

# ASHLEY DOWNS HOMEOWNERS ASSOCIATION

## ARCHITECTURAL STANDARDS AND GUIDELINES

### PURPOSE

The Architectural Review Committee (ARC) was established by the Board of Directors under the authority of the Ashley Downs protective covenants to help over see such activities as external home improvements, additions, home maintenance, installation of recreational facilities, beautification efforts and more.

The objective of this committee is to preserve property values and maintain the character of the neighborhood.

The committee has generated the Ashley Downs Architectural Standards & Landscape Guidelines to assist homeowners in their home improvement and maintenance endeavors to the extent that it impacts their immediate neighbors and the neighborhood as a whole. The intention is not to regulate every action by homeowners, but rather to modify house improvements that can negatively impact the neighborhood. Furthermore, the standards and guidelines, as outlined, should benefit the neighborhood for many years to come by creating a pleasant and unifying environment for all to enjoy.

Homeowners should be aware that the Town of Apex also has guidelines governing some of the same subjects covered in this document Any Town of Apex guidelines that are more stringent than Ashley Downs Guidelines take precedence over the Ashley Downs Guidelines. Also note that the approval from the Ashley Downs ARC does not eliminate the need for securing any necessary Town of Apex permits or inspections. If any portion of this document or any amendment thereto shall be deemed to be null and void or unenforceable by action of a court of law. Such portion shall be severable and shall not affect the balance of this document, and or amendments there to, which shall remain in full force and effect.

### SUBMITTAL AND APPROVAL PROCESS

Homeowners have a responsibility to complete an Architectural Request Form prior to making any changes to the exterior of their home or property. The process will be the same for all submittals with the required details varying depending on the type of change.

#### ***Items to be submitted:***

1. Architectural form completed in its entirety
2. Plot plan outlining the position or placement of the change
3. Drawings/plans showing the construction and effects of the change
4. Samples of paint, siding, or any other items that may be helpful in making a decision

Submit your completed request form to the Architectural Review Committee to perform an initial review. The committee may review the request and inspect the site. The ARC will advise the homeowner of the final decision.

## **THE ARCHITECTURAL REVIEW PROCESS**

### **The Architectural Review Committee (ARC)**

Application Review - The committee will review and discuss each applicant's request and determine whether it adheres to the established standards and guidelines as described in this document and the Declaration of Covenants and Restrictions of Ashley Downs Community Association. Additionally, consideration will be given to the impact of the requested change on immediate neighbors as well as the neighborhood as a whole. The homeowner may also address the committee. If they wish to do so, they should contact the committee in advance in order to be put on the meeting agenda.

#### ***The committee after discussing the request, can:***

1. Approve the request as submitted.
2. Approve the request subject to conditions. This action is typically used only if an administrative item, such as a plot plan or elevation plan, is left off the request when everything else about the request appears to be in order. The homeowner should begin no work on the requested item until the requirements for approval are met.
3. Deny the request, with an explanation to the applicant. The homeowner should begin no work on the requested item. The ARC may, at its discretion, turn further handling of the request over to the board
4. Return the request to the applicant in order to obtain further information or clarifications. If this action is taken, the request has neither been approved nor denied at that point. Within a week of the meeting, the ARC will inform the requesting homeowner in writing of the consensus. It may do so by returning a copy of the request, with the Architectural Review Committee section completed. The request and supporting documents become the property of the Ashley Downs Homeowners Association and are retained in the community files.

### **INSTRUCTIONS FOR COMPLETING THE APPLICATION**

The Request for Architectural Approval Form should contain a complete written description of the proposed improvement and should also include as applicable.

1. A copy of the lot survey plot plan showing the location of the improvement and distance to the nearest property lines
2. Pictures, drawings, or blue prints showing different views with dimensions
3. Sample and/or descriptions of paint and/or materials to be used in construction
4. A description of any screening be provided

It is very important to have all affected neighbors sign the form. This is not a request for their approval, and their signature is not an approval, but an acknowledgement that they have been informed of the proposed improvement. In most cases the application will be denied by the ARC if neighbor's signatures are missing from the application.

## **APPEALPROCESS**

To appeal a disapproved submittal, the homeowner should submit a written appeal to the Architectural Review Committee, within 30 days of the notification of disapproval, including specific detailed information stating why the submittal should be reconsidered. The homeowner may request a meeting with the Architectural Review Committee to discuss the submittal. Please contact the ARC to be placed on the agenda for the next meeting.

