

To: Olde Raleigh Homeowners  
From: Board of Directors of Olde Raleigh Homeowners  
Date: August 1, 2005  
Re: Adopted ARCHITECTURAL REVIEW GUIDELINES

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The Board of Directors has completed and approved the attached ARCHITECTURAL REVIEW GUIDELINES. These guidelines give you a consistent standard to follow as the foundation to planning any exterior changes to your property. These guidelines also address the steps necessary for all new home construction.

Please retain this copy as part of your permanent papers to refer to now and in the future. These guidelines should also be made available to prospective buyers of your home.

We request that you make copies of the application form attached with this package when you submit your requests for architectural approval. ***No request for a change can be considered unless accompanied by the application form and appropriate exhibits.***

Return your completed application prior to the start of a project to the Management Firm, PPM, Inc. at the address shown on the application form. If the application is complete with detail of the project and required exhibits, the application will be accepted and stamped by PPM as to the date received. In accordance with Article VIII of the Declaration, the allowed *sixty-day review period* will then begin. The Board will make every effort to expedite your request as quickly as possible. Based on the complexity of a project, a professional evaluation of the application may be required by the Board.

Please read and follow these guidelines because you MUST obtain approval IN WRITING from the Architectural Committee BEFORE THE START OF ANY EXTERIOR CHANGE. This written approval may required by the City of Raleigh before any permits will be issued. Do not commit labor or materials until you have received approval. *Any owner starting a project with out prior approval will be subject to penalty and fine up to \$100 per day in accordance with Chapter 47F of the North Carolina General Statutes.*

Your cooperation and adherence to these Guidelines will not only be appreciated, but will also be in the best interests of our community as a whole.

## I. INTRODUCTION

In a planned community such as Olde Raleigh, the question naturally arises as to how to maintain a harmonious, quality development. The answer at Olde Raleigh is the Architectural Review Guideline process outlined in these pages. This process provides a meeting ground between private interests and the broader interests of the community and adjacent property owners.

Basic control for maintaining the quality of design is provided through the Restrictive Covenants filed with the Register of Deeds in Wake County for each phase of the Olde Raleigh subdivision. These Covenants run with the land, are binding on all homeowners and should be fully understood. Every homeowner is subject to the Covenants to assure all residents that standards of quality will be maintained to enhance the community's overall environment and protect property values.

The Restrictive Covenants establish an Architectural Committee made up of three or more representatives who are to be appointed by the Board. The Covenants require the 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 requires that the plans and specifications showing the nature, kind, shape, height, materials and location of the same be submitted in writing so they may be reviewed as to harmony in external design and location in relation to surrounding structures and topography.

The Architectural Committee is charged with conducting the review of all applications for exterior changes and new home construction. The Committee must render its decision to the applicant, in writing, within *sixty days of receipt* of a **complete** Application for Approval for Exterior Design Change, containing all necessary information described herein. The Committee will make every effort to expedite this process. Incomplete applications cannot be approved and will be returned to the applicant with request for specific additional information to make the application complete.

The Guidelines on these pages are the procedures and standards applied by the Committee and the Board to assist the Association and its members in the design review process. We hope the Guidelines serve as a positive tool to assist you in the full and free use of your property in a manner that is consistent with the aesthetic and harmonious development of our community.

## **II. REVIEW CRITERIA**

The Architectural Committee evaluates each application on its individual merits. The Committee's decisions are based on the following guidelines, keeping in mind the objectives of preserving and enhancing property values in the community and maintaining a harmonious relationship among structures, vegetation, topography and the overall design of the community.

### **Validity of Concept**

Consideration is given to whether the exterior change is sound and appropriate to its surroundings.

### **Landscaping and Environment**

The impact the exterior change will have on the natural landscape or the man-made environment.

### **Relationship of Structures and Adjoining Property**

Whether the proposed change relates harmoniously to its surroundings, existing buildings and terrain that are visually related to the change.

