

Suncrest Village

HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL GUIDELINES

Adopted July 29, 2008

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IMPORTANT ITEMS TO REMEMBER

The following are some of the most important items to remember to maintain and enhance our property values in the Suncrest Village Community. Additionally, this list will help assist you in planning any exterior changes to your property. Please remember all exterior changes/improvements must be approved in writing prior to any changes being made.

Air Conditioning Units

- No window air conditioning units may be installed.

Boats, Trailers, Commercial Vehicles, etc.

- Recreational vehicles, watercrafts, boats, trailers, campers, etc. may only be parked in the garage in such a manner as to allow the garage door to remain closed at all times, with the exception of ingress and egress.

Fences

- Please remember to get written approval prior to any installation or changes.
- **Vinyl and Chain Link Fencing is not allowed in Suncrest Village.**
- Please see specifics on page 15.

Dog Waste

- Maintenance of the yard to keep it free from offensive odors is required.
- No pets may be tied permanently outside the home.
- All dogs must be on a leash when outside.
- No pets shall be kept, bred or maintained for any commercial purpose.
- Dog houses shall not be visible from the street
- Please note all homeowners are required to pickup after their pets. Do not allow your pets to urinate or defecate in common areas or another Owner's Lot.

Driveways

- All driveways must be paved with concrete or brick pavers and must be of natural coloring. No asphalt paving allowed.
- Any changes must have ACC approval

Garbage Cans, Clotheslines, Tanks, Etc.

- **All trash & recycling receptacles, clothes lines, pool pumps, tanks, wood piles, etc. must be screened from street view and neighboring homes with plantings and/or an approved enclosure**

Lighting

- All exterior lighting must be approved before installation.

Mailboxes

- All mailboxes must be uniform and kept in good condition.

Parking/Automobiles

- Inoperable vehicles or "stored" vehicles (vehicles that are on blocks or covered) are not permitted on the property except for in garages.
- Mobile homes, recreational vehicles (including but not limited to jet skis, four wheelers & motorcycles), trailers, campers, boats/boat trailers may only be parked in garages. They may not be parked in the driveway.
- All automobile repair work must be performed inside the garage.
- Vehicles should be parked in driveway and garage only, no parking in the grass.

Pools

- No above ground swimming pools are allowed on any lot.

Satellite Dishes

- Satellite dishes, no more than one meter (3') in diameter, with hidden cable.
- Preferred placement of the dish is on the rear roof. If placement is necessary on the side of the yard, screening with plant material and/or painting the dish to match the background is required.
- Dishes placed in the front yard are prohibited, unless written Architectural approval is received.

Signage

- With the exception of one (1) 24"x36" sign advertising a property "For Sale" or "For Rent", you must have the consent of the Board of Directors before erecting any sign. Signs are not permitted in windows, with the exception of alarm and pet signs. Signs expressing support of or opposition to political candidates are allowed per constraints outlined in NC § Chapter 47F. Homemade signs in yards are prohibited.

Storage Sheds

- Storage Sheds are not allowed without approval from the ACC.

Toys/Basketball Goals/Play Equipment

- No items (toys, bikes, garden equipment, trash containers, chairs, wood, recycling bins, etc.) may be left in front or side yards or on porches when not in use.
- Jungle gyms, swing sets, playground equipment, tree houses, tennis courts and basketball goals must have ACC approval before installation.

Clotheslines

- All clothesline installations require prior approval of the ACC. Clotheslines will only be allowed if situated directly behind houses so that they are not visible from the street.

Yard Maintenance

- Grass should be kept mowed under 8" and free of weeds. Edging and pruning should be done on a regular basis. Driveway and sidewalk cracks should be kept clear of grass and weeds. The designated lawn area should be fully covered with grass. Any brown or bare patches should be repaired during the spring or fall seeding season.

INTRODUCTION

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

The Declaration of Covenants runs with the land and is binding with all homeowners and should be fully understood. Please retain these additional Guidelines as part of your permanent papers. You should make these Guidelines available to any renters of your home. In the event you need additional copies of this document or The Declaration of Covenants for the community, please contact the management company.

The fact that each homeowner is subject to these Covenants should assure all homeowners that the standards of design quality shall be maintained, enhancing the community's overall environment and protecting property values.