### ***Reminders:***

1. No change shall begin without written approval from the Architectural Review Committee.
2. Building permits may need to be obtained. It is the responsibility of each homeowner to obtain these permits.
3. Allow at least 21 days for processing and permits in planning for changes.
4. The architectural committee may require additional information from the homeowner concerning the project submitted for approval. This is at the committee's discretion.

## **STANDARDS AND GUIDELINES**

### **CLOTHESLINES**

1. Exterior clotheslines are prohibited unless they are fully hidden from view from surrounding properties.
2. At no time should laundry be hung from the front porch to dry.

### **PARKING**

1. City ordinance states that no vehicle may be parked within 15 feet of any driveway or stop sign.
2. The association may regulate the parking of all recreational vehicles such as campers, boats, trailers, motorcycles, and ATVs.
3. We ask that no vehicle be parked in the street, except in the case of overnight guests. This is for safety reasons, as children can run out from behind parked cars.

### **STORAGE**

1. No trade materials or inventories may be stored upon any lot.
2. Temporary storage of materials for modification projects should be discreetly placed and maintained in an orderly manner.

### **AWNINGS**

All awnings require approval.

Guidelines:

1. Fabric to blend with color of house
2. The awning material shall be fabric only
3. Can be retractable or stationary
4. Upon deterioration, the awning will be repaired or replaced.
5. Must be attached to the house, not free standing

### **BASKETBALL GOALS**

Basketball goals mounted on poles, house, or portable goals require approval. No basketball goals may be placed in or on any right-of-way.

## **SWING-SETS, PLAYHOUSES AND JUNGLE GYMS**

The Architectural Committee prior to placement must approve all permanent play equipment.

Please include:

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

Guidelines:

1. Permanent play equipment must be installed to be inconspicuous as possible and should be placed out of view of any street when possible. The preferred location is in the rear, directly behind the house, each request will be reviewed individually.
2. Screening may be required in order to block the view and/or noise from neighboring lots. Landscape plans should accompany the submittal.
3. Non-permanent play equipment must also be placed inconspicuously so that it does not detract from the neighborhood surroundings
4. Wooden swing sets only.

## **GARDENS**

Gardens in a single-family residential area will not require prior approval if they are wholly located in the rear portion of the lot and a minimum of ten feet from the side and rear lot lines. Any tree removal required to provide space for the garden must adhere to the tree removal guidelines.

Architectural Committee approval is required for any garden location other than described above.

Compost piles are allowed within your property lines, but be approved concerning the location

Guidelines:

Maintenance of the garden is required. Debris must be removed at the end of the gardening season and the yard returned to a natural state. This would include removal of stakes and any other structural additions required for harvesting the garden.

## **PETS, PET HOUSES, AND PENS**

No exotic animals, livestock or poultry of any kind shall be raised, bred, or kept on any Lot. Household pets may be kept provided that they are not bred or maintained for commercial purposes. All dogs must be on leashes unless contained by a fence or invisible containment system.

Guidelines for the housing of animals:

1. Pet pens must be at least 10 feet from the property lines.
2. They must be located in the back or side yards (whichever is least conspicuous).
3. Screening should be provided as much as possible.
4. No chain-link or metal fencing is allowed. The fencing must be one of the approved fence styles.

## **EXTERIOR MAINTENANCE OF HOUSE**

1. A change of color from the existing color must have approval. Submit color samples with your application.
2. Repainting and retaining with the existed color does not require approval.
3. Maintenance of exterior includes routine power washing of siding, porch, deck, windows, and trim in order to remove dirt, mold, and mildew.

## **SWIMMING POOLS AND SPAS**

All swimming pools and spas must have architectural approval. Please be aware of all Apex regulations concerning installation.

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

Guidelines:

1. Any wood support structure must be the same color as the house or deck.
2. Pool or spa cannot be locations within a buffer or easement
3. All health department regulations must be met
4. Pool or spa must be screened from view from any street or adjoining property

## **LAWN ORNAMENTS, DECORATIONS, OUTSIDE LIGHTING, SIGNS, AND FLAGS**

Large lawn ornaments, free standing flagpoles, lantern poles, and fish ponds require approval.

