

# VINTAGE GROVE HOMEOWNERS' ASSOCIATION ARCHITECTURAL STANDARDS AND GUIDELINES

Adopted by the Vintage Grove Homeowners Association Board of Directors in November 2022.

The Vintage Grove Homeowners Association adopts the following Standards and Guidelines which are designed to assist homeowners in complying with the Declaration of Covenants, Conditions and Restrictions for Vintage Grove Subdivision (hereinafter "the Covenants"). The Covenants require prior approval for exterior changes on any property whether individually owned or owned in common by all property owners in Vintage Grove. These Standards and Guidelines are not intended to be all-inclusive or exclusive, but rather serve as a guide to the improvements that may be made in Vintage Grove as well as outline changes that are not permitted.

Please note:

- Homeowners are reminded that approval by the Architectural Review Committee for a proposed change does not remove the need for appropriate building permits or other necessary documentation.
- All homeowners are encouraged to familiarize themselves with the content and retain this document for future use.
- Homeowners should be aware that failure to adhere to these standards and specifications may result in fines and/or in the removal of unapproved improvements at the homeowner's expense.

Purpose of these Architectural Standards and Guidelines

- Establish uniform guidelines and maintain consistency in exterior alterations made by homeowners to their property.
- Assure residents that the standard of design quality is maintained, thus protecting and preserving property values.
- Increase homeowner awareness and understanding of the Covenants
- Allow homeowners to develop exterior improvements that are in harmony with the immediate neighborhood and community.
- Help assure the equitable and consistent handling of all applications for architectural review so that necessary value judgments will be kept to a minimum.

## I. INTRODUCTION

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

Basic control for maintaining the quality of design is through the Covenants, Conditions, and Restrictions of the Vintage Grove Homeowners Association. The Covenants run with the land and are binding on all homeowners and tenants and should be fully understood and followed. It is the responsibility of any landlord to fully inform tenants of the Covenants and Architectural Standards and Guidelines. The fact that each homeowner is subject to the Covenants should assure every homeowner that these Standards and Guidelines will be maintained in order to enhance the community's overall environment and to protect property values.

### A. Architectural Review Committee

The Board of Directors establishes an Architectural Review Committee (ARC) composed of representatives from the Vintage Grove community. These representatives voluntarily agree to serve in this capacity for a term of one year. The Covenants require that a homeowner apply for and receive written approval for any exterior change, addition, or alteration to any property. This application and approval process will be managed by the ARC and approval or disapproval recommendations will be made to the Board of Directors of the Vintage Grove Homeowners Association for final disposition. In the case where an ARC does not exist, the Board of Directors will assume the duties normally performed by the ARC.

### B. Architectural Review Process

If you wish to make an exterior change, addition, or alteration to your property, you **MUST** submit an application to the ARC through the management company prior to commencement of any modification, unless otherwise stated below.

Please follow the application procedures as stated on the Architectural Review Form. The Management Company and/or ARC may request additional information from the homeowner before an application is considered complete and they have up to 30 days from the date a completed application is received to either approve; approve with conditions; or deny an architectural request.

The homeowner has up to twelve (12) months from the time any architectural request is approved to implement the approved changes or a new architectural request must be resubmitted for review.

If an ARC request has been denied, a homeowner may appeal to the Board.

### **1. Application Process**

Homeowners are to complete the Architectural Review form via the management company's platform. All ARC requests must be submitted at least 30 days BEFORE planning to start work. Depending on the change requested, it may be necessary to submit plot plans showing location of requested change, Elevation drawing(s) showing the measurements of the change requested as well as any landscaping that will be affected, and description of materials (including paint or stain samples, styles, pictures, dimensions, etc.) to be used.

Work cannot begin until you receive approval in writing. Applications submitted without appropriate supporting documentation will automatically be denied. The Architectural Review form prompts homeowners to consult governing documents of the Vintage Grove neighborhood and to talk with their neighbors (on all sides) about the change.

