RFI).

**Guidelines:**

1. No previously approved installation shall constitute establishing a precedent for approval.
2. Satellite dishes shall be less than or equal to one (1) meter in diameter (39 inches).
3. Any antenna or satellite dish that is to be installed at ground level must be screened in order to minimize visibility from any street.
4. An antenna or dish may be located on the roof of a home provided it is not on the portion of the roof facing the street, and the highest point of the structure is no higher than the peak of the room on which it is mounted as viewed from the street.
5. An antenna or dish may be mounted on the back side of a home, but cannot be mounted on the front, unless this would impair reception of signals protected under the Telecommunications Act of 1996.
6. If tree removal is required, see guidelines under Landscaping and Tree Removal.

**Information required in Radio/TV Antennas and Satellite Dishes submittal:**

1. Description of the type or style of antenna or satellite dish to be installed.

2. Plot plan showing the location and distance to nearest property line.
3. Elevation view(s) showing the planned appearance of the structure with dimensions.
4. Description of the screening to be provided.
5. Indication that your antenna is covered under the Telecommunications Act of 1996, so that your request can be expedited.

NOTE: Installation of antennas can be dangerous. In particular, you can be killed if your antenna comes in contact with any electrical power line. You are responsible for ensuring that your antenna is installed and maintained in a safe manner. If in doubt, hire a professional.

## **P. RETAINING WALLS**

### **Guidelines:**

1. **All retaining walls require architectural approval.**
2. Approved materials include but are not limited to brick, stone, railroad ties, wood and architectural block. Any wood materials used should be of the treated type.

### **Information required in Retaining Wall submittal:**

1. Plot plan showing the location of the structure and distance to nearest property lines
2. Elevation view(s) showing the planned appearance of the structure with dimensions.
3. Description of materials to be used.

## **Q. SKYLIGHTS, ATTIC FANS AND SOLAR PANELS**

### **Guidelines:**

1. **The addition of a skylight, attic fan, or solar panel that changes the exterior appearance of a roof must be approved by the Architectural Review Committee.**
2. Addition of a skylight, attic fan, or solar panel must be located on the section of the roof facing the back of the lot.

### **Information required in Skylight, Attic Fan, and Solar Panel submittal:**

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

## R. STORAGE

**All detached structures (i.e. storage sheds) screen plantings and fencing, require architectural approval.**

### **Guidelines:**

1. No metal sheds are permitted.
2. Garbage Can Storage:
  - a. All trash and garbage containers, receptacles, and enclosures (approved by the Architectural Review Committee) are to be located at the rear of the home, out of view from any street abutting the lot. (See Detached Structures)
  - b. Trash containers may be kept in a garage or screened by adequate plantings or fencing material (approved by the Architectural Review Committee.)
3. Temporary storage of materials for modification projects should be discreetly placed and orderly maintained. (Temporary in this instance is six (6) months.
4. Not trade materials or inventories may be stored in open view upon residential lots.
5. No metal shreds are allowed.

### **Information required in Storage submittal:**

1. Plan showing location and type of enclosure, plant screening, or fencing (See specific guidelines for additional details.)

## S. SWIMMING POOLS AND HOT TUBS

**All permanent swimming pools and hot tubs (which are a permanent part of the deck, patio, or home exterior) require architectural approval.**

### **Guidelines:**

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

### **Information required in Swimming Pool and Hot Tub submittal:**

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

## T. VEGETABLE GARDEN PLOTS

Vegetable garden plots will not require approval if they are located in the **rear** portion of the lot and a minimum of ten (10) feet from the side and rear lot lines. Any tree removal necessary must adhere to the tree removal guidelines.

Architectural Review Committee approval is required for any vegetable garden plot locations other than described above or for any deviation from these guidelines.

**Guidelines:**

1. Maintenance of the garden plot is required.
2. Excess debris is to be removed at the end of the gardening season and the plot returned to a natural state. This includes stakes and any other structural additions required for harvesting the garden.
3. No compost piles are allowed on any property located within the neighborhood.

**V. 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 and appearance of the neighborhood. It is hoped that every homeowner will take this responsibility seriously, as this can severely affect the value of all properties. Well-maintained homes and grounds add to the value of the entire neighborhood and help to increase the enjoyment of all residents.

**A. Exterior**

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

1. Lawns, shrubbery, trees, flowerbeds, and general landscape maintenance. The entire lot area viewable from any street within the neighborhood or from an adjoining lot must be maintained to not allow growth of weeds or grass to exceed the city maximum and architectural guideline height of six (6) inches.
2. Driveways and Sidewalks
3. Decks and Patios
4. Fences
5. Play Equipment
6. Roofing
7. Wood Trim and Décor
8. Paint and Stain
9. Garbage Can Storage
10. Power washing Exterior of Home and Outdoor Structures, as needed to maintain a neat and attractive appearance.

