

**VINTAGE GROVE HOMEOWNERS' ASSOCIATION**  
**ARCHITECTURAL STANDARDS AND CONSTRUCTION SPECIFICATIONS**

Adopted by the Vintage Grove Homeowners Association Board of Directors on 28 April 2014.

The Vintage Grove Homeowners Association adopts the following Standards 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. The intended effect of these Standards is to 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. The fact that each homeowner is subject to the Covenants should assure every homeowner that the Standards of design quality will be maintained in order to enhance the community's overall environment and to protect property values.

These guidelines are published to help the homeowner better understand the Covenants and the Architectural review process.

The Board of Directors established an Architectural Committee comprised of representatives from the Vintage Grove community. These representatives voluntarily agreed to serve in this capacity for a term of one year. The Covenants require that a homeowner apply for and receive approval for any exterior change, addition or alteration to any property. This application and approval process will be managed by the Architectural Committee and approval or disapproval recommendations will be made to the Board of Directors of the Vintage Grove Homeowners Association for final disposition. Changes and additions that require architectural approval include, but are not limited to, those related to any building, fence, wall or other structure. The Covenants further require that the plans, specifications and location showing the nature, kind, shape, height, and/or materials be approved in writing as to the harmony in external design and location in relation to surrounding structures and topography. Each property owner should read the covenants to obtain a better understanding of the Architectural Control requirements. The Architectural Committee and Board of Directors are charged with conducting the review of all written applications

within 30 days of receipt of the application. If the application is not approved or denied within 30 days after receipt of the application, then approval is not required.

The Standards which follow are the procedures and guidelines applied by the Committee and Board of Directors to assist in the Architectural Review Process. It is hoped that these Standards will serve as a positive tool to assist in the full and free use of each homeowner's property in a manner that is consistent with the aesthetic and harmonious development of the Vintage Grove community.

## II. WHAT MUST HAVE ARCHITECTURAL APPROVAL?

Prior approval is required for ANY CHANGES OR ADDITIONS in the exterior of a property, including but not limited to the following:

- Building Additions
- Fences and Walls
- Dog Houses
- Swimming Pools
- Play Equipment
- Sheds and Storage Buildings
- Gazebos
- Screened-in Porches
- Basketball Goals
- Decks
- Mailboxes
- Lamps and Yard Lights
- Lawn Ornaments
- Parking of Recreational Vehicles, Campers, etc.
- Clotheslines
- Topographical changes to a lot that substantially affect its appearance

No building, fence, or other structure shall be erected, placed, or altered, nor shall a building permit for such improvement be applied for on any property in Vintage Grove until the proposed building plans, specifications, exterior color or finish, plot plan (showing the proposed location of such building or structure, drives, and parking areas) shall have been approved in writing by the Board of Directors of the Vintage Grove Homeowners' Association which will consider the recommendations of the Architectural Committee, if any. In addition, the Architectural Committee may require written approval of a landscape plan. The Board of Directors reserves the right to promulgate and amend from time to time the Architectural Standards and Construction Specifications (hereinafter referred to as the "Architectural Standards") for all Properties within Vintage Grove. The Architectural Standards and Construction Specifications 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. Denial or approval of applications, plans, location, exterior color or finish, or specifications may be based upon any ground, including purely aesthetic considerations, which are within the sole judgment of the Committee and Board of Directors.

In the case where an Architectural Committee does not exist, the Board of Directors will assume the duties normally performed by the Architectural Committee.

These requirements apply to every homeowner's private property and to all common areas.

### III. REVIEW CRITERIA.

Each application shall be evaluated on its individual merits. Architectural review decisions shall be based on the standards in the following sections.

1. **VALIDITY OF CONCEPT:** The basic idea of the exterior change must be sound and appropriate to its surroundings.
2. **LANDSCAPE AND ENVIRONMENT:** The exterior change must not destroy or blight the natural landscape or the achieved man-made environment.
3. **RELATIONSHIP OF STRUCTURES AND 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.
4. **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. For example, fences may obstruct views, breezes, or access to neighboring property, dogs may cause undesirable noises for neighboring property. The Architectural Committee 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.
5. **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.

Scale: The three dimensional size of 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.

Materials: Continuity is established by use of 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.

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.

6. **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 owner and neighboring property owners.

7. **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.

#### IV. DESIGN APPLICATION REVIEW PROCEDURES.

The procedures for application, review, inspection, and enforcement of design review are outlined in this section. One (1) copy of all plans and related data shall be furnished to the Chairperson of the Architectural Committee and one shall be mailed to the Association Managing Agent. In the event approval of such plans is neither granted nor denied within thirty (30) days following receipt by the Committee of the written application for approval, the provisions of this paragraph shall be waived.