### **2. Review Procedures**

During the consideration of an application, ARC members will view the site and may talk to the applicant, neighbors or anyone else in the Vintage Grove neighborhood. A quorum must be established for any official ARC recommendation to be made to the Board of Directors. A quorum of the ARC is a majority of the total number of people then serving on the Committee.

The ARC shall consider the application, all relevant data, and comments received from any homeowner in the subdivision. After deliberation on the application as submitted, the ARC will recommend to either approve, approve conditionally, or disapprove the application as submitted. In cases of conditional approvals or disapprovals, homeowner applicants will be provided in writing with the reasons for such.

After final disposition, each applicant will receive written notice regarding the ARC's decision by email. Conditional approval means that work may proceed but only subject to conditions imposed on the application during the architectural review process. The ARC may inspect work in progress and require (orally or in writing) that the applicant correct any non-compliance with the approved design. All work and projects must be done in compliance with the approved design and conditions, if any.

### **3. Formal Appeal Procedure**

- Within 30 days of the final disposition, the applicant may submit a formal appeal in writing to the management company.
- The Board will review the appeal and schedule a hearing date.
- Board will hold a hearing for further inquiries and allow the Homeowner and ARC representative(s) to provide explanations.
- Board will make a final ruling within 30-days.

## **C. Correction Procedures**

1. Remedies: An exterior change made without the required approval of the Board of Directors constitutes a violation of the Covenants. A violation will require removal or modification of the work at the expense of the property owner or payment of damages incurred by the Vintage Grove Homeowners' Association in having the work removed or modified.

2. Reports: The management company, the ARC, and/or the Board of Directors will inspect authorized construction in progress as well as the community in general to identify violations. Additionally, all homeowners have the right to notify the management company of violations of any provision of these Standards and Guidelines or the Covenants.

The management company, ARC, and/or Board Members will investigate each reported violation and attempt to bring the manner into compliance. An on-site visit may be paid to the resident by ARC members and/or Board Members and any problems explained and resolutions agreed upon. Should the owner fail to carry out the agreed upon corrections, the ARC will submit the matter to the Board of Directors of the Vintage Grove Homeowners' Association for final resolution. This could lead to the Association filing for legal action against the owner. Pursuant to Section 1, Article VIII of the Covenants, "Failure by the Association, Declarant or any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter."

**D.** The Standards and Guidelines which follow are the procedures and guidelines applied by the ARC and Board of Directors to assist in the Architectural Review Process. It is hoped that these Standards will serve as a 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 of the Vintage Grove neighborhood.

The Board of Directors reserves the right to promulgate and amend from time to time the Standards and Guidelines for all properties within Vintage Grove. The Standards and Guidelines shall establish, define and expressly limit design criteria including, but not limited to, architectural style, exterior color or finish, roofing material, landscape design, and construction technique.

## II. GENERAL GUIDELINES

Each application shall be evaluated on its individual merits and architectural review decisions shall follow the standards in the following sections. The following guidelines form the basis for these specific standards. In addition, maintenance and upkeep of properties within the Vintage Grove neighborhood will be assessed periodically by the management company in consultation with the Board of Directors and the ARC per these guidelines.

**A. Validity of concept:** The basic idea of the exterior change must be sound and appropriate to its surroundings and in keeping with the general aesthetic of the Vintage Grove neighborhood.

**B. Landscape and environment:** Property landscaping must be maintained in keeping with the natural landscape or the achieved man-made environment, and any changes must not destroy or contribute blight to the natural landscape or achieved man-made environment.

**C. Relationship of structures and adjoining property:** The proposed changes and maintenance of properties should relate harmoniously to its surroundings and to existing buildings and terrain that have a visual relationship to the structure or property.

**D. Protection of neighbors:** The interest of neighborhood 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. Properties should be maintained in a manner respectful of neighbors. For example, fences may obstruct views, breezes, or access to neighboring property, dogs may cause undesirable noises for neighboring property. The ARC and Board of Directors will consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governing in each, specific application.