### **Protection of Neighbors**

The interests of neighboring owners will be considered by making reasonable provisions for matters such as but not limited to noise, 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. These issues may be addressed to assure privacy, if possible through sound or sight buffers.

### **Design Compatibility**

The proposed change will be evaluated for compatibility with the design characteristics of the applicant's home and the general neighborhood setting. Compatibility is defined as harmony in design, style, scale, materials, color, and construction details.

- A) Scale: The three-dimensional size of the proposed change and its relationship to adjacent structures and its surroundings.
- B) Materials: Continuity is established by use of the same or compatible materials as used in the home.
- C) Color: Color may be used to soften the design but must be consistent with the residence's color scheme.

### **Workmanship**

The quality of work must be equal to or better than that of existing structures.

### **Timing**

An approved property change may be built or installed either by owners or by a contractor. All applications must contain a proposed maximum time period from start to completion of construction.

If the proposed time period is considered unreasonable, the Committee may not approve the application.

**DO NOT PURCHASE MATERIALS OR COMMIT TO ANY CONTRACTOR** in anticipation of instant approval by the Committee. Wait until you have received written approval prior to purchasing or committing to such work. Remember many design changes require a permit and the City may not issue a permit without the written approval of the Committee. Please try to plan well in advance to allow time to have your application processed. Although the majority of applications are handled within two weeks *please allow up to sixty days.*

### **III. 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 Architectural Committee, in examining each application for design approval, considers whether or not the exterior change is in compliance with the Restrictive Covenants and the Architectural Review Guidelines outlined herein and briefly described below:

- A. Preserve and enhance property values in the community
- B. Maintain a harmonious relationship among structures, vegetation, topography and the overall design of the community.
- C. To assure the quiet enjoyment of the residents.

#### **Application Procedure:**

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 and outline specifications. Talk to your neighbors about your change. They may be able to offer valuable input. Be sure to include such information as type of material, size, height, color, location, etc. Provide a sketch of the location of the improvement as it relates to your house and lot.

Mail or hand-deliver the application to the Management Firm at the address on the application form. Incomplete applications will be returned and will cause further delay.

The Committee will review the application within sixty-days and will respond to you in writing. If you do not hear from the Committee in that time, please call to follow up. **The sixty-day period does not begin until the Management firm confirms receipt of a complete application.**

Complete applications are considered on their own individual merit using these guidelines outlined as follows:

#### **Review Procedures**

During the Committee's consideration of an application, Committee member(s) may view the site, talk to the applicant or neighbors and verify from the neighbors that they are aware of the proposed change. While neighbor's views are very important to the Committee, neighbors do not have "veto" authority.

The Committee considers the application and any data or comments received from, or presented at the meeting by, immediate neighbors and other members. After discussion of the application as submitted, the Committee will vote on approving it, approving it conditionally, or disapproving it. If the change is conditionally approved or disapproved, the Committee must note in writing on the application the reason(s) why it was not approved as submitted. The Committee will give the applicant written notice by use of a duplicate copy of the application or by correspondence. The Committee records its action and the notification to the applicant by placing copies of the executed application and/or letters in the Committee's archives. Duplicate copies of all records will be forwarded to the Association's Management firm. Conditional approval means that work may proceed if the conditions are satisfied as agreed to by the Committee. The Committee reserves the right to inspect work in progress and request (either orally or in writing) the applicant to correct any non-compliance with the approved design. During the consideration process of an application at least one member of the Committee must review the site.

### **Project Inspection or Walk-through**

The Committee and/or contracted engineer or architect may conduct a walk-through to review the proposed completed project.

### **Appeal Procedure**

If the applicant disagrees with the decision of the Committee in its review or inspection, the following process is noted for an appeal: 1) file a written appeal with the Board of Directors at the address of the Management Company within fifteen days after receipt of a notice of disapproval, 2) the date and time of the appeal is established by the Board of Directors; this is normally at the next scheduled Board meeting. A majority vote of the Board is required to reverse a Committee decision.