1. **OBJECTIVES:** The Architectural Committee and Board of Directors, in examining each application for design approval, shall consider whether or not the exterior change conforms to the guidelines outlined herein with the following objectives foremost in mind:
  - A. To create a community which is aesthetically pleasing and functionally convenient, and
  - B. To maintain a harmonious relationship among structures, vegetation, topography, and the overall design of the community
2. **APPLICATION PROCEDURE:** Complete the Exterior Change Application Form at the located on the Vintage Grove Homeowners Association website (<http://www.vintagegrove.org>) and attach all required exhibits. Include full details of the proposed change. If the change relates to any type of structure, fence, or etc., submit a sketch or plan and outline specifications. Talk to your neighbors about your change. They may offer valuable input. Be sure to include such information as type of material, size, height, color, location, etc.. Provide a plot plan of the lot and indicate the location of the building, fence, etc., as it relates to the home and lot. Mail or deliver the application form to the Association Managing Agent. Email and PDF copies are acceptable. The addresses are on the application form. Incomplete applications will be returned which will cause delay in the review.

The Architectural Committee will review each application and within 20 days of receipt provide a written recommendation to the Board of Directors for its final disposition. The Board of Directors will make its final disposition within 30 days of the original receipt of the application and thereafter send the Applicant notice of its disposition in the U.S. Mail addressed to the Applicant. Should you receive no notice of final disposition, please call to follow up.

If your application was sent via U.S. Mail, please note occasionally items do get lost in the mail and the 30 day review period does not start until the application is received by the Architectural Committee.

An application with all necessary information will be considered on its individual merit using these Standards as a guide for either approval or disapproval. The review process is outlined below.

3. **REVIEW PROCEDURES:** During the consideration of an application, Architectural Committee members will view the site and may talk to the applicant, neighbors or anyone else in the subdivision.

A quorum must be established for any official Committee recommendation to be made to the Board of Directors. A quorum of the Architectural Committee is a majority of the total number of people then serving on the Committee.

The Architectural Committee and Board shall consider the application, all relevant data, and comments received from any homeowner in the subdivision. After discussion of the application as submitted, the Architectural Committee will recommend to the Board of Directors 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 Committee's recommendation and the Board's decision by U.S. Mail or email.

Conditional approval means that work may proceed but only subject to conditions imposed on the application during the architectural review process. The Committee 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.

4. **CORRECTION PROCEDURES:**

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.

Reports: The Architectural Committee 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 Committee or Board of Directors of violations of any provision of these Architectural Standards and Construction Specifications or the Covenants.

The Committee will investigate each reported violation and attempt to bring the owner into compliance. An on-site visit may be paid to the resident by Committee 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 Committee 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."

## V. DESIGN GUIDELINES.

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. These are suggested methods rather than mandatory methods. Additionally, design methods that are generally not acceptable are also included.

1. **REPAIRS:** Owners are responsible for repairs to existing structures, additions, etc. No alteration in the exterior appearance of any building or structure, including exterior color or finish, shall be made without prior written approval by the Board of Directors pursuant to the architectural review process. No application is necessary to affect repairs and restoration to original condition. The Architectural Committee will make recommendations to the Board of Directors if a homeowner needs to perform initial or additional maintenance or repair to their property.
2. **SATELLITE DISHES AND ANTENNAS:** Section 2(f) of Article VII of the Covenants prohibits satellite dishes 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 (47 C.F.R. Section 1.4000) which prohibits restrictions that impair the installation, maintenance or use of antennas used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter (39.37") in diameter, TV antennas, and wireless cable antennas.
3. **CLOTHESLINES:** Pursuant to Section 2(a), Article VII of the Covenants, outside clotheslines shall not be permitted upon any lot at locations where they can be seen from any street.
4. **DOG HOUSES:** 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 visible from the street and any dog house must be within 3 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.
5. **FENCES AND WALLS:** The intent of this guideline is that there be no front yard fences. This is to protect the curb appeal of all properties in the Vintage Grove Subdivision.

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 Architectural Committee or Board of Directors on a case by case basis.

Additionally, fences/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.

Material Considerations for Individual Lots:

- No Chain Link or other Commercial Material
- Wood and Stone are acceptable materials. Additionally, shrub or bush hedge are acceptable. Note: shrubs and bush hedges are not subject to the four (4) foot height limit.
- No privacy fences. Fences must maintain appropriate spacing between pickets/boards. Standard spacing is 1/2 the width of the picket/board.

All fences must be properly maintained.

