
Sandlin Branch Association

Architectural Standards & Specifications

Effective: 10/01/2009

1. PURPOSE AND POLICY

The Architectural Standards and Specifications (hereafter referred to as the Standard) were established to preserve and maintain the property values and the natural beauty of the development.

A part of the charter of the Architectural Committee is to maintain and promote consistent standards that will in the long run help to increase the value in our development. The aesthetics of any modification will be a primary consideration of the committee.

The committee is composed of three members or more with volunteers normally solicited during the homeowners meetings. All members must be approved or appointed by the Board of Directors. The committee will meet as needed. The primary purpose of the meeting is to review all architectural requests received by the Committee to approve or disapprove requests. Additional homeowner inputs are welcome and will be promptly considered by the Board/Committee.

Any new architectural requests must adhere to these new standards and specifications, as well as any Town of Garner, Wake County Permit Office standards and right of way restrictions.

Architectural Guidelines are subject to revision without notice. In all cases, the Sandlin Branch Board of Directors is the final authority and judge of what is acceptable within the community.

2. RESPONSIBILITIES

THESE ARE THE RESPONSIBILITIES OF ALL PARTIES AS THEY RELATE TO THE ARCHITECTURAL STANDARDS AND SPECIFICATIONS.

A. BOARD OF DIRECTORS

The Board of Directors is responsible for the final interpretation of the Covenants and Restrictions, and for making decisions about violations and related penalties or legal remedies.

B. ARCHITECTURAL COMMITTEE

The Architectural Committee is responsible for reviewing requests, making site inspections (both before and after modifications), and approving or disapproving all architectural requests. The Architectural Committee is also responsible for updating these standards, as required, for approval by the Board of Directors.

C. HOMEOWNERS

Each homeowner has the responsibility to properly complete and submit an Architectural Request Form to the Committee in accordance with the requirements of this Standard prior to making the proposed improvement. Each homeowner is also responsible for adhering to these Standards and Specifications, complying with the decisions made by the Committee, and reporting any problems or violations to the committee. Incomplete submissions will be returned to the homeowner for resubmission with appropriate changes.

3. OVERVIEW

Every attempt has been made to include in this Standard those considerations that have potential to affect property values. Suggestions for improvement of this document should be submitted to the committee.

The following are examples of the types of changes, additions or deletions that would either (1) require submission of an Architectural Request Form, (2) not require a submission, (3) are prohibited.

While every effort has been made to identify aspects of change requiring approval, the homeowner who has any doubt if his/her situation is adequately addressed should contact the Architectural Committee for guidance. When in doubt, assume a submission is required.

NOTE: It must be recognized that the submission and the approval process is administered by volunteers on their own time including nights and weekends. The Committee will meet when action is required. However, It is the responsibility of each homeowner to **PLAN IN ADVANCE** and allow for the normal turn around time. The Committee has 21 days from the date received by the homeowner to respond. Throughout this document the term "changes" shall include additions, improvements, removal or relocation.

A. Types of Changes Which Require Submission or Approval include but not limited to:

- 1. Any exterior change, modification or improvement to the structure or patio area.**
- 2. Any interior STRUCTURAL change.**
Changes to appearance, such as but not limited to: Color including: siding, trim, doors, storm doors, windows and roofs. Materials, (such as siding, roofing, and brick facade).

B. Specific Changes Which DO NOT Require Submission:

1. Flower boxes painted to match the exterior color.
2. Minor landscaping (see section 4-7)

C. Specific Changes Which are Prohibited:

1. Commercial advertising signs. For sale/rent signs please see (4. 10)
2. Vehicles parked in any areas except the parking lot in assigned spaces
3. No non-licensed vehicle or inoperable vehicle may be parked in community (see section 4. B.)
4. Clotheslines
5. Any type of window unit air conditioning/heat
6. Any items not specifically described as being allowed in compliance with neighborhood covenants

4. STANDARDS AND SPECIFICATIONS

The specification and details listed below apply to both items requiring submission and not requiring submission and are those that have been identified by the committee as requiring specification. For items detailed below, which do not require submission, the expectation is that the minimum detail will be met.

A. Animals

No animals, livestock, or poultry of any kind shall be kept on or in any lot or residence, except that: Household pets may be kept, provided that they are not bred or maintained for commercial purpose. They may NOT exceed 35 lbs.

No Aggressive Bred.

B. Parking/Storage/Landscape/Trash/Signs

1. No industrial or commercial type trucks, tractors, buses, inoperable automobiles, campers, or recreational vehicles may be parked in the community. Daily driven work trucks/van not larger than 1.5 ton payload are allowed.

2. No parking on a soft surface.

3. No trade materials, inventories, boats, trailers or campers may be stored on lots.
4. Temporary storage of materials for modifications projects should be discreetly placed and orderly maintained.
5. Trash/Garbage Cans are to be taken to pick-up area the night before pick up and retrieved the day of pick up. Trash containers are to be kept neatly in rear of buildings between service. All trash containers should be labeled with the unit number. No other debris/trash is permitted on property. Fines for not rolling trash containers back are: 1st offense \$10, 2nd offense \$10 and 3rd offense or more will be \$20.
6. The removal of trees requires approval. No trees in buffers can be removed
7. Landscaping, such as naturalizing an area of yard and/or adding shrubs, flowers, etc... is permitted directly in front of each unit inside the sidewalks. NO bushes or plants may be allowed to grow above the window line. HOA will maintain the newly planted area. However, HOA is NOT responsible for any damage or if they kill any such landscaping in the course of their duties and will not be responsible for replacing it. Also, if deemed necessary, HOA can add to or delete any such landscaping.
8. Retaining Walls
Drainage, swale, and runoff: Careful consideration should be given to landscaping that will regulate current drainage/runoff to adjoining property. Details should be contained in submissions. Should future problems develop, correction is the responsibility of the homeowner who made the modifications even if Committee approval has been granted.
9. No modification and/or additions temporary or permanent may be added to sidewalks or walkways without approval.
10. One for sale or one for rent sign per unit is allowed in Window of unit, and one sign at designated area at the fence at entrances. Surface area of signs may not be larger than 3'x 3'. All other signs will be picked up.