**E. 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. The proposed change must relate satisfactorily to adjacent structures and their surroundings. For example, a detached storage shed or play equipment of a disproportionate size to the area in which it is intended to be placed would not be satisfactory.

**1. Materials:** Continuity is established by using the same or compatible materials as are used in the existing home. For example, an added storage shed should be made of the same or similar material as the home, likewise, the shingles should also be the same or similar.

**2. Color:** Color may be used to soften or intensify visual impact. For example, the color of a fence should blend in with the surrounding natural environment or be painted in continuity with the existing home. A storm door should be painted to match the entrance door or the house's trim color. A shed should be painted to match the existing home. No alteration in the exterior appearance of any building or structure, including exterior color or finish, shall be made without prior written approval.

**F. General Maintenance:** Owners are responsible for maintaining their properties in good condition in keeping with the general aesthetic of the Vintage Grove neighborhood. No application is necessary to affect repairs and restoration to original condition. While it is difficult to provide precise criteria for what the Association deems as unacceptable conditions, the ARC and/or management company may make recommendations to the Board of Directors if a homeowner needs to perform initial or additional maintenance or repair to their property in order to stay in keeping with these Standards and Guidelines.

**G. Workmanship:** The quality of workmanship must be equal to or better than that of any existing structures. 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 neighboring property owners.

**H. Timing:** A property change may be built or installed either by owners or contractors. However, projects that remain uncompleted for a long period of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must contain a proposed maximum time period from start to completion of construction. If the proposed time period is considered unreasonable, the application will be disapproved. As a general rule of thumb, minor work should be able to be completed within 2 weeks, whereas more labor intensive additions may take longer. In no case should the construction period exceed ninety (90) days. All projects must be initiated within one (1) year of approval or the approval will lapse and the application must be resubmitted.

### **III. STANDARDS**

This section of the Standards provides specific guidance regarding particular design situations frequently encountered in Vintage Grove. Generally acceptable methods for achieving the required objectives and standards are indicated below. Homeowners wishing to make changes to their property that pertain to any of the following standards must submit an application to the ARC, unless noted otherwise. These standards serve as the primary basis for judgement by the ARC. Additionally, design methods that are generally not acceptable are also included. For ease of use, these standards are alphabetized.

#### **A. Animals and Livestock**

Dog houses should be painted or stained to match the exterior of the Applicant's house. Wall materials should be similar in appearance to the house, with the exception that brick is not required. Roof material should also match that of the roof of the house. It is required that a dog house be located behind the house and not in side yard areas that are visible from the street and any dog house must be within three feet of the Applicant's house. They must be properly maintained (i.e., kept in good repair and free of material that may create unpleasant odors). Dog pens are not permitted. Per the Covenants: No livestock, including poultry may be allowed, maintained, or remain on any property.

#### **B. Antennas and Satellite Dishes**

Per the Covenants, satellite dishes are prohibited and none shall be permitted within the subdivision. However, as directed by Congress in the Telecommunication Act of 1996, The Federal Communications Commission (FCC) issued a ruling prohibiting restrictions that impair the installation, maintenance or use of antennas used to receive video programming. This allows for antennas including direct-to-home satellite dishes that are less than one meter (39.37") in diameter, TV antennas, and wireless cable antennas. The dish should be mounted on the back of the house or otherwise placed to hide it from street view; if such location is not feasible, impairs the signal, adds unreasonable expense to the installation or would cause a delay in installation, then the satellite dish may be installed elsewhere on a lot.

#### **C. Clotheslines**

Per the Covenants, outside clothes lines shall not be permitted upon any lot at locations where they can be seen from any street.

#### **D. Decks and Patios**

All decks, screen enclosures, and patio installations require application to the ARC. To disguise under deck storage, the use of decorative screening, either wood or plant material is recommended to minimize adverse visual impacts on adjoining neighbors. Lattice may not be installed as a deck railing. All new decks, extensions, or screenings require a permit and must meet building setback requirements and North Carolina building codes. All decks must be in the rear of the house and not extend past the side of the house.