The rules, responsibilities and procedures outlined in these Guidelines have been approved by the Board of Directors (BOD), in compliance with the community's Declaration of Covenants.

The intent of these guidelines is:

- To insure quiet enjoyment for the residents;
- To minimize problems and expenses for the association;
- And to provide for the Architectural integrity of the neighborhood.

The cooperation of each owner will be mutually beneficial.

Architectural Review Committee (ACC)

The Declarations establish an Architectural Review Committee, from now on referred to as the ACC, to be comprised of three (3) to five (5) representatives to rule on Architectural submittals. The ACC is charged with conducting the review of all applications for exterior changes and with rendering a decision to the applicant within 30 days. The ACC will respond in writing with either an approval, approval with conditions, disapproval or a request for more information on the project. More information may be required for the ACC to make an informed decision. It is the Homeowner's responsibility to provide that information in a timely manner. If the ACC fails to render a decision (after receiving all required information) in the allotted thirty (30) days, the approval will not be required and the application will be considered to have been approved.

The ACC may from time to time publish and promulgate Architectural standard bulletins, which shall be fair, reasonable, and uniformly applied. The ACC shall be responsive to technological advances or general changes in Architectural designs and materials and related conditions in future years and use its best efforts to balance the equities between matters of taste and design (on the one hand) and use of private property (on the other hand). Such bulletins shall supplement the Declaration and are incorporated herein by reference.

The Architectural Control Committee Process

The Declaration of Covenants requires prior written approval for any improvements to an owner's lot. Therefore, do not commit labor or materials until you have received written approval.

1. Owner submits to the Architectural Review Committee, in care of the management firm, an Application for Architectural Improvement. **Please note the Architectural Control Committee has thirty (30) days to review the application. IMPORTANT: Please call to follow up and make sure our office has received your application. Occasionally items get lost in the mail and the review period does not start until Community Association's management company receives the completed application.** Complete applications will be considered on individual merit, using these documented standards as a basis for decision-making.

****Out of courtesy, we request you inform your neighbors of your proposed improvement(s).**

Note: when attaching to a neighbor's fence, written approval must be obtained from the neighbor.

2. The application, noted with the date of receipt by the manager, is turned over to the Architectural Control Committee within two working days, provided all information necessary for review is received. (Management will make a cursory review of the application and request of owner any additional information needed. The committee may still require additional information, as detailed in 4d, below. The **30-day timetable** begins when the application is complete and appropriate for review.)
3. The committee will act on the application within **30 calendar days** from receipt. In most cases the owner will receive a response within three weeks.
4. The committee's decision will be noted on the application. The owner will be notified by management of all final decisions, either:
 - a. **APPROVAL:** The application is approved as submitted.
 - b. **APPROVAL WITH CONDITIONS:** The overall proposal is accepted, but with certain specified changes, limitations, or requirements that must be followed.
 - c. **DISAPPROVAL:** The application is denied. The owner can appeal to the Architectural Control Committee within 15 business days. Further escalation may require the involvement of the Board of Directors. (*see Appeal Process section for more details*)
 - d. **ADDITIONAL INFORMATION REQUIRED:** The Committee has determined that additional information is needed for appropriate review of the application. In this case, the entire process begins again once management receives the information. The owner should follow the same submission procedure. The Architectural Control Committee will act swiftly on all re-submissions.

5. **Architectural Control Committee inspection:** The Architectural Control Committee reserves the right to visit your lot and inspect the improvement. This will be done for two specific reasons:
- a. to ensure that the application details were followed and to note problems encountered which might help other residents on similar projects; and
 - b. to learn any "pointers" that other residents may employ in more easily completing an improvement project.
6. Once work has begun on an improvement, it must be completed within 90 days. Applications are valid for 1 year from the date of approval.

** Please note: Many design changes require a permit and the City and/or County may not issue a permit without the written approval of the ACC. Please plan in advance. **THE ACC HAS 30 DAYS TO REVIEW ALL REQUESTS, AFTER ALL THE APPROPRIATE INFORMATION IS SUBMITTED.** It is strongly suggested that the City and /or County be contacted to determine what permits or approvals are required from a City/County Ordinance. Architectural Control Committee approval does not substitute for approval by the City. It is the homeowner's responsibility to acquire appropriate approvals, permits, etc. from the City.

