
THE VILLAGE AT HARRINGTON GROVE
HOMEOWNERS' ASSOCIATION

Architectural Standards

And

Control Specifications

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I. INTRODUCTION

These Standards are intended as guidelines to follow when planning exterior changes to your home or property.

Please retain these Standards as part of your permanent papers. You are obligated to make these Standards available to any renters of your home. Even if you rent, you, as the homeowner, are still responsible for architectural violations on your lot. You are also obligated to notify PPM, Village at Harrington Grove's Property Management Company, of your current mailing address.

When you desire to make an application, we request that you duplicate copies of the form attached at the rear of these Standards. No request for a change will be considered if not submitted with the application form and appropriate exhibits.

Please return completed applications to PPM at the address shown on the application form. Applications will be stamped by PPM with the date received. The application will be duplicated and mailed to **both** the Village Architectural Review Committee and the Harrington Grove HOA Board for review. The date received by PPM will be the first day of a 30-day review period during which the board is required to render a decision on the application.

Please read and follow these Standards. You **MUST** obtain approval **IN WRITING** from the Village Architectural Review Committee and master HGHOA Board **BEFORE** the start of any exterior change. The Architectural Review Committee may take up to 30 days to respond to an application. Therefore, do not commit labor or materials or begin any exterior change to your home until you have received written approval.

Your adherence to these guidelines will ensure that you will receive a response to your application at the earliest possible date.

The Village at Harrington Grove Community Association's Board of Directors, herein referred to as "Board" and the Board's Architectural Review Committee, herein referred to as "V-ARC" or "Committee", present the following Standards designed to assist homeowners and tenants in complying with the Declaration of Covenants, herein referred to as "Declaration" or "Covenants", requirement (Article VI) of obtaining prior approval for exterior changes on any property in The Village. The intended effect is that these Standards should cause an equitable and consistent handling of all applications for V-ARC approval.

All exterior changes defined in the Declaration and in these Standards require prior V-ARC approval. At any time the zoning codes of the City of Raleigh are more restrictive, they will supersede all guidelines, neighborhood or master covenants. All applications are approved with the implicit condition that the owner or owners or their contractor obtains any and all permits required by the City of Raleigh. If a permit is not obtained, the change will be considered not to have been approved. The Association will not be in any way held liable for any fine, damage or injury incurred by reasons of the failure to obtain permits as required by law.

II. POLICY

In a planned community, such as The Village at Harrington 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 Village at Harrington Grove Community.

Maintenance of design quality is controlled through the strict application for the guidelines established in the Declaration of Covenants, Conditions, and Restrictions of the Village at Harrington Grove Community Association, Inc. recorded in Book 7288, Page 0828 of the Wake County Registry. The Declarations run with the land and are binding on all homeowners and renters and should be fully understood. The fact that each homeowner is subject to these Covenants should assure all homeowners that the standards of design quality will be maintained thus enhancing the community's overall environment and protecting aesthetic appeal.

The Declaration establishes an Architectural Committee comprised of 3 or more representatives appointed by the Board of Directors. Article VI of the Village at Harrington Grove Declaration requires the Architectural Committee's prior written approval of any exterior change, addition or alteration to any property. Such changes include any building, fence, wall or other structure that may be added or altered. It further requires that the plans, specifications and location showing the nature, kind, shape, height, and/or materials be approved in writing to ensure harmony in external design and location in relation to surrounding structures and topography. Each property owner should read the Declaration to obtain a full understanding of the Architectural Review Requirements.

The V-ARC is charged with conducting the review of all applications for exterior changes and rendering a decision to the applicant in writing within 30 days of receipt of the application. If an application is denied, the applicant may appeal to the Board of Directors. The Board of Directors may reverse or modify the Committee's decision by a majority vote of the Board. If the V-ARC fails to approve or disapprove a request for a change with 30 days after receipt of the application, then approval will not be required and Article VI of the Declaration will be considered to have been waived.

The Standards, which follow, are the procedures and guidelines applied to the Committee and the Board to assist the Association and its members in the design review process. It is hoped that these Guidelines will serve as a positive tool to assist each homeowner in the full and free use of his property in a manner consistent with the aesthetic and harmonious development of the Village at Harrington Grove Community.

III. RESPONSIBILITY

HOMEOWNERS: Homeowners are responsible for maintenance and upkeep of their properties, even if they rent to tenants. They cannot transfer responsibilities for maintenance of grounds or upkeep of the properties to tenants. In the absence of appropriate maintenance or upkeep to any property, the association is authorized to hire a maintenance contractor to make repairs to all structures or to maintain the grounds necessary to bring the property into compliance with the Declaration and these Standards. The above is at the homeowner's expense and will be collected as an assessment.

Many additions to your property may require the approval of the City of Raleigh and certain permits may be required. It is the Homeowners responsibility to contact the City of Raleigh in order to determine whether permits or approvals are required.