### **Correction Procedure**

**Remedies:** An exterior change made without the required approval of the Committee, or the Board on an appeal, constitutes a violation of the Restrictive Covenants. A violation requires removal or modification of the work at the expense of the property owner, or payment of damages incurred by the Association in an effort to have it removed or modified.

**Reports:** The Committee inspects authorized construction in progress and the community in general to identify violations. Additionally, all residents have the right and responsibility to bring to the attention of the Committee or Board any apparent violation of any provision of these Architectural Review Guidelines or Covenants.

The Committee investigates each reported violation and seeks the cooperation of the owner. Notification of a violation is made to the resident in order to identify the problem, and request a resolution. Should the owner fail to follow through on the Committee's proposed resolution or some other resolution which is acceptable to the owner and the Committee, the Committee will turn the problem over to the Board of Directors for continued resolution with the resident. This could lead to the Association filing legal action and/or levying fines against the owner pursuant Chapter 47F of the North Carolina General Statutes.

## **IV. DESIGN GUIDELINES**

This section of the guidelines provides specific guidance regarding particular design situations frequently encountered in Olde Raleigh. Generally acceptable methods for achieving the required objectives and standards are indicated below. These methods are suggested, not mandatory. Additionally, design methods that are generally not acceptable are also indicated for your guidance.

*Please remember that these are only guidelines and, as such, they do change. Changes will be published to all owners as they occur. If you have a question or situation that is not addressed in these guidelines, please contact the Management Firm for clarification before any action is taken.*

### **Repair**

Owners are responsible for repairs to existing structures, additions, etc. No application is needed to effect repairs and restoration to original condition.

### **Awnings**

Approval is required for all awnings.

### **Fences/Walls**

Fences will be allowed in rear yards but should not proceed further forward than the rear corners of the house. Corner or minor decorative fencing treatments in the front of the property may be permitted depending on individual circumstances. Preferred fencing material is decorative as approved by the Committee. (Example: Estate-style iron fencing.) The fence may be painted or stained to match the exterior of the house or left as is to blend with the natural surroundings, but in all cases must be properly maintained and kept in good repair. No chain link, chicken wire, barbed wire or any other fence constructed solely of freestanding wire is allowed.

Rear yard fencing has a preferred height of four feet, but in no case will the height exceed six feet. If a fence is to exceed five feet in height, the top section (minimum 12 inches) of the fence should be finished in an “open” style (i.e. lattice work) or scalloped style. Whenever possible, the fence should have a minimum of ½” spacing between vertical boards.

Shrubbery planted in a row that creates a natural fencing or barrier between properties requires architectural approval.

### **Satellite Dishes/Antennas: (Recommendations for installation – Submittal not required)**

\* Must be less than one meter in diameter and should be located in the least visible location as possible.

### **Clotheslines**

Outdoor clotheslines are not permitted.

### **Decks**

Deck plans will require the prior approval of the Architectural Committee. Multiple building permits may be required if the project calls for electrical installations such as lights, power outlets, covered gazebos with ceiling fans, hot tubs, etc. Only materials specifically designed for exterior applications, with weather and moisture resistant properties, such as pressure treated deck lumber, cedar decking, or composite material may be used. Placement of major weight-bearing posts or pilings in concrete is preferred both for strength and prolonged service life of the structure. The criteria for Design Compatibility and Workmanship (see Section II, page 3) apply to the review of all deck applications; whether or not the plans call for a gazebo or other covered, screened-in porch structures. Homeowners should also review applicable Covenants and City of Raleigh Building Codes concerning boundary setbacks and utility easements *before* committing to any deck project or construction contract.

### **Dog Pens and Doghouses Require Committee Approval as Accessory Buildings.**

Doghouses require prior approval and should be painted or stained and roofed to match the exterior of your home. Dog pens or containment areas require prior approval. Fencing style, height, and location must be identified on the submittal.

The doghouse and/or pen should be located on the property in an area that is not visible from the street and must be positioned at least 10 feet from a neighbor's property line. The area surrounding the pen should be landscaped such that drainage is not a problem. It must be properly maintained, kept in good repair and free of materials that may create unpleasant odors.