6. **TOPOGRAPHY:** Topographical changes that substantially affect the appearance of a Lot are subject to the architectural review process. Therefore, such changes require approval prior to being started.
7. **PLAY EQUIPMENT:** Stationary play equipment for children should be located at least five (5) feet from any neighbor's property line. Play equipment should be located in the rear of the house, not on the side or front. No single unit should exceed 18 feet long x 10 feet wide x 15 feet high.
8. **BASKETBALL GOALS:** Basketball goals should be located on the rear third (nearest the house) of the driveway or parking pad. All play areas should be designed such that activities can be kept off adjacent streets. All goals should be mounted on a single pole, which should be painted black or of a trim color to match the house. The backboard should be predominantly white, clear or gray.
9. **SHEDS AND STORAGE BUILDINGS:** Article VII, Section 2(g) of the Covenants applies to sheds and storage buildings. 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.

*Sheds must meet the following minimum criteria:*

- 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.
- Must have suitably constructed floor system and/or foundation. If placed on cement blocks, the shed must be underpinned.
- Can not be more than one story (i.e. 10 ft maximum height at the peak) (no lofts).
- 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 in side yard areas that are visible from the street. It must also be located 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.

10. **SWIMMING POOLS:** Above-ground swimming pools are not permitted. As with other changes or additions, in-ground pools are subject to the architectural review process.
11. **DECKS:** All decks should be on the rear of the house. Decks should not extend past the side of the house. Decks are of course subject to Apex Building Permit requirements.
12. **MAILBOXES:** The post and mailbox must be maintained in a style consistent with the house.
13. **LAMPS AND YARD LIGHTS:** One walkway or entrance light on a post is allowed as long as it does not exceed six (6) feet in height. The post shall be wood or metal painted black or house trim color. The lamp should be similar to, or the same as, existing house exterior lights (such as those on the front porch or stoop). Halogen, mercury vapor, sodium or other high-power lamps are not permitted. The lamp or light must be designed such that the light projects downward only and does not disturb neighbors.
14. **LAWN ORNAMENTS:** All lawn decorations are discouraged in the front and side of the house. Certain lawn ornamentation (e.g. bird baths) that are appropriate will be permitted but only if they do not detract from the appearance of the neighborhood.
15. **UNIFORM SIGN REGULATION:** Article VII, section 2(b) the Covenants regulates signs. Moreover, no sign of any kind shall be displayed on any lot except "for sale", "garage sale", and signs expressing support for or opposition to political candidates or referendum issues. 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 six (6) square feet in size.
16. **RECREATIONAL VEHICLES, CAMPERS, ETC.:** Pursuant to Section 8 of Article II of the Covenants, "No automobiles, boats, trailers, campers or recreational vehicles shall be parked within the Common Area, or right-of-way of any public or private road or street within the Properties. No boat, trailer, camper or recreational vehicle shall be parked in the front yard of any lot within the Properties."

## VII. OTHER DESIGN DATA.

Many additions to a homeowner's property may require approval of the Town of Apex and/or Wake county and certain permits may be required. It is strongly suggested that the Town of Apex and/or Wake County be contacted in order to determine whether such permits or approvals are required.

**APPENDIX A**  
**ARCHITECTURAL REVIEW PROCESS**

All properties within the subdivision are subject to the Declarations of Covenants, Conditions and Restrictions for Vintage Grove Subdivision ("Declarations"). These Declarations are for the short and long term benefit of the entire neighborhood not just one's immediate neighbors. Article Six of the Declarations provides that no dwelling, building, fence, or other structure shall be commenced, erected, maintained, added to, or altered within the subdivision until the plans and specifications showing the nature, kind, shape, height, materials and locations of the same shall have been submitted to and approved in writing by the Board of Directors of the Association, or by an architectural committee appointed by the Board.

The appropriate application process is as follows:

1. Submit your written plans and specifications, with the details described above, to the Association Managing Agent:

Alexander Porter  
HomePlace Management Co.  
P.O. Box 88, Rolesville, NC 27616

Your application may be expedited by sending your application via email to:  
[APorter@hppmco.com](mailto:APorter@hppmco.com) . The managing agent has been appointed to act as the agent to receive applications and to distribute them to the committee and/or the Board of Directors.

2. If there is an Architectural Committee, the committee will review the application and make a recommendation to the Board of Directors whether to approve or deny the application.
3. The Board of Directors will review the application and recommendation of the architectural committee and then approve or deny the application. If the architectural committee does not make a recommendation to the board within 20 days of receipt of the application, the Board will act on the application within the time permitted by the Declarations without a recommendation from the architectural committee.