V-ARC: V-ARC is responsible for responding to applications within 30 days of submittal. They must use the criteria outlined below in a fair and impartial manner.

IV. GUIDELINES

The V-ARC's prior approval is required for ANY CHANGE in the exterior of a property pursuant to Article VI of the Declaration and these Standards. Section 2a of Article VI of the Declaration is shown in its entirety below.

(Insert from Declaration)

Article VI
ARCHITECTURAL CONTROL

Section 2 Controls

...no site preparation or initial construction, erection or installation of any improvements including, but not limited to, buildings, fences, signs, wall screens, plantings or other structures shall be commenced, erected or maintained upon the Property, nor shall any exterior addition to or change or alteration therein be made by any Owner...until the plans and specifications showing the nature, kind, shape, height, materials and location of the proposed improvements shall have been submitted to and approved in writing, as to harmony of external design and location in relation to surrounding structures and topography, by the Board of Directors of the Master Association, the Association or by an architectural committee composed of three (3) or more representatives appointed by the Board, as further provided in Article VII of the Master Declaration and this Declaration; it being understood and agreed that such plans and specifications must first be submitted to and approved by the Association prior to such plans and specifications being submitted to the Master Association for its review and approval. In the event the Association, the Master Association, said Board, or its designated committee, fails to approve such design and location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with; provided that plans and specifications that contain inaccurate or missing data or information when submitted shall not be deemed to be approved, notwithstanding the foregoing.

This requirement applies to every homeowner's private property. The Association for the non-exclusive benefit of all of the homeowners owns the Common Areas, and no improvements or alterations can be made on the Common Areas.

ALL EXTERIOR CHANGES REQUIRE APPROVAL UNLESS OTHERWISE STATED.

Note: Throughout this document, the term "changes" shall include additions and deletions.

V. REVIEW CRITERIA

The V-ARC expects the majority of all architectural changes will be addressed by the detailed guidelines to follow. The V-ARC must review change requests in accordance with the requirements contained in the Declaration, and may review change requests in the context of the Standards in the following sections.

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, in part, as harmony in style, scale, materials, color and construction details.

1. Scale: The three dimensional size of the proposed change must relate satisfactorily to and be harmonious with adjacent structures and their surroundings.
2. Materials: Continuity is established by use of the same or compatible materials as are used in the existing home.
3. Color: The V-ARC must approve all color changes, no matter how subtle. This includes changing the color or shade of your house, shutters, or door. If the color of house, shutters, or door is to remain the

same color then approval is not needed from the V-ARC. Homeowners are encouraged to maintain records on paint colors for future references.

LANDSCAPE AND ENVIRONMENT: The exterior change must not unnecessarily destroy or blight the natural landscape or the achieved man-made environment.

PROTECTION OF NEIGHBORS: The interests of neighboring owners and tenants 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 homes. The V-ARC will consider the various and appropriate criteria and exercise discretion in determining which of these criteria will govern each specific application.

RELATIONSHIP OF STRUCTURES TO ADJOINING PROPERTY: The proposed change should relate harmoniously to its surroundings and to existing buildings and terrain that have a visual relationship to the change.

TIMING: A property change may be built or installed either by owners or by a contractor. 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 V-ARC may disapprove the application, or approve the application on the condition that the work is completed by a certain date. Minor additions are to be completed within 7 days, whereas more labor-intensive additions may take up to 30 days.

*Do not apply for a building permit, purchase materials or commit to any contractor in anticipation of approval by the V-ARC. Applicants should wait until they have received written application approval prior to purchasing or committing to work. Homeowners should plan well in advance to allow time for application processing, which may take up to 30 days.

WORKMANSHIP: The quality of work 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.

VI. DESIGN APPLICATION REVIEW PROCEDURES

The Association's procedures for application, review, inspection, appeal and enforcement of design review are outlined in this section.

OBJECTIVES: The V-ARC, in examining each application for design approval, considers whether or not the exterior change is in conformance with Article VI of the Declaration and the Standards outlined herein.

APPLICATION PROCEDURES: Complete the Application form and attach all required exhibits. Include full details of the proposed change. If the change is structural, fencing or grading, submit a sketch or plan, including relevant documents, and outline specifications. Be sure to include such information as type of materials, size, height, color, location, etc. Provide a sketch of the location of structure, landscaping or other change showing its location relative to your house and lot boundaries. Mail or deliver the application form to the PPM at the address shown on the application form. The V-ARC is not required to consider applications that are incomplete. Incomplete applications will be returned causing delay in obtaining approval. If you have not received a notice of receipt of your application within seven (7) working days from the PPM, *it is your responsibility* to call PPM.

A fully completed application with all the required information will be considered by the V-ARC based on its individual merit, using these Standards and the Declaration as a basis for making a decision. The V-ARC will consider the application and any data or comments received from immediate neighbors, other members and/or the consulting architect. A quorum of the V-ARC is a majority of the total number of people currently serving on the V-ARC. The Architectural committee's review process is outlined below.