**B. Deterioration**

If at any time, the Board of Directors is made aware that a property has deteriorated to the point that it is affecting the aesthetics of the neighborhood; the management company will be notified to make a site inspection. The management company will assist the Board of Directors in describing the nonconformance. This applies to lawn, grounds, and home.

Based on the severity of the deterioration, the homeowner will be given a specified length of time to make the necessary corrections and/or repairs. If after that time the corrections and/or repairs have still not been made, the Board of Directors has the obligation of enforcement as described in the Covenants and Bylaws of the Homeowners Association to do the following:

1. Assess fines and penalties.
2. Hire someone to bring the lot into compliance at the homeowner's expense.
3. Please reference the Violations and Remedies section of this guideline for details.

## VI. PROCESS

Changes, additions, or deletions that have been previously identified as requiring submittal (Architectural Review Form), or that the homeowner believes may require submittal to the Architectural Review Board, shall follow the process described in this section. The process will be the same for all submittals with the required details varying depending upon the type of change.

### Reminders:

- No construction shall begin without the Architectural Review Committee and/or Board of Directors approval of the submittal.
- No Town of Cary and/or Wake County Building Permits shall be applied for prior to having the Architectural Review Committee and/or Board of Directors written approval.
- Allow enough time for processing and approval in planning for construction.
- Architectural Review Committee and/or Board of Directors will not review a request if the requesting members account is in arrears.

### A. PLANNING AND PREPARATION OF SUBMITTAL

1. Using this specification, determine if a submittal is required. If yes, continue.
2. Complete the Architectural Review Form (can be downloaded from the website [www.georgetownatpreston.com](http://www.georgetownatpreston.com) or can be obtained from the management company) and attach any drawings, sketches and supplemental documents for the Architectural Review Committee and Board of Directors reviews. A complete submittal will FULLY describe/depict the change and stand on its own without need for further explanation or clarification.
3. Sign the form.
4. Present the complete submittal to all adjoining property owners or neighbors who may be visually impacted by the change, and obtain their signatures. This signature only reflects that each neighbor has seen the complete submittal. It is **not** an approval of the submittal.
5. Only after completing steps 1-4 (above), **mail or deliver the submittal to the management company** for an initial review of the submittal for



completeness and legibility. Incomplete or illegible submittals will be returned immediately to the homeowner.

6. The submittal should be received by the management company no later than seven (7) days prior to the established meeting date of the Architectural Review Committee.

#### **B. ARCHITECTURAL REVIEW COMMITTEE REVIEW**

1. The management company will forward copies of all submittals to the chairperson and all members of the Architectural Review Committee and will retain the original.
2. If necessary, committee members will make every attempt to make a site visit with the homeowner prior to consideration at the committee meeting.
3. The committee will review the submittal at its regularly scheduled meeting time, adding any observations from the site visit. In addition, any response by adjoining property owners will be reviewed and taken into consideration.
4. The submittal will be voted on by the committee, with their recommendation for approval or disapproval forwarded to the management company. Board of Directors will be contacted if submittal should require their discussion and vote.

#### **C. BOARD OF DIRECTORS REVIEW/DECISION**

1. The Board of Directors will review the recommendations of the Architectural Review Committee. Particular attention will be paid to any recommendation for disapproval.
2. Disapproval may be on any grounds and the details will be communicated in writing to the homeowner by **the management company** on behalf of the Architectural Review Committee and the Board of Directors
3. The management company will complete a standard response letter indicating the decision and mail it within five (5) working days.
4. Approval of any submittal or portion thereof does not ensure approval of similar submittals, as each submittal will be considered on its own merits.
5. A submittal that is approved is like a contract to comply with the specific details. Alteration/deviations of a significant nature will require resubmittal.

#### **D. APPEALS/RESUBMITTALS**

1. To appeal a disapproved submittal, the homeowner should submit within 30 days of the date of the letter received from the management company a written response including specific detailed information that clarifies why the submittal should be reconsidered. The homeowner may also request a meeting with the Architectural Review Committee and/or the Board of Directors to further discuss the submittal.
2. Should the submittal have been disapproved on a technicality (i.e. locations or height of fence), and the homeowner is willing to comply with the remedy proposed in the response letter, then the homeowner need only stop by the

management company office, pencil in the changes, and initial and date the changes.

3. The revised submittal will then be reconsidered. The homeowner will be contacted with the decision, and will receive a written approval letter citing the change or changes.

#### **E. DETAILS FOR SUBMITTAL**

In some cases many attributes or details of a proposed change, addition, or deletion are required for the Architectural Review Committee and/or the Board of Directors to make sound responsible decisions. In other cases the nature of the change will be simple and straightforward, as will be the submittal. The following items should be used as a method of describing or visually depicting the requested change (as applicable).