### **Grading**

MAJOR changes to the topography of your lot could result in flooding or improper drainage into a neighbor's yard. Therefore, such changes require approval prior to being started. Neither the Board nor the Committee accepts any liability for any damage caused by such grading action, whether approved by the Committee or not.

### **Exterior Painting and Color Changes**

Approval is required for any color change to the exterior surfaces of the home. Paint samples will be required. Re-painting the home the same as the existing does not require prior approval.

### **Plants and Gardens & Trees**

Committee approval is not required for *minimal* plantings (such as but not limited to annual beds, low growing perennials, single trees, single shrubbery, etc.) or biodegradable landscaping treatments. Before digging, please identify and locate all wires and/or cables that could get cut down so as not to electrocute yourself or interrupt any services to your house or your neighbor's. Firewood and the like should be stored toward the rear of your lot so as not to be visible from the street. Grass clippings and brush piles must be removed from the property in a timely manner.

Large vegetable gardens and/or compost areas require architectural approval. Garden areas should be maintained in the rear yard not visible from the street.

Removal of any live viable tree 6" in diameter (measured 3-4" from the base) or larger require prior approval. Diseased or damaged trees may be removed without approval and Management should be notified prior to the removal.

### **Play Equipment**

Any play equipment should be located in the rear of the property a minimum of 10 feet from the neighbor's property line. Such items include swing sets, sandboxes, or other more stationary equipment. Playsets must be constructed of wood or composite materials and may not be metal. Committee approval is required for stationary play equipment including but not limited to play sets, swing sets, basketball goals (set in concrete or free standing,) etc. Screening may be required. Portable play equipment must be stored out of view from the street when not in use. All play equipment must be maintained in good condition and repair.

### **Storage and or Accessory Buildings**

Detached, freestanding storage sheds are discouraged. Where possible, storage sheds should be attached to the house. In most cases, this is less expensive than a freestanding structure and would be more aesthetically pleasing as well as more convenient. However, if an owner has inadequate storage and there is not a structural way to add a storage room to the house, the owner can apply for approval to erect a freestanding storage shed. Prefabricated structures of any kind, to include those made of aluminum; steel, particleboard or other wood products are not acceptable. Whether attached or free-standing, all sheds must receive Committee approval and must meet the following criteria:

- 1) Siding: Must be quality materials finished to match the home.
- 2) Roof: Must be similar to the home in pitch, materials and color.
- 3) Base: Must have a poured concrete slab foundation.
- 4) Size: Must be appropriately proportioned with lot size
- 5) Placement: Must comply with set back requirements Article X, Section 4 of the Covenants.  
(Rear setback 30 ft. and side setback 10 ft. and 20 ft. from side streets.)
- 6) Screening: Additional landscaping may be required.

### **Detached Garages and Room Additions:**

All plans must be submitted in compliance with the RESIDENTIAL SITE REQUIREMENTS, meet setback requirements and DESIGN GUIDELINES.

### **Signs**

The following types of signs are permitted and are not considered a violation of the Covenants prohibiting signs and billboards:

#### **A. PERMANENT SIGNS**

Signs displaying house numbers, name of the resident(s) and/or name of the home, not to exceed 4" in dimension.

No other permanent signs should be displayed.

#### **B. TEMPORARY SIGNS**

- 1) A single real estate "For Sale" or "For Rent" sign of not more than five square feet.
- 2) A contractor's or builder's sign not to exceed five square feet during construction or approved alteration, (including landscaping) provided that the signs are removed within 30 days of the completion of construction or alteration of the property.
- 3) "Open House" signs are permitted only during the hours during which the premises are open. This includes all such signs anywhere within the borders of the Subdivision, its entrances and streets, but not located on the property of another homeowner without his/her permission.
- 4) Political signs may be displayed 30 days prior to an election and must be removed 3 days after the election.