After discussion of the application, the Committee will: return an incomplete application or request additional information; approve conditionally; disapprove; or approve the application as submitted. The Architectural committee should note in writing on each application the reason or reasons for conditional approvals or disapprovals.

The V-ARC will record its action and the notification to the applicant by placing copies of the executed application and/or letters in the V-ARC's archives. Duplicate copies of all records will be forwarded to PPM. PPM will give each applicant written notice by use of a duplicate copy of the application or by writing a letter stating the decision. Should you not hear from PPM within 30 days, please call to follow up.

"Conditional approval" means that work may proceed as contained in the application so long as the condition imposed by the Committee is or will be met. The V-ARC may inspect work in progress and request (either orally or in writing) the applicant to correct any non-compliance with the approved design. All applications are approved with the implicit condition that the owner(s) or their contractors (s) obtain any and all permits required by the city of Raleigh. If such permit is not obtained, the change will be considered not to have been approved. The Association will not be in any way held liable for any fine, damage or injury incurred by reasons of the failure to obtain permits as required by law.

FINAL APPROVAL AND WALKTHROUGH: The V-ARC reserves the right to inspect projects at any time during the term of the project execution to assure projects comply with the intent of the original Committee's approvals.

APPEAL PROCEDURES: If an applicant disagrees with the decision of the V-ARC, the following appeal process is to be followed:

The applicant *must* file a written appeal with the Board of Directors within fifteen (15) calendar days after receipt of the decision; and

Upon receipt of a timely written appeal, the Board of Directors will establish the date and time the appeal will be heard, normally at the next scheduled Board meeting. A reverse decision will require a majority vote of the Board. Upon completion of the appeal, the applicant will be notified of the Board's decision in writing.

CORRECTION PROCEDURES:

Remedies: An exterior change made without the required approval of the V-ARC, or the Board *on appeal*, constitutes a violation of the Declaration. A violation will require removal or modification of the work at the expense of the property owner or payment of damages incurred by the Association in having the work removed or modified in accordance with Article V, Section 10(b) of the Bylaws, and/or may result in the imposition of fines.

Monetary fines may be imposed upon the Homeowner, as follows:

- 1) Once the Association receives a written complaint and review/inspection confirms that the violation exists, the V-ARC causes a letter to be sent to the homeowner explaining the violation and giving the homeowner not less than a ten-day grace period (from the date of the letter) to correct the documented violation. This letter must contain a copy of this section of the Standards regarding fines and must state a date, time and place for the homeowner to appear to demonstrate why the fine should not be imposed.

Violations that are not remedied within the grace period may result in a fine of up to \$150 per violation being levied against the homeowner.

- a) The fine described above may be avoided by correction of the violation within the grace period as follows. Within the grace period, the homeowner must submit an application (See Exhibit A to these Standards) requesting approval of the property changes that resulted in the violation. If the application is approved by the V-ARC the fine described above may be waived.
 - b) Violations resulting from the non-structural or non-design issues require the homeowner to immediately eliminate the conditions that cause the violations. Merely removing the conditions causing the violations for short-periods, or temporarily, does not satisfy the requirement of elimination. Repeated discovery of the conditions on the property that are in violation of the Declaration or these Standards are considered additional instances of the same violation and will result in reinstatement of the fine. Any reinstatement of this fine must be stated in a letter to the homeowners which letter must contain a copy of this section of the Standards regarding fines and must state a date, time and place for the homeowner to appear to demonstrate why the fine should be waived.
- 2) If an application for approval of the violation is not submitted within the grace period, or if the application is not approved, a fine may be imposed. Homeowners wishing to avoid the fine at this point must appear at the next scheduled meeting of the HOA Board to show or present their reasons. If at this time, the HOA Board determines the violation is corrected it may excuse the fine, in whole or in part.
 - 3) The matter will be turned over the HOA attorney for enforcement. If the matter does proceed to the courts, court and attorney fees along with all accumulated fines will be requested.

Reports: The V-ARC will inspect authorized construction in progress as well as the community in general to identify apparent and flagrant violations. Additionally, all homeowners have the right to notify the V-ARC or Board of apparent violations of any provisions of these Architectural Standards and Construction Specifications or the Declaration.

The V-ARC will investigate each reported violation and attempt to influence the owner or tenants to bring the violation into compliance. Committee members will meet with the property owner in violation, to discuss problems and possible resolutions. Should the homeowner or tenant fail to follow up on agreed upon corrections, the Committee will submit the matter to the Board for enforcement.