Items not requiring approval:

1. Small lawn ornaments, landscape or accent lighting, flood lights, and security lighting.
2. Decorations including holiday decorations, for sale, for rent, yard sale, and political campaign signs as long as they are removed within a timely manner. No signs may be placed on common property. Limit 1 sign per yard.

Guidelines:

1. Every effort should be made not to disturb or adversely affect neighbors with the installation and operation of flood and security lights.
2. On items not requiring approval, the committee reserves the right to request a homeowner to remove an item if surrounding homeowners complain. Under no circumstances should holiday lights and decorations remain up beyond that particular holiday season.
3. Commercial advertising signs are not permitted.

## **MAJOR LANDSCAPING**

Landscaping of a minor nature such as naturalizing an area of the yard or adding low growing shrubs and bedding flowers do not require approval provided that they do not encroach upon neighboring properties or common area.

After initial construction, no tree having a trunk diameter in excess of 3 inches at ground level shall be removed without approval of the HOA Exception: A tree that is diseased or dead or poses an imminent threat or danger to persons or property does not require approval to be removed.

Other types of landscaping that are structural, or change the contour of the land, or are adjacent to a property line, or obstruct a neighbor's view, will require approval. This includes retaining walls.

Guidelines:

1. Hedges and screened plantings
  - A. Hedges, screen plantings, or live fences erected from the front corner of the house shall not exceed 4 ft in height.
  - B. Hedges or screen plantings which form a barrier between properties should have the following: Agreement for maintenance access, setback to allow for plant growth
2. No Changes or modifications are allowed to common property, without written approval

## **YARD MAINTENANCE**

It is the primary responsibility of each homeowner to maintain his property in a way that does not detract from the overall aesthetics of the community.

Following is a list of areas that should be reviewed on a regular basis to ensure that your yard is maintained properly.

1. Grass should be cut regularly.
2. Grass should be edged so that it does not grow onto sidewalks, driveways, and curbs.
3. Flower beds should be weed free and mulched routinely.

## **RADIO/TV, ANTENNAS AND SATELLITE DISHES**

All exterior mounted radio/TV antennas and satellite dishes require approval.

1. Plan showing locations of antenna or dish.
2. Description of plantings used to camouflage equipment, if applicable.

Purpose:

To minimize safety hazards created by mounting satellite dishes on homes.

1. All exterior satellite dish installations must receive approval by the architectural committee prior to the installation of any hardware.
2. Each request will be examined on its own merit
3. Satellite dishes will no exceed 1 meter in diameter

4. Satellite dishes will not be located within 10 feet of side or rear property lines or in any required buffer
5. No dish will be located closer than 30 feet to a street right-of-way
6. Satellite dishes installed at ground level must be screened so that the dish is not visible from any street or neighboring property as viewed from the ground level. The screen will consist of live evergreen screening. Any tree removal must have written approval and all wiring should be buried properly.
7. Satellite dishes may be mounted on the roof provided that the dish is not mounted on the part of the roof facing the street and the highest point of the dish does not exceed the height of the peak of the roof
8. Satellite dishes may be mounted on the back or sides of homes, but may NOT be mounted on the front. If on the side, the dish may not be within 10 feet of the front of the home.
9. All city/town/county requirements for satellite dish installation if more stringent, shall take precedence over these guidelines.

### **ADDITIONS AND CHANGES TO HOMES**

Normal maintenance to preserve the home in its original state does not require approval. All external changes to homes must have written approval before the project is to begin, including, but not limited to new rooms, porches, garages, attached or detached structures of any kind. Any changes to windows, doors, or chimneys also require approval.

1. No change shall encroach upon the setbacks for the lot as listed in the covenants.
2. Changes must match the house color and style.
3. City/town/county building permits are the responsibility of each homeowner
4. No metal sheds allowed.

### **DRIVEWAYS AND PARKING PADS**

Any changes to driveways and parking pads require approval.

1. Driveways and parking pads shall be concrete only.
2. Close attention must be paid to placement, setbacks, and encroachment onto buffer areas as well as common property and neighboring lots.

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

All new decks, patios, arbors, screening and under deck enclosures require approval.

Any appearance change to an existing deck, arbor, patio or screen also requires approval.