Review Criteria

The ACC evaluates each application on the individual merits of the application and the standards listed below:

Validity of Concept - The basic idea of the exterior change must be sound and appropriate to its surroundings.

Landscape and Environment - The exterior change must not unnecessarily destroy the natural landscape or the achieved man-made environment.

Relationship of Structures and Adjoining Property - The proposed change should relate harmoniously among its surroundings and to existing buildings and terrain that have a visual relationship to the change.

Protection of Neighbors - The interest of neighboring owners should be protected by making provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and other aspects of design, which may have substantial effects on neighboring property. For example, fences may obstruct views, breezes or access to neighboring property. The ACC should consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governing in each specific application.

Design Compatibility - The proposed change must be compatible with the design characteristics of the applicant's home and the general neighborhood setting. Compatibility is defined as harmony in style, scale, materials, color and construction details.

- a. Scale: The three-dimensional size of the proposed change must relate satisfactorily to adjacent structures and their surroundings.
- b. Materials: Continuity is established by use of the same or compatible materials as used in the existing home. Siding materials and shingles must match existing structure.
- c. Color: Color may be used to soften or intensify visual impact.

Workmanship - The quality of work must be equal to or exceed that of any existing structure. Poor practices may cause the owner problems and may be visually objectionable to others. For example, a wooden fence not properly treated and maintained may, in a short period start to decay and become unsightly to the owner and neighboring property owners.

Appeal Procedure

If the applicant disagrees with the decision of the Committee in its review or inspection, the process is noted for an appeal:

1. Within 15 business days after receipt of a notice of disapproval, the homeowner must file a written appeal with the Architectural Control Committee at the address of contact for the community.
2. Upon receipt of the appeal, the ACC may contact the homeowner and schedule a review of any further information relating to the request and appeal.
3. Should the ACC determine that the disapproval stand, the homeowner may request (within 7 days) that the appeal be forwarded to the Board of Directors. It is the responsibility of the ACC to forward any correspondence and pertinent information to the BOD at this time.
4. The Board of Directors shall then establish the date and the time that the appeal will be heard. Normally, this will be made at the next scheduled Board meeting. To reverse an Architectural Control Committee decision, requires a majority vote of the BOD.
5. No work may progress during this appeal process time period.

Violations and Penalties

An exterior change made without the required approval of the ACC constitutes a violation of the Declaration of Covenants and Community Guidelines. **A violation may require removal or modification of the work at the expense of the property owner.**

When a violation is determined to have occurred, the following steps shall be taken:

1. The ACC will investigate any reported violation and attempt to bring the owner into compliance. Homeowners will be notified in writing of the violation and are expected to bring the violation into compliance within thirty (30) days.
2. Should the owner fail to act upon the recommendations for corrections, the Committee shall submit the matter to the Board of Directors.
3. The homeowner shall be invited to a hearing with the BOD where the homeowner will have opportunity to be heard and present evidence. Failure to appear shall result in a fine beginning to accrue on the day after the scheduled hearing date. Of course, if the violation were brought back into compliance prior to the hearing, no hearing would be necessary.
4. After the hearing, the BOD shall respond to the homeowner with a decision in writing within five (5) days. Any penalties or costs relating to the violation (and the date from which the accrual shall begin) shall be noted in the letter from the BOD.

Fines: Per Chapter 47 of the NC General Statutes, fines of up to \$100 per day, per violation, may be assessed until the violation is rectified. The North Carolina Community Act passed in January of 1999, allows planned residential communities the ability to uphold standards that will protect and insure homeowners of maintained property values, with regard to holding all property owners accountable for abiding by the existing covenants.

Fees: A violation may also result in payment of damages incurred by the Association in having the work removed or modified, as well as a fine assessed by the Association. Attorneys' fees, court costs, site assessment will all be incorporated into the fine process.

** Please remember Owner's are responsible for their renters.

Explanation of Standards

The Standards that follow are the procedures and guidelines applied by the ACC to assist the Association and its members in the design review process. It is hoped that these Standards will serve as a positive tool to assist in the full and free use of each homeowner's property in a manner that is consistent with the aesthetic and harmonious development to the community.