VII. REPAIRS

CONSTRUCTION: Homeowners are responsible for repairs to existing structures, additions, etc. No application to affect repairs and restoration to original condition is required. Note, however, that restrictive covenant governing The Village at Harrington Grove require the owner of a lot to repair damage to his residence and reconstruct improvements within twelve (12) months after such damage or destruction occurs, in the event that any residence or structure on any lot is destroyed or partially destroyed by fire, Act of God, or as a result of any other act or thing. Damaged structures not part, of or attached to, the residence constructed on a lot may be: completely removed and the area on which the structure stood landscaped; or repaired; or reconstructed by the owner.

Each owner shall keep his lot in an orderly condition and shall keep the improvements thereon in a suitable state of repair. All construction, landscaping or other work which has been commenced on any lot shall be continued with reasonable diligence to completion within the time approved by the Committee. No partially completed house or other improvement shall be permitted to exist on any lot, except during such

reasonable time period as is necessary for completion. The owner shall keep the property free from any dirt, mud, garbage, trash or other debris resulting from any construction on the lot.

MAINTENANCE: It is incumbent upon the homeowner/tenant to maintain his home in good repair. Proper attention to paint, caulk, flashing, mortar, and other surface maintenance is required. Visible structure and other accessories that are part of the property must be maintained as recommended by the manufacturers.

In accordance with the provisions in Article V, Section 10(b) of the Bylaws, upon an owner's failure to maintain the exterior of any structure, including the roof, in good repair and appearance, the Association may make repairs and improve the appearance of the structure in a reasonable and workmanlike manner. The cost of such work shall be immediately due and owing from the then-owner of the lot on which the work was performed and shall constitute an assessment against the lot and the personal obligation of the owner, collectable in a lump sum, and secured by the lien against the lot.

The owner of each lot shall maintain at all times the grounds and improvements situated on his lot, including, but not limited to, plantings, landscaping and lawns, in a neat and attractive manner satisfactory to the Board. Upon an owner's failure to do so, the restrictive covenants allow the Association to have the grass, weeds, shrubs, and vegetation cut; have dead trees, shrubs and plants removed from the lot, and replaced; and may have any portion of the lot resodded, seeded, or landscaped. All expenses incurred by the Association for such work shall be a lien and charged against the lot on which the work was done and the personal obligation of the then-owner of the lot.

A City of Raleigh ordinance provides that grass over 8" in length is a violation of the City Ordinances. The Village at Harrington Grove Association reserves the right to maintain, at Homeowners expense, any property that receives continuing complaints from surrounding neighbors and is also subject to enforcement action by the City of Raleigh.

EXTERIOR SIDING AND TRIM: All exterior siding and trim painting or replacement requires prior approval. Siding must be in the same width and style used in the Village at Harrington Grove. Trim must be similar in relative dimension, form and appearance as conforming to the original design of home and must be harmonious with other properties in the Village at Harrington Grove. The Homeowner must understand that replacement siding and trim generally requires removal of existing siding and trim. All color selections and trim work must be approved.

REPLACEMENT WINDOWS: Replacement windows must be approved and are required to match one of the styles used in The Village at Harrington Grove.

STORM DOORS AND WINDOWS: All storm doors, whether wood, aluminum, vinyl, or other high quality material, installed on the front of the residence, must match the color of the residence or be stained to match a stained wooden entrance door. They must also be full glass.

Storm windows must be of high quality materials and match the trim color of the residence. Style of window must match existing windows of the residence.

ROOFS: All roof replacement must be approved to ensure the same color, material type, and style is used to conform to standard set by original builder.

VIII. FENCES

All fence approvals fall under the discretion of the Committee. The Village at Harrington Grove will only approve PICKET FENCES. Fencing pickets should be a maximum of 48 inches in height. The style should be similar to the common fence of the neighborhood. Preferred fencing material is wood or vinyl. Fences must be white to conform to Village Standards. Fences must be properly maintained and kept in good repair.

Fences installed anywhere in The Village at Harrington Grove must be an “open fence”, i.e., one in which the openings through which clear vision is possible from one side to the other on a horizontal plane occupy fifty percent (50%) of the side area of the fence. (Which is the width of one picket.) The posts are to be placed on the *inside* of the fence; pickets are to be placed on the *outside* of the fence.

An invisible, underground fence may be installed along the two-foot gap and back fence for purpose of a dog restraint.

Where the rear property line of a lot borders on non-Harrington Grove Property a fence up to a height of six feet may be approved.

Fences must be erected 1' inside of the property line. In the event that an adjacent yard has a fence, VHOA strongly encourages applicants to get approval to connect. Placing a post 2' off the neighbors corner post will allow for future fencing to be added, should it become necessary. If permission is not obtained, then parallel fence runs must be a minimum of 2' apart to allow for both fence and lawn maintenance.v

Any time a fence is to be connected to an existing fence (likely to be on someone else's property), permission should be obtained prior to the attachment. The section of fence that lies on somebody else's property belongs to them and they can do with it as they please, including removing that section. If prior notification is not obtained, the V-ARC will not be held liable.