Hot tub, Jacuzzi tub or spa must be screened from view as part of the deck or patio area. Associated tub equipment must be located in such a way that it is not immediately visible to adjacent property owners, i.e., hidden by a fence, shrubs, etc.

No interior furniture, such as upholstered couches or chairs, can be used as exterior deck or patio furniture.

#### **E. Driveways**

All driveway, parking pads, or walkway replacements and/or modifications require application to the ARC. Close attention must be paid to placement in regards to adjoining property lines, easements, setbacks, and encroachment onto buffer areas, common property, neighboring lots, etc. Modifications must be of the same materials as the existing driveway. Driveways cannot be painted anything besides a neutral color with ARC application approval.

## **F. Exterior Air Conditioners**

Individual air conditioning units mounted through windows are only permitted on the side or rear of the home and should attempt to be concealed from street view.

## **G. Exterior Decorative Objects**

Approval by the ARC is required for all exterior decorative objects located in the front or side yards when in view from the street. Examples of such items include bird baths, bird houses, wagon wheels, sculptures, statues, or fire pits/chimineas. Lawn ornaments will be allowed if they do not detract from the appearance of the neighborhood.

Holiday decorations are permitted but must be removed within 30 days after holiday. Exterior holiday lights are allowed for holiday and cultural events but must be removed within 30 days after the holiday or event. All visible hardware (visible from the street) used to attach string lights to the home must also be removed.

## **H. Exterior Lighting**

All changes to or additions of exterior lighting must be submitted to the ARC for approval. In general, low-voltage or solar-powered landscape lighting, including low voltage floodlighting, will be permitted along walkways, planting beds, or other landscaped areas, as long as all wiring is concealed from view, and light fixtures do not stand more than 18" above the ground. The ARC shall be responsible for determining whether exterior lighting is an annoyance or unreasonably illuminates other owner's property. Applications for approval of any light post must include a drawing/photo of the light post and an indication of where it will be placed.

String lights are permitted around decks and patios in the rear or side of the home granted it does not unreasonably illuminate other owners' property.

## **I. Exterior Painting**

An application is not required to repaint or re-stain an object to match the original color. This requirement applies to doors, shutters, trim, and other appurtenant structures. Any exterior modification to doors, shutter, trim and other appurtenant structures that does not match the original color must be submitted and approved by the ARC. The ARC will be responsible to approve changes to paint colors.

## **J. Exterior Structures**

Any external structure to be fixed permanently on a property or added to an existing property structure, such as a gazebo, arbor, awning, firepit, grill, requires approval by the ARC.

## **K. Fences and Walls**

No front yard fences are allowed. This is to protect the curb appeal of all properties in the Vintage Grove neighborhood. No fence may extend beyond the back corner of the house except to preserve fence-line symmetry with an adjoining house. Exceptions to this rule may be granted by the ARC or Board of Directors on a case by case basis. Additionally, fences and walls are not permitted to extend on any lot closer to any street than the back or side building setback. All fences must meet the requirements of the zoning ordinance of the Town of Apex. Fencing has a maximum height limit of four (4) feet

Fences should be constructed using wood material. No chain link, other commercial materials, or stones should be used for fencing. Additionally, shrub or bush hedge are acceptable, and not subject to the four (4) foot height limit. Fences must maintain appropriate spacing between pickets/boards, and standard spacing is half of the width of the picket/board. All fences must be properly maintained.

All stone, brick, wooden and retaining walls require Architectural Review Process approval.

## **L. Flags and Flag Poles**

Flags do not generally require approval by the ARC. Flags should be no larger than four feet by six feet. Freestanding poles require approval by the ARC. Flags that are political in nature are subject to the standard listed under IIIV. Signs.

## **M. Gutters and Downspouts**

Gutters and downspouts should match those existing in color and design and must not adversely affect drainage on adjacent properties. Any drain extensions extending beyond 4 feet of the house must be buried underground for aesthetics of the community.