C. Hedges and Screen Plantings

1. No side lot line hedge or screen planting shall be installed without approval.
2. Hedge or screen plantings, which form a barrier between properties, should have;
 - a. Agreement for maintenance access.
 - b. Setbacks to allow for plant growth, i.e., hedge to remain on installer's property when fully grown.

D. Materials and Colors

1. Only exterior materials comparable to those on existing structures, and compatible with the architecture character of the Sandlin Branch Association, will be approved.
2. Brick will remain unpainted.
3. Replacement windows must be *brown* in color and the trim around the window painted the same color as the trim on the exterior.

PAINT COLORS (siding, trim, doors, roofs)

- a. SPECIFIC COLORS FOR EACH UNIT MUST BE USED WITHOUT EXCEPTION.
 - b. NO COLOR CHANGES ARE ALLOWED.
- *All Front Doors must be matched with the current color.
- *All units siding, trim, and front door colors must be an exact match with the current colors throughout the community, as stated above.
- *All units must have storm doors and they must be full glass in design. *or 3/4 QUARTER GLASS.* When replacement of a storm door is required they must be *brown* in color.

H. Out Buildings/Satellite Dishes

1. No trailer, tent, shack, barn or other outbuilding may be erected or placed on any home site/lot and/or exterior.
2. No satellites shall be placed on any buildings or roofs. They are allowed in the rear of the buildings only, and must be located on a post/pole not to exceed 5 feet in height. Satellites must be less than 2 feet in diameter.

5. PROCESS

Changes, additions, removal or relocation that have been previously identified as requiring submission, or that the homeowners believe may require submission, shall follow the process described in this section. The process will be the same for all submissions with the required details varying depending upon the type of change. Homeowners should contact the Town of Garner/Wake County regarding permits and specifications of the Town of Garner/Wake County

Reminders

No Construction shall begin without Committee written approval of the submission. Therefore, no commitment for labor and/or materials should be given to contractors prior to receipt of written approval. Allow enough time for processing and approval in planning for construction or landscaping. In general, the review and approval cycle is 30 days.

A. Planning and Preparation of Submission

1. Using this standard, determine if submission is required. If yes, continue.
2. Prepare the Architectural Review Form (copy available from committee) and attached any drawings, sketches, and supplemental documents, including materials for the Architectural Committee to review. A complete submission will FULLY describe/depict the change and stands on its own without need for further explanation or clarification.
3. Sign the form
4. Present the submission to the Architectural Committee. Incomplete or illegible submissions will be returned immediately to the homeowner. Upon a complete and legible submission, the review process will begin.

B. Architectural Committee Review

1. The Committee will review submissions at meetings when action is necessary.
2. The submission will be voted on by the Architectural Committee, who will reach a consensus decision for approval ("A"), approval with modifications (recommended changes to the original concept- "CA") or disapproval ("D").
3. The Committee will notify the owner in writing and provide necessary details, if any needed.

4. Approval of any submission or portion thereof does not ensure approval of similar submissions, as each submission will be considered on its own merits.
5. A proper submission approved by the Committee is equivalent to a contract to comply with the specific details. Any alterations/deviations from the original plan reviewed and approved by the Architectural Committee will require resubmission.

C. Appeals/Resubmissions

To appeal a disapproved submission, the homeowner should submit a written response and request including specific detail information that clarifies why the submission should be reconsidered to the Architectural Committee and Sandlin Branch Board to further discuss the submission.

D. Time Frame for Construction

1. Construction should begin at the indicated start date or within three months after the date of written approval by the Committee. Work must be completed within a maximum of one year after the start of construction.
2. Approval for projects that are not begun as specified above will lapse, and the applicant must resubmit the proposal or a written request for extension to the committee.

E. Inspection

The architectural Committee will, from time to time, do random on-site inspections to assure compliance with approved submissions. Homeowners are asked to cooperate during such inspections. If deficiencies or significant deviations are noted, the Committee will notify the homeowner in writing, with a response expected within 14 days.

F. Violations

The Board of Directors will handle violations as described in the By-laws.

G. Permits

If a Town of Garner/Wake County permit is required, it is the responsibility of the homeowner to obtain the permit and contact all of Town of Garner and Wake County departments pertaining to subject.

6. VIOLATIONS AND ASSOCIATION REMEDIES

There are essentially two types of violations that must be dealt with by Sandlin Branch Association:

Implementing a change, addition, or deletion without approval of a properly completed submission, and Deviation or noncompliance with an approved submission.

A. Remedial Process

The Architectural Committee generally expects to amicably resolve violations and disputes regarding interpretation of the Standard through straightforward discussions with the homeowners.

After all attempts to resolve a violation have been exhausted, including the opportunity for a hearing, the Architectural Committee will select the appropriate remedy and notify the Property Owner of such action. The Board of Directors is hopeful that homeowners will act