The most common materials are cedar, cypress, redwood and pressure treated pine. The latter is the most used and the most economical. The typical constructions usually utilize 4" x 4" posts, 2" x 4" rails and 1" x 4" uprights or pickets. (Dimensions given are for what is referred to, as dimensional lumber, actual dimensions are ¼ “to ½” less). The common width of the space between pickets is approximately 1.5” or the width of a picket.

CITY OF RALEIGH ORDINANCES: All fences must meet the requirements of the zoning ordinance of the City of Raleigh. In accordance with the City of Raleigh, no city permits are required for fences, except for corner lots. Contact the City of Raleigh Inspection Department for information on obtaining the required permit. Fences installed in violation of the sight distances or which constitute a traffic hazard will be subject to enforcement action by the City of Raleigh. The Association will not be responsible for a homeowner's failure to obtain a permit; the obtaining of a permit from the City of Raleigh does not constitute approval by the V-ARC. Fences are not permitted to extend on any lot closer to any street than the front or side building setback lines. On corner lots, they may be no closer to a side street than typically 15 feet. The board advises the homeowner to understand the conditions of building over an easement in accordance with City of Raleigh codes.

FENCES ALONG COMMON EASEMENTS: Fences along common easements fences, i.e. Garden Warbler and North Radner Way, must be located a *minimum two feet short* of the common easement fence. If a board fence is erected along the two-foot line it may be no higher than the easement fence. If a higher fence is requested, it will be at the discretion of the V-ARC.

PRIVACY FENCES/WALLS: A privacy fence is a fence with the board-to-board opening less than the 50 percent allowed in these Standards. *Under no circumstance is the privacy fence a solid wall.* In all cases where a privacy fence or wall is desired, it should be limited to a very small area at the perimeter of a deck or patio. It should have minimal impact to existing open/natural landscaping, not break up the lot, and have minimal visibility from the street.

IX. DESIGN GUIDELINES

This section of the Standards provides specific guidance regarding particular design situations frequently encountered in the Village at Harrington Grove. Generally acceptable methods for achieving the required objectives and standards are indicated below. They are suggested methods rather than mandatory methods. Additionally, design methods that are generally not acceptable are also noted.

ROOM ADDITIONS: Any room addition requires approval from the V-ARC and permit(s) from the City of Raleigh. The Committee requires an application with drawings, specifications, and a copy of the plot plan for the lot in addition to any other pertinent information.

CARPORTS: The City of Raleigh allows carports. However, they must be attached to the home, and within the building envelope (most homes in the Village fill the building envelope, eliminating the possibility that a carport can be constructed). Carports are not allowed to be in the back of the home or to protrude beyond the front set back of the home.

No carport shall be permitted closer to the street than the front setback of the home. The carport shall be attached to the main structure on either side. The carport roof must match the main structure's roof in material and color. The pitch of the roof must be complimentary to the existing roofs and its alignment must compliment the main structure. The gables shall be sided with the same material, color and trim as the main structure. The ceiling of the carport shall be finished and painted or stained. The trim shall compliment, and not contrast, the main structure's trim. The supporting columns shall either be masonry or posts of traditional design. A masonry foundation shall be extended to a height of 2.5 feet on all sides except the front and the side attached to the home. This foundation will be capped with solid brick. The area between the top of this foundation and the underside of the carport roof, and the front entrance area shall remain open except for the approved supporting columns.

SHED/STORAGE BUILDINGS: Detached freestanding storage sheds are discouraged. However, if an owner feels he has inadequate storage and there is not a structural way to add a storage shed attached to the house, then an application can be submitted for permission to erect a structure. Sheds must meet the following minimum criteria:

1. Maximum size of any storage shed is 100 square feet (10 x 10). The maximum height of any storage shed is 10 feet.
2. Sheds must have a suitably constructed floor system and/or foundation.
3. All sheds must be constructed out of wood materials and must use siding and trim to match the house. No metal sheds allowed.
4. Placement of a detached shed in relationship to the house should be behind the house and not in side yard areas that are highly visible from the street. They must also be located at least 5 feet from the neighboring property lines.

Where possible, storage sheds should be attached to the house. Whether attached or freestanding, all sheds must receive prior written V-ARC approval before construction or installation begins.

DECKS: In accordance with the City of Raleigh, all decks, new extensions, or screened decks require permits. They also require prior written approval from the V-ARC.

Decks should be stained in neutral colors to blend with the natural surroundings of the home. They may be painted white or natural.

BOATS, TRAILERS, CAMPER, COMMERCIAL VEHICLES: No boat, boat trailer, utility trailer, commercially licensed vehicle, or mobile house trailer is allowed.

PLANTS AND GARDENS: V-ARC approval is not required for most minor planting or landscaping treatments that are biodegradable. However, if any planting in hedge or row form being considered anywhere in the yard will act as a “fence” or wall, then an application for an addition must be submitted using the ‘buffer screening guidelines’ below.