## **N. Irrigation Systems**

An automatic irrigation system in the front and rear yard is permitted. The above ground back-flow preventer must be screened from view with a plant or hedge so that it is not visible from any street or adjoining lot. All irrigation system covers require ARC approval.

## **O. Landscaping, Flowerbeds, and Gardens**

All landscaping and gardens should be well maintained at all times, including beds free of weeds. Dead & decaying vegetation must be removed promptly. No more than 50% of a yard, including the front yard, side yard, back yard, or the entire property can be a dedicated flower or plant bed.

Each homeowner is responsible for ensuring his/her home's lawn is mowed and properly maintained. Lawn and weed growth shall not exceed six inches in height. Installation of synthetic grasses, such as AstroTurf, is prohibited in front yards.

Planted flower beds, natural areas and mulched areas must be kept trimmed, orderly, leaf-free and weed-free. Hedges, shrubs, vines, and mass plantings of any type must also be regularly maintained. Plant beds, trees and borders visible from the street will be mulched with pine straw, pine bark, synthetic mulch, hardwood or cypress mulch. Any other type of mulch or not a natural color, requires Architectural Review Process approval.

All ponds and fountains require ARC approval. Compost containers must be located in the rear yard.

Removal of dead trees and shrubs is mandatory. The HOA encourages minimal tree removal to ensure the existing tree canopy in the community. When tree trunks and branches are removed, their stumps should also be removed.

Landscaping including, but not limited to excavation, re-grading, hedges, beds, walkways and modifications to sidewalk easements requires Architectural Review Process approval. Landscape in the front yard must consist of traditional landscape items – food crop plantings will not be approved.

No vegetable gardens are permitted in the front yard. All garden beds, free standing or in ground, must only be planted in the backyard or side yard, not extending past the front of the home on the property. Gardens in view from the street must be mindful of the appearance and attempt to conceal with evergreen foliage. Structures that support plants (wire or wooden poles/frames) must not exceed 4 feet in height when in view from the street. No visible chicken wire or rabbit barriers in view from the street. When in doubt the homeowner is to submit an ARC request.

No approval is necessary for the following items: Minor landscape improvements to the front and side yards do not require ARC approval. This includes foundation plantings, annuals, single specimen plants, or small scale improvements which do not materially alter the appearance of the lot, involve a change in topography or grade and which do not have an adverse effect on the drainage.

## **P. Mailboxes**

The post and mailbox must be maintained in a style consistent with the house. House numbers are recommended on both sides of the mailbox or mailbox post in order to aid EMS services and postal/delivery services. House numbers should also be placed on the house. The HOA encourages the mailbox post to be wooden and painted white or cream and the mailbox to be black metal. If the post is painted, it should be maintained well (no chipping or mold).

## **Q. Parking**

Per the Covenants, no boat, trailer, recreational vehicle, camper, camper truck, inoperable car, or commercial vehicle shall visibly be stored long-term within the neighborhood. This restriction does not apply to construction trailers used for short-term repairs or remodeling of the home. No long-term repairs to or maintenance of any automobile or vehicle shall be performed on any driveway or within the property, except in the case of emergency.

To enhance the streetscape of the neighborhood and improve child & driver safety throughout the neighborhood, owners are asked to park their vehicles in their garage or driveway, except for occasional overflow parking for guests or other reasonable purposes provided that no inconvenience is imposed on other homeowners. No vehicles of any type shall be parked on a property's grass or yard. No vehicles of any type shall block the sidewalk in any way.

All portable storage containers, PODS and the like, must be removed from property within twenty-one (21) calendar days.

## **R. Recreation and Play Equipment**

ARC approval is required for recreation and play equipment. All equipment must be located in the rear yard. Examples include sandboxes, playhouses, play forts, swings, swing-sets, and trampolines. However, portable basketball goals may be located in the driveway at the front of the house, but should be located on the rear half (nearest the house) of the driveway. A play fort or swing set must not exceed the dimensions of 18 feet long x 10 feet wide x 15 feet high. All recreation equipment must be maintained in good condition. Above-ground swimming pools are not permitted, and in-ground pools are subject to the ARC review.