There are three major categories of items for specific home improvement guidelines:

BLANKET APPROVALS
COMMON IMPROVEMENTS
APPEARANCE STANDARDS

These three are very important to you because they identify which improvements are permitted and how approvals can be secured. Items not specifically mentioned here require approval.

Blanket Approvals

Items in this category do **not** require approval, *provided the guidelines mentioned are followed.*

- Plants, shrubs and flowers planted within three feet of the front of your house, not to grow higher than the lowest portion of the windows.
- Bedding borders, if constructed of common landscaping borders not to exceed 8 inches in height.
- Mailboxes and posts, if repainted or replaced in original colors and materials.
- Hose caddies affixed to the home or enclosed in appropriate container.
- Outside seasonal decorations, displayed up to five (5) weeks prior to and three (3) weeks after the holiday season.
- Vegetable gardening in rear yards, provided they are not noticeable from the street, do not exceed allowed fence heights or grow through to the neighbor's yard.
- Removal of trees that are less than six inches (6") in diameter or less than four feet (4') above the ground. All other trees must have the approval of the ACC and possible neighbors' signatures. Any dead tree may be removed without approval.
- Lawn furniture, barbecue equipment, toys, bikes, trampolines, etc., if kept in good repair. These must be stored out of view when not in use.

- Satellite Dishes
 - No more than one meter (3') in diameter, with hidden cable.
 - Preferred placement of the dish is on the rear roof. If placement is necessary on the side of the yard, screening with plant material and/or painting the dish to match the background is required.
 - Dishes placed on poles in the front yard are prohibited, unless written architectural approval is received.

- Exterior Painting / Maintenance
 - Provided that material and color remains the same, no approval is required for standard maintenance of the house exterior.

- Hot Tubs
 - Hot tubs may not be visible from the street;
 - Must meet all City, County, and State requirements (enclosed, fencing, plumbing, electricity, etc.).

- Basketball Goals
 - Basketball goals are to be placed on the rear third (toward the house) of the driveway or parking pad;
 - Goals should be mounted on a single pole with a backboard that is predominately white, clear or gray;
 - Basketball goals are prohibited from being mounted directly on the house;
 - Basketball goals may be cemented into the ground with ACC approval;
 - One goal per house;
 - It is required that player be courteous and not hinder a neighbor's property during normal play;
 - Goals are not to be placed so basketball is played in the street;
 - Moveable basketball goals are to be located on the driveway, away from the street end when not in use;
 - Basketball goals need to be erect at all times.

Common Improvements

Items in this category require approval. *An application must be submitted and meet these guidelines.* Approval is not necessarily limited to constraints listed here, but is much more likely to be given for:

Grading

- Major changes to the topography of a lot are required to be approved by the ACC prior to being started.
- Drainage and water flow patterns must be taken into consideration prior to the start of any grading.

** The Association, its Board of Directors, nor the Architectural Review Committee accepts any liability for any damage caused by such grading, whether or not the committee approved the request.

Exterior Color and Maintenance (Changes)

- You must specify the new material and/or color you wish to use; include a color sample from the store. Proposed paint color may not be similar to the two houses on the left or right of the Lot, or the house directly across the street.

Drives and Parking Areas

- Proposed changes in drives or parking pad additions must be submitted to the ACC;
- Gravel or asphalt driveways or parking areas will not be permitted.

Pools

- No above-ground swimming pools shall be permitted in the Subdivision;
- Requests for in-ground swimming pools shall be considered.

Fences/Walls

- Fences may be constructed of wood, black aluminum, or wrought-iron.
- **No wire, chain-link or vinyl fences (including dog enclosures) shall be considered;**
- Fences must enclose all or part of the backyard, and should extend no farther forward than 10' from the back corners of the house (variations will be considered for specific lot shapes and/or items you are intending to screen with the fence);
- Fences must yield to the grade of the lot; no step up configurations are permitted.
- Required fence height is a minimum of 4 ft. (42" at lowest point, if scalloped design) and 6 ft. at the highest point;
- A picture or sketch of the selected fence style must be submitted with the application.
- Fences must be maintained and kept in good repair.