1. Pictures, magazine cutouts, etc.
2. Color chips.
3. Plot plans—top down drawing showing location of existing structure(s), property boundaries in relation to adjoining property(s), and location of proposed changes(s). This plan is attached to your deed.
4. Elevation drawings—a side view that will show height, topography of land, and visual image of the change.
5. Written description of the types of materials to be used or a contractors bill of materials.
6. Written and/or visual depiction of construction details.
7. Any other aids that will assist the Architectural Review Committee and/or Board of Directors in their review.
8. Drawings need to be to scale to show a relationship to location, height, etc., with the dimensions clearly marked on all drawings. For major construction projects (such as additions, dormers, enclosed decks, sunrooms, etc.) that a hired contractor is used for, the design drawing should suffice, showing roof-lines and other such detail.

#### **F. INSPECTIONS**

Random on-site inspections by the management company and/or the Architectural Review Committee may occur to assure compliance with approved submittals. If deficiencies or significant deviations are noted, the homeowner will be notified in writing, with a response (from homeowner) expected within 30 days.

## VII. VIOLATIONS AND REMEDIES

There are essentially **three types of architectural violations** that must be dealt with by the Georgetown Homeowners Association:

1. Non-compliance with Architectural Standards and Specifications.
2. Implementing a change, addition, or deletion without approval of a properly completed submittal.
3. Deviation or non-compliance with an approved submittal.

### A. Homeowner Association Remedies

1. Enforcement of the Architectural Standards and Specifications is detailed in the Covenants and By-Laws of the Association. Please reference the following:
  - Covenants: Article IV: Section 12 (a)(b)(c); Article VI: Section 2(f); Article VII: Section 1-Use Restrictions; Article VII: Section 1(j) and Article VIII: Section 1-Enforcement
  - By-Laws: Article VII: Section 1(a)(b)(c)
2. Remedies include but are not limited to:
  - a. Levying of fines and penalties.
  - b. Hiring someone to bring lot into compliance at homeowners expense.
  - c. Suspension of voting rights and privileges.
  - d. Submitting a lien against the homeowners property for outstanding indebtedness.

### B. Remedial Process

It is the obligation of the Board of Directors of the Georgetown Homeowners Association to enforce the Covenants of the association in a fair and consistent manner. When a violation of the governing documents of the Georgetown Homeowners Association occurs, the desired result is always the voluntary correction of the violation by the homeowner.

The management company will notify homeowners when violations or suspected violations are found. All reported complaints and violations are investigated by the management company. If a violation is discovered the homeowner is notified in writing by the management company and asked to correct the problem.

A letter of non-compliance will be sent to the homeowner explaining the nature of the violation and the specific action or actions required by the homeowner to bring the property into compliance and eliminate the violation. Homeowners will be given a deadline to bring the property into compliance.

After all attempts to resolve a violation have been exhausted, including the opportunity for a hearing, at homeowner's request, the Board of Directors will select the appropriate remedy and notify the homeowner of such action.

### C. Fine Assessments

The procedures for violations and the assessment of fines, as allowed by the Covenants are as follows:

#### **First letter of non-compliance or violation**

1. Informs homeowner of violation and how to correct or eliminate.
2. No fine assessed.
3. The letter shall give the homeowner fifteen (15) days to correct the violation, submit a plan to remedy the violation, or request a hearing with the Board of Directors.
4. Time sensitive violations (such as lawn maintenance issues, parking, garbage can storage, etc.) will receive seven (7) days to correct.
5. The homeowner is responsible for communicating directly with the management company any delay regarding violation compliance. Additional time may be allowed if justified.

#### **Second letter of non-compliance or violation**

1. Informs homeowner of their continued non-compliance of violation.
2. A fine not to exceed fifty (\$50.00) dollars will be assessed for continued non-compliance of violation.
3. Homeowner informed that subsequent letters of non-compliance or violation that are of a continuing nature could be assessed fines not to exceed one hundred (\$100.00) dollars.
4. The letter shall give the homeowner fifteen (15) days to correct the violation, submit a plan to remedy the violation, or request a hearing with the Board of Directors to appeal the notice of violation. The Board of Directors decision is final.
5. Time sensitive violations (such as lawn maintenance issues, parking, garbage can storage, etc.) will receive seven (7) days to correct.
6. The homeowner is responsible for communicating directly with the management company any delay regarding violation compliance. Additional time may be allowed if justified.

#### **Third and subsequent letter of non-compliance or violation**

1. Homeowner assessed a fine not to exceed one hundred (\$100.00) dollars for continued non-compliance.
2. The letter shall give the homeowner fifteen (15) days to correct the violation, submit a plan to remedy the violation, or request a hearing with the Board of Directors to appeal the notice of violation. The Board of Directors decision is final.
3. Time sensitive violations (such as lawn maintenance issues, parking, garbage can storage, etc.) will receive seven (7) days to correct.
4. The homeowner is responsible for communicating directly with the management company any delay regarding violation compliance. Additional time may be allowed if justified.

#### **Late fees and interest charges**

1. Fine assessments are due thirty (30) days from date of letter
2. Fines not paid within thirty (30) days will be charged a \$20.00 late fee and interest from the due date as allowed by law.