No other temporary sign is permitted unless approved by the Architectural Committee. *All community message signs must be posted in newly installed message boards located at the gate entrances. No signs of any kind may be attached to the gates or the gate controls.*

### **V. RESIDENTIAL SITE REQUIREMENTS (Applicable to all construction)**

#### **Clearing and Grading**

Building and landscape elements shall be placed on a site so that the maximum number of desirable trees and other natural features are preserved. Materials resulting from clearing and grubbing and all other debris shall be removed from the site promptly. Finish grading shall be such to prevent ponding or erosion of soil on the site or adjacent property.

#### **Tree Preservation**

When clearing a lot for new construction, the builder will proceed with care so as to remove only those trees, which would be immediately affected by the ongoing construction (e.g. trees within 10' of the building). Every precaution shall be taken to preserve those trees remaining, including, but not limited to, prevention of heavy equipment from running over the root areas, no stockpiling of dirt or building materials around the base of the trees, tagging or barricading trees located in damage-proof areas, and repairing any tree damage immediately.

#### **Landscaping**

Landscaping shall be in accordance with the plans and specifications approved by the Architectural Committee. All disturbed ground area shall be covered by grass, plants or landscape material and there will be no uncovered soil. All homesites will be landscaped and maintained consistent with the aesthetic quality of Olde Raleigh. No changes or substitutions shall be made without prior architectural approval.

## **Screening**

Screening shall be provided, where required, to conceal unsightly appearances in accordance with any of the following methods:

- 1) A planting screen that will form an effective visual screen consistent with landscaping requirements.
- 2) A wall or fence of a material similar to or compatible with that of the building may be used for a screen adjacent to the building.
- 3) A wall or fence of a material specifically approved by the Architectural Committee may be used for a screen that is not adjacent to the building.

## **Colors and Textures**

Colors and textures shall be harmonious and compatible with colors of other buildings within the neighborhood. The general character shall emphasize muted tones of colors. Natural wood tones, gray and brown stone, brick, stucco, dark metal finishes or painted wood should be used for background colors with discreet accent colors where appropriate.

## **Materials not Acceptable**

Exposed standard concrete blocks, prefabricated storage structures of any kind, to include those made of aluminum, steel, particle board or other wood products, unnatural brick tones and bright finish metallic windows, doors and structures are not acceptable unless specifically approved by the Architectural Committee.

## **Outdoor Structures**

Any equipment in outdoor areas such as play structures, benches, planters, sculptures, etc., shall be compatible with and harmonious with the surroundings, hidden by approved screening, or approved by the Architectural Committee.

## **Roofs**

No roofs with less than a 7/12 pitch will be allowed without specific permission of the Architectural Committee. Roofs that may be potentially seen from a street or adjoining site shall be of materials harmonious with the surroundings and of a muted color. All roof vents, ducts, fans, etc. shall be painted to match the roof shingle color. All flashing must be copper or a color consistent with the shingle or wall color. Visible bright metallic finish will not be permitted.

## **Windows**

All windows visible from the street (front and side areas) must have true divided mullions. Other window options may be considered by the Committee depending on the style of the home.

## **Mailboxes**

The decorative uniform black iron mailbox is required and may not be substituted with any other style box. It is the owner's responsibility to maintain the mailbox at all times. Planting around the box is permitted. The address numbers must be 2" brass numbers and should be easily visible for mail delivery and in the event of or emergency situations.

## **Driveways**

All driveway alterations, or additions, must be approved by the Architectural Committee. This includes but not limited to repaving, reshaping, expanding, decorative accents, etc.

These Guidelines give you a consistent standard to follow as the foundation to planning any exterior changes to your property. Please make every effort to submit your plans well in advance of committing to a contractor. The Architectural Committee in turn will make every effort to expedite your request so that you may coordinate your project in a timely manner. Please respect this process and those serving on your behalf as a benefit to the community as a whole.

Thank you for your cooperation and as always, please contact the management company or your Board of Directors if you have any further questions.

Visit the Olde Raleigh Web Site for Community Information and Updates at:

[www.olderaleigh.com](http://www.olderaleigh.com)