Front Yard Fences

- Must be a scalloped wooden picket with a minimum of 1.5 inch spacing between pickets.
- Minimum height at lowest point of scallop must be 30 inches, and maximum height at top of scallop must be 36 inches.
- Fence must have decorative posts with a ball, cap, or spire on top. Decorative cap may extend 6 inches higher than highest point of the scallop.
- Fence must be painted white on both sides; finished side must face outward.

Storage Sheds

- No larger in size than 8 x 12;
- Constructed of wood; with lapboard siding. No aluminum or composite sheds allowed.
- Foundation must be concrete slab or enclosed by brick
- They are placed on the property behind your home so the shed cannot be seen from the road when standing directly in front of house;
- They must be at least 5 feet from the neighboring property;
- Siding material must match the color and composition of the home;
- Roof must have similar pitch and architectural shingles to match house.

Decks/Screened Enclosures/Outdoor Living Areas

- A deck should not extend past the side of the house;
- All decks should be on the rear of the house. No side or front decks are permitted;
- They will pose no drainage problems for you or your neighbors;
- The materials to be used are designed specifically for patio and/or deck designs;
- All decks, patios, gazebos and screened porches must blend in with the natural terrain.
- Decks and porches visible from the street must be landscaped around the foundation.

Lamps & Landscape Lighting

- One walkway/entrance light on post is allowed, not to exceed 7 feet in height to base of light fixture;
- The post shall be of metal painted black;
- The lamp design should be similar to existing house exterior lights;
- Entrance lighting on ACC-approved walls on the sides of driveway entrances will be considered providing they match existing light fixtures. *Note that low voltage lighting does not need ACC approval.

** The Association requests that all exterior lamps be on from dusk to dawn. It is the homeowner's responsibility to change out bulbs, etc.

Windows

- Window unit air conditioners are prohibited;
- Fans in windows are discouraged;
- Appropriate window dressings are required (sheets, newspapers, towels, blankets, etc. are prohibited).

Clotheslines

- All clothesline installations require prior approval of the ACC. Clotheslines will only be allowed if situated directly behind houses so that they are not visible from the street.

Lattice Under Front Porches

- Framed, wood lattice may be erected to cover open spaces beneath front porch area. However, lattice must be painted white and properly maintained. Vinyl lattice is not permitted.

Appearance Standards/Maintenance

- Paint and stain must be maintained in uniform and good repair (with no peeling, chipping, cracking, or discoloration) on the trim or siding.
- Lawns must be well kept with uniform ground coverage. Grass should be kept mowed and under 8" at all times. Edging and pruning should be done on a regular basis. Driveway and sidewalk cracks should be kept clear of grass and weeds. The designated lawn area should be fully covered with grass. Any brown or bare patches should be repaired during the spring or fall seeding season. Dead trees and shrubs must be removed and replaced with plantings of similar size and shape.
- **Lawn Area:** The lawn area should be mowed to provide a neat and uniformly finished lawn. For areas inaccessible to mowers, a string trimmer will be used to cut grass to same height as mower. Curb, sidewalk and bed edges should be mechanically edged during the growing season. All debris will be removed from turf prior to mowing and from turf and pavement areas following edging. Bare areas of the lawn should be core aerified in the fall. Seeding and fertilization should be performed in conjunction with aerification. The turf should be fertilized three times during the year (March, September and November). A pre-emergent crabgrass control should be applied to the lawn when soil temperatures reach 48 degrees.

Plant Beds and Small Ornamental Trees: All plant beds will be sprayed and weeded by hand to maintain them free of weeds at all times. All shrubs should be fertilized as required. All shrubs and trees should be pruned to encourage growth and remove dead material. Pinestraw and/or mulch should be refreshed annually.

Leaves: All leaves should be removed from the lawn areas and plant beds. Leaves may be placed in adjacent wooded areas.

Natural Areas: Natural areas will be maintained free of brush and weeds within the first ten feet of the natural area.