1. Deck materials
  - Materials must be weather resistant
  - Types and treatment of wood shall be like that of fences
  - Posts may be brick, pressure treated wood, or other suitable material



2. Patio Materials
  - Concrete slabs
  - Bricks with sand fill or grout
  - Stone with sand fill or grout
  - Stamped concrete
  - Include any landscape plan for around the area
3. Heigh-decks, arbors, and screens should be of reasonable height for their purpose
4. Patios should be located behind the house and may not extend around corners, or be free standing in other areas of the backyard.
5. Obstruction of views of adjoining properties will be given consideration in all instances
6. Exterior materials must be comparable to those on existing structures, and be compatible with the architectural character of Ashley Downs in order to be approved.
7. All permits and building codes must be in compliance with local regulations.
8. All applications will be reviewed if special circumstances apply.

## **GUIDELINES FOR THE CONSTRUCTION OF FENCES**

1. No construction shall begin without approval from theArchitectural Committee.
2. Allow enough time for processing and approval in planning for the construction of the fence. Applications for changes must be received a minimum of 30 days prior to the projected date of construction.
3. Approval of a fence does not constitute approval for any additional improvements (such as play equipment, playhouses, or basketball equipment). These items must either be detailed on the application, or preferably be on a separate application that is submitted to approval.
4. Each installation will be examined on its own merit. Fences proposed for construction adjacent to existing fences are preferred, material, and finish as the existing fences. This may be an absolute requirement in some buffer areas that have been designated by the town.
5. After construction, association reserves the right to perform an inspection to ensure that the fence and any associated landscaping conform to the conditions stated in the approval.

### Styles:

1. French gothic
2. Stockade
3. Picket
4. Shadow Box

### Color:

1. Natural wood
2. White vinyl - picket only
3. Stained (all colors must be approved. No painted fences allowed)

**Materials:**

1. Fence must be wood or white vinyl only. No metal, wire, chain, stone, brick, or concrete fences are permitted.

**Height:**

1. 6 foot maximum height from ground to the top of the posts.

**Location:**

1. All fences must be within the property line.
2. Existing topography and landscaping within the buffer shall not be disturbed. Construction within a buffer area may require approval from the town. This is the homeowner's responsibility to research whether this approval is necessary.
3. No fences may be built in the 100-year flood line.
4. Screening is required for any fence bordering a street. Landscaping plans for this must be included in the submittal for approval.
5. If an adjoining property has an existing fence, the homeowner submitting must attach to that fence or place the fence 3 feet off the property line to allow for maintenance between the fences.
6. On corner lots, fences must be set back a minimum of 15 feet from the street.
7. No fence may be built up to the front of the house but rather they must be built starting at the middle or the back of the house.

**Construction details:**

1. Hardware must be galvanized.
2. All posts must be set in concrete.
3. The finished side of all fence styles must face adjoining lots.

**Maintenance:**

1. Maintenance of the fence and landscaping bordering the fence is the responsibility of the property owner.

**GARBAGE CANS/ RECYCLE BINS**

Garbage cans and recycling bins shall not be placed at the curb in excess of 1 day prior to normally scheduled trash pickup.

**Removal:**

Garbage cans and bins must be removed within 1 day of trash pickup.

**Placement:**

Garbage cans and recycling bins must be stored so that they are not visible from the front of the property.

## **SOLAR PANELS**

All solar panels require architectural approval. Submitted plans need to include a drawing showing the location of the unit to scale in relation to other components of the dwelling and a plot survey plan showing visibility from streets and neighboring lots.

## **MAILBOXES**

No changes shall be made to the mailbox or mailbox post without obtaining prior written approval from the Architectural Review Committee (ARC). All new mailboxes or replacements shall conform to the mailbox style approved for the community and also meet US postal regulations.

The following mailbox standards are the acceptable designs for replacements



- Color of mailbox shall be black or green
- Color of mailbox post shall be white or desert marigold (vinyl or wooden material allowed)

No approval is necessary for general maintenance and repair

If you want to replace the Yellow/Green mailbox, please contact ASI Signage at 919-362-9669. If you need to repaint the mailbox post, the exact paint color is Porter paint-PPG6177 Desert Marigold.

Planting around the base of a mailbox is allowed, provided that the guidelines for landscaping are followed.