## **S. Roofing**

Metal roofing is discouraged but if the owner feels it necessary then ARC approval is required. Changes to the material or color of roofing requires approval by the ARC.

## **T. Sheds and Storage Building**

Per the Covenants, detached, free-standing storage sheds are discouraged. However, if an owner feels that they have inadequate storage, and there is no structural way to add a storage shed attached to the house, then an application may be submitted for permission to erect such a structure. As with any construction project, the homeowner must apply for and obtain the appropriate building permit from the Town of Apex.

Siding material must be similar in color and composition to the home. Shed roofs must have a similar pitch and rafter design (i.e., no gambrel or barn-like roof lines), similar materials, and similar color as that of the home. The building must have a suitably constructed floor system and/or foundation. If placed on cement blocks, the shed must be underpinned, and cannot be more than one story (i.e., 10 ft maximum height at the peak) (no lofts). The maximum size of any storage shed is 150 square feet. Placement of a detached shed in relationship to the house must be behind the house and not inside yard areas that are visible from the street. It must also be in accordance with Town of Apex building set back requirements. All doors and window casings should be consistent with the house. All exterior trim, including but not limited to the eaves, shingles, windows/door trim, etc., should be like the main house. Where possible, storage sheds should be attached to the house. In most cases this is less expensive than a free-standing structure and is more aesthetically pleasing as well as more convenient. All sheds, whether attached or free-standing, must receive approval prior to construction and check with current Apex/Wake County guidelines.

## **U. Siding**

Vinyl siding is discouraged but if the owner feels it necessary then ARC approval is required. Masonite or Hardie plank siding is preferred. Siding changes require approval of the ARC.

## **V. Signs**

Signs are regulated per the Covenants. Moreover, no homeowner shall display, hang, store, or exhibit any permanent signs outside of the dwelling on any lot or in any dwelling to be visible from the street, including anything under 12 inches in height, such as "stay off", "no poop", etc. The exception to this rule includes one small permanent sign from a security company near the front steps, one temporary for sale sign, or temporary political signs of customary and reasonable dimensions. Such political signs shall not be placed on a lot earlier than sixty (60) days before the election and shall be removed within two (2) days after the election is held. All signs must not be more than three (3') in width and three (3') in height.

## **W. Solar Panels**

Installation of solar panel systems requires ARC approval. Only roof mounted systems will be considered. All requests for solar panel installation must include:

1. An "Annual Irradiance Summary" report from the professional installation contractor.
2. A rendering of the panel placement upon the roof.
3. A copy of the vendor's color brochure showing panel design and color.
4. Additional documentation/pictures that would assist in the decision-making process.

Considerations should be given to how the installation will blend in with the design of the home, match the roof color as closely as possible and is as inconspicuous as feasible. Panels facing the front of the home should follow the contour slope of the roof. Take into consideration the future height of neighbors' trees/shrubs when planning placement of a solar panel system. Neighbors are not required to remove or prune established plantings to accommodate the homeowner's solar panel system. However, once the solar system plan has been approved, adjoining neighbors may not build or plant structures that will obstruct solar collection without prior written approval from the neighbor owning the solar panel system. All efforts will be made to assist homeowners with the ability to use solar panel systems, while continuing to maintain the aesthetics of the Vintage Grove Community.

**X. Storage of items**

Storage of items, such as but not limited to, bicycles, barbecue grills, snow shovels, work out equipment, lawnmowers, tires, work tools, boxes, building supplies, etc. in the front (including on porches and stoops) or unfenced side of yards of the property is not permitted. Items permitted to be stored on front porches are exterior furniture items, planters, garden hose reels. Garbage and recycling containers may be stored on the side of houses but not extend past the frontage of a home.

**Y. Topography**

Topographical changes that substantially affect the appearance of a lot are subject to review by the ARC. Therefore, such changes require approval prior to being started.