- No items (toys, bikes, garden equipment, trash containers, chairs, wood, recycling bins, etc.) may be left in front or side yards or on porches when not in use. Basketball goals need to be erect at all times.
- No parking vehicles on lawns or common areas. **Parking over the sidewalk is prohibited, including sidewalks that go through driveways.** Please do not park within 10 feet of stop signs, street signs, fire hydrants and other driveways. For events such as Garage Sales or parties, it is the responsibility of the homeowner hosting the event to inform neighbors and make provisions to prevent damage to the neighbors' yards.
- Watercrafts, boats, and other recreational vehicles, utility trailers, etc. must be parked in the garage in such a manner that the garage door will close.
- No portion of the properties can be used to tie up dogs or for breeding. No doghouses should be visible from the street. Excessive dog noise will be treated as a noise ordinance violation. Maintenance of the yard to keep it free from offensive odors is required. Please note all homeowners are required to pickup after their pets. Do not allow your dog to defecate or urinate in other Owners' yards. Please be courteous!
- Properties should be free of any debris.
- Vegetable gardens are allowed in backyards only.
- Trash storage needs to be screened from the road and other houses.
- One (1) sign, no larger than 24"x36", may be placed in the homeowners yard for the express purpose of selling and/or renting the property. Political signs may be placed on the homeowner's property expressing support or opposition to a candidate or referendum issue, not 60 days before the election and must be removed within 2 days following the event. Security, burglar alarm, or dog fence signs shall be located discreetly in the front yard of the house. No signage may be located in the common area, with the exception of an open house or community event. Yard/Garage Sale signs are permitted the day prior to and of the event and the event day and then need to be removed, promptly. Temporary signage during the period of home improvements is permitted. Signs must be removed as soon as the job is completed. No signs are permitted in windows, with the exception of alarm and pet signs. Homemade signs in yards are prohibited.

**** These standards are in addition to any listed in the Declaration of Covenants.**



ARCHITECTURAL REQUEST

*Suncrest Village
Homeowners Association Inc.*

Name: _____

Date: _____

Address: _____

Daytime Phone: _____

Evening Phone: _____

E-mail Address: _____

Required for Review: Please attached a detailed description of the nature of the request & attach elevation drawing/picture, plot plan indicating location of improvement, pictures, and any additional information. Neighbor's signatures required.

****PLOT PLAN, RENDERING, SIGNATURE AND INITIALS REQUIRED ON ALL APPLICATIONS****

REQUIRED: All directly adjoined neighbors' signatures for any exterior modification.

My signature acknowledges I am aware of my neighbor's proposed improvement(s)/addition(s). If I have any concerns or questions about the proposed project I will direct them to the Board of Directors and/or Architectural Committee.

NAME	SIGNATURE	ADDRESS	LOT #

I understand that this application will be reviewed by the Board of Directors (or its Architectural Committee). I further understand that the Board of Directors (or its Architectural Committee) has the authority to approve, approve with conditions or deny this request and that there is no appeal other than resubmission of a modified request. I further understand that the placement and design of my improvement must meet the architectural guidelines, regardless of my submission or errant approval of such submission. A variance from standards must be noted by the committee in the comments section below. Please note the Board/Committee is allowed up to 30 days to render a decision from the date the complete application is received.

Signature

Date

Initial Here

Submission without a Plat Map/Survey: I hereby certify that my mortgage company did not require a survey. In lieu of a recorded plat map, I certify that the attached rendering is true, complete, and correctly drawn to scale to the best of my knowledge. As lot Owner, I accept liability for any inaccuracies that may be proven in the future and release the Association, Management and its Agents from any responsibility.

Initial Here

Disclaimer: The Association reviews applications primarily based upon aesthetic qualities and to a lesser degree, basic construction practices. Owners (and their contractors) are responsible for determining and ensuring that all applicable municipalities, county and state requirements are met and all necessary permits, variances, etc. are obtained. Should the requirements set forth by the municipality, county and state be more stringent/restrictive than those established by the Association, the more stringent/restrictive requirements prevail.

You may submit your application via E-mail: to info@rsfincher.com), Fax (919) 362-1462, or US Mail to:

*Suncrest
Village HOA*
c/o R.S. Fincher &
Co., LLC 315 S.
Salem St., Ste. 500
Apex, NC
27502

The following action has been taken on your request: Approved as submitted

Approved with conditions

Denied

Incomplete

REASON FOR DENIAL OR CONDITIONAL APPROVAL:

Signed:

(For the Architectural Committee)

Date: _____