Caution should be exercised while digging deep holes so as not to cut into any electric cable, etc. It is suggested that, before digging, homeowners contact the appropriate utility company requesting the company to locate their lines.

Vegetable and fruit gardens must be kept in the rear yard.

BUFFER SCREENING GUIDELINES: Buffer screening, including without limitation vegetative screening, shall be used only as a means to visually screen and obstruct from view a trashcan, satellite disc/dishes, or other temporarily stored objects. Screening devices do not eliminate the need to park all vehicles on an approved parking pad as outlined in the covenants. The V-ARC must approve all buffer screening before installation. Fence screening must follow the Village requirements and homeowners are encouraged to review those requirements.

All buffer screening that would fall on a public easement, right of way, or utility easement must have a City of Raleigh permit. No buffer screening should be planted such that at maturity the plants will in any way obstruct the view of any street or traffic intersection. In addition to seeking approval from the Committee for landscaping plans, all corner lots must contact the City of Raleigh to obtain approval of any landscaping plan, which may fall in any of the above mentioned easements.

The buffer area must be located between the public view and the buffered object. If an object is directly adjacent to the property line, the object will require additional screening so that at least 50 percent of the total surface area is obstructed from the street or adjoining streets. Buffer screening may only occur on the rear of side portions of a lot.

Vegetative screening shall provide coverage at maturity of at least 50 percent of the total surface area of the object to be screened from the view. Plant material shall be planted so that no openings greater than 4 feet exist upon the plants maturity. A minimum height for newly planted material is 3 feet. All vegetative screening shall be of an evergreen or non-deciduous variety.

TRASH CAN SCREENING: The covenants require all trashcans to be placed to the rear of the property and out of sight from the street. If trashcans are screened, the foregoing buffer Standards shall apply.

GRADING: Major changes to the topography of a lot, which could include landscaping, adding walkways, enlarging patios, etc. all require prior written approval. Any topography changes could significantly alter the drainage pattern of neighboring lots, increasing the danger of flooding. Since whole neighborhoods could be affected, changes in topography must be approved prior to start. Neither the Village at Harrington Grove Community Association nor the V-ARC accepts any liability for any damage caused by changes in grade or topography, whether approved or not. The applicant must obtain approval for grading changes from city and/or county planning agencies, as required by law.

At no time is a Homeowner allowed to grade or change any easement, right of way, or utility easement without prior approval from the City of Raleigh. If planting in an easement, right of way or utility easement area, the Homeowner needs to obtain a permit from the City of Raleigh. The V-ARC suggests that no vegetative planting over 3 feet at maturity be planted in these areas to assure complete visibility for all cars and pedestrians.

At no time is a Homeowner allowed to grade, plant, or dump any yard waste or trash in any Village at Harrington Grove common area.

Retaining walls made necessary by the slope or grade of any lot are allowed, but require prior approval from the V-ARC. All structures above 1 foot in height, whether permanent or not, require approval.

TREE REMOVAL: No trees measuring 6 inches or more in diameter at a point 3 feet above ground level may be removed without prior written consent for the V-ARC, except in the case of an emergency.

PATHS AND WALKWAYS: The V-ARC must approve any pavement extension or additions such as a path or walkway, patio and driveway in writing before construction or installation begins.

Any path or walkway leading from the house to the front curb/sidewalk requires A PERMIT FROM THE CITY OF RALEIGH. Proof of a \$5000 bond, \$300,000 liability insurance, a diagram showing location and building materials is required by the City of Raleigh. The City highly recommends that these types of walkways be installed by a licensed, bonded and insured contractor.

EXTERIOR LIGHTING: All exterior lighting added which is not attached to your structure requires prior approval. Lighting attached to your structure should be limited to entrance and/or spotlights (no mercury vapor lights allowed). Spotlights should be directed down or along walls so as not to interfere with your neighbor's privacy. Low voltage garden type lighting in back yards or along front walkways (not sidewalks) does not need approval.

Developer installed gas lanterns must remain lit at all times. Homeowners should call PPM for requested repairs. These requests, as well as those called in by members of the Grounds Committee, will be serviced approximately once per month. Lamps will be repaired or relit twice per year at no additional cost to the homeowner; any servicing after that will be assessed to the owner.

SATELLITE/ANTENNAE RECEIVERS: Any satellite dish or disc that is *one meter or less* in diameter or any antenna that is designed to receive television broadcast signals are permitted without application and approval of the Committee so long as the dish, disc or antenna is located on a part of the lot so as not to be clearly and readily visible from any street or any neighboring lots, provided that a location does not preclude the reception of an acceptable quality signal, or is located anywhere on the lot, but is reasonably and adequately screened to prevent visibility from any street or any neighboring lots. Dishes mounted onto the house must be toward the rear quarter of the house. The V-ARC may ask for a letter from a certified installer as to the reason for a particular location. If placed off the ground, the buffer screening standards apply or the rock-like covers may be approved. If a disc or dish is visible from a street, proper screening devices, as approved by the V-ARC, will be required as per the buffer screening guidelines.

Any satellite dish or disc that is *greater than one meter* in diameter or any antenna that is designed to receive any signal other than television broadcast signals are not permitted on the Properties.

SWIMMING POOLS/FISH PONDS: No swimming pools are permitted.

Fishponds must be submitted for approval. Maximum size six feet in diameter.

DOG HOUSES: Doghouses, as sheds, need to be built similar to the home in order to compliment and be harmonious with the home. Doghouses no larger than 10 square feet may be approved upon application and must be painted or stained to either match the house or blend with the surroundings. See “Fences” for allowable material, height and finish. The doghouse must be located at least 5 feet from a neighbor’s property line, behind the house and positioned to provide minimal visibility from any street. They must be properly maintained, kept in good repair, and free from materials that may create unpleasant odors. **DOG PENS ARE NOT PERMITTED.**

In the City of Raleigh, it is unlawful to fail to clean up pet feces. To this end, the Association maintains two cleanup bag stations in the neighborhood. Owners failing to clean up after their pets, or failing to dispose of used clean up bags appropriately are subject to a fine by the Association, as well as being reported to the City of Raleigh.

In accordance with the Code of the City of Raleigh, NO kennel or dog breeding operation is allowed at any time.

PLAY EQUIPMENT: Play equipment which can easily be removed, such as swing sets, does not need approval provided it is located in your back yard, positioned 5 feet from any neighboring property line, and reasonable distanced from any public property such as greenways and streets.

Trampolines are not permitted.

Tree houses are not permitted.

Playhouses or enclosed or permanent structures or permanent playground equipment shall be treated in the same manner as storage sheds and require approval. The maximum size allowed for enclosed or permanent structures: 10 feet x 10 feet; height: 10 feet, and the structure must be level. Large awnings or tarps on such structures or playground equipment shall be removed immediately if torn or damaged.

Basketball goals are to be away from the curb areas of the street and must be located on the owner’s property in such a manner that the playing area is not in the street. The City of Raleigh prohibits the placement of portable or permanent basketball goals or any other sports equipment on right of ways, easements, curbs, or streets. This is subject to a fine by the Association. There can be no basketball, street hockey play etc. in the streets. If an organized street game, such as street hockey, is planned, a fee must be paid to the City of Raleigh and permit must be obtained from the City stating date and length of time, street will be closed to traffic for play. Violating homeowners are subject to being reported to the City of Raleigh.

CLOTHESLINES: Clotheslines are not permitted.

MAILBOXES: All mailboxes and mailbox posts as initially installed by the builder shall be the standard. Any replacement of post or box must be exactly as originally placed by the developer.

PARKING: Parking on the grass is not permitted.

SIGNS: No sign of any kind shall be displayed on any lot except one “for sale” or “for rent” sign of not more than six (6) square feet in size and signs of not more that six (6) square feet expressing support of or opposition to political candidates or referendum issues. Political signs shall not be placed on a lot earlier

that sixty (60) days before the election and shall be removed within two (2) days after the election is held.

Commercial/Business advertisement signs of any kind are not permitted.

Signs are not to be placed on any public easements or right of way at any time and are subject to a fine from the City of Raleigh. Signs on common property or public right of ways, i.e. New Leesville Blvd., are not allowed. "For Sale" signs require a permit from the City of Raleigh.

BUSINESSES: All in-home businesses of any kind require a permit from the City of Raleigh and Board of Adjustment and are subject to the city ordinances. No commercial or business signs of any kind may be posted on any property.

SEASONAL DECORATIONS: Seasonal decorations must be taken down no later than 2 months after the day celebrated.

NOISE AND NUISANCES: The City of Raleigh has a noise and nuisance ordinance, any violation of which also constitutes a violation of the Declaration. If several complaints from surrounding homeowners concerning loud and objectionable noise are received, the Homeowner in question may be fined under the Assessment section discussed under the Correction Procedures section. As of this printing, **WACKENHUT SECURITY PHONE # 427-1748.**

X. FINES

FINES SCHEDULE:

Failure to get application approval prior to initiating exterior changes will result in a \$25 fine. Projects not complying with published Architectural Standards may be subject to further fines.

PROCEDURE FOR DETERMINING ADDITIONAL FINES:

The Board will consider the imposition of reasonable fines in each case based upon the facts and circumstances in each respective case. In determining the amount of any fine, the Board may consider many factors, including but not limited to, the following:

- (1) The degree and extent of impact to the community or to private property resulting from the violation;
- (2) The duration and gravity of the violation;
- (3) The cost of rectifying the violation;
- (4) The amount of money saved by noncompliance;
- (5) Whether the violation was committed willfully or intentionally;
- (6) The prior record of the violator in complying or failing to comply with the legal documents of the Association;
- (7) The cost to the Association of any enforcement procedures;
- (8) The benefit to the Association caused by enforcement through imposition of the fine; and
- (9) Any other factor deemed relevant by the Board of Directors.

City of Raleigh municipal code can be found at: www.raleigh-nc.org under 'City Government' & "municipal code."

Forms can be obtained at www.hghoa.com/village.

XI. TOP TEN ARCHITECTURAL STANDARDS & CONSTRUCTION GUIDELINES

The Architectural Review Committee of the Village at Harrington Grove has composed the following quick reference guidelines to assist you in planning any exterior changes to your property. These are intended to be guidelines, in conjunction with, and in addition to any other guidelines and Covenant requirements.

THE ARCHITECTURAL REVIEW COMMITTEE OF THE VILLAGE AT HARRINGTON GROVE HOA AS WELL AS THE MASTER HARRINGTON GROVE HOA MUST FIRST APPROVE ALL EXTERIOR CHANGES OR ADDITIONS IN WRITING.

1. Fences (p. 10)
 - Picket fences 4 feet tall maximum, similar in style to those owned by the Village.
 - Minimum spacing is: 1.5”.
 - Other fences considered on a case-by-case basis.
 - Fences must be white, painted wood or vinyl only.
 - If attaching to existing fence, need permission of fence owner.
2. Home additions/improvements (p. 8)
 - Consistent with the original design of the house.
 - Colors and materials consistent with general scheme of neighborhood.
 - Storm doors added to the front of the house, must be full glass (one light).
3. Accessory Buildings (p. 11)
 - Sheds cannot be larger than 10x10x10 and used for storage only.
 - Must be consistent in finish to the house & others in the Village.
4. Decks (p. 11)
 - Made from natural materials that may be stained neutral colors.
 - Need to blend with neighborhood.
 - Cannot extend beyond the width of the house.
5. Trailers, boats, campers, other recreational vehicles, utility trailers, etc. (p. 12)
 - Not permitted.
6. Landscaping/Buffer screens (p. 12)
 - Proportional with lot size.
 - Compatible with general scheme of neighborhood.
 - All structures above 1 foot in height, whether permanent or not, require approval.
 - Pavement extensions or additions, i.e. patios, walkways & driveways, require approval.
 - Vegetable gardens may be in the backyard only and not visible from the street.
 - Garbage cans must be stored behind the house.
7. Exterior Lamps and Yard Lights (p.13)
 - Approved on a case-by-case basis.
 - Compatible with general scheme of neighborhood.
 - Builder installed gas lanterns must be maintained & lit at all times.
8. Satellite dishes (p. 13)
 - Dishes with a diameter of 1meter or less are allowed.
 - Need proper screening from street.
 - If mounted on the house, must be toward the back quarter of the house.
9. Swimming Pools & Fish ponds (p.13)
 - Not permitted.
 - Fish ponds considered on a case-by-case basis.
10. Other items (p.13)
 - Doghouses reviewed on a case-by-case basis; no dog pens are permitted.
 - Play equipment must be easily removed and in back yard.
 - Trampolines are not permitted.
 - Tree houses are not permitted.

**The Village at Harrington Grove Community Association, Inc.
Application for Approval of Exterior Design Changes**

Please complete this form in its entirety. Carefully describe the scope of the changes you wish to have reviewed for approval. The cleaner the description, the more quickly we will be able to respond. Include diagrams and drawings, as necessary that will facilitate your project definition. Submit this and all attachments:

To: The Village at Harrington Grove Community Association, Inc.
c/o P.P.M, Inc.
P.O. Box 99657
Raleigh, NC 27624
Phone: (919) 848-4911 Fax: (919) 870-7241

Homeowner Name: _____ Date: _____

Street Address: _____ Lot Number: _____

Mailing Address: _____

Home Phone: _____ Work Phone: _____

The homeowner requests approval for the exterior changes described herein, and authorizes the appropriate committee members to enter and inspect property identified above as part of the approval process; to monitor the project; and, to ensure that the completed project is representative of the approved project.

Homeowner Signature(s): _____ Date: _____

_____ Date: _____

For Village Committee Use Only

Date of Committee Review: _____

Date of Initial Inspection: _____ Initials of inspecting committee member: _____

Project Approval: Yes: ____ No: ____ Conditional Approval: ____

Conditions to be met for approval: _____

Initials of participating committee members: _____

Signature of Chairperson or designee: _____ Date: _____

Additional Comments:

Homeowner Name: _____ Date: _____

Description of Project:

In your description, please include dimensions (sizes, heights, widths), locations, descriptions of materials, etc. Attach a copy of your plot plant that shows the location of the proposed exterior design change in relation to the house and other existing structures. Attach sketches, specifications, pictures, paint charts, etc. Include any additional information that contributes to your project description.

Estimated construction/ project dates: Start: _____ End: _____

Building permit required: Yes: No:

Use this space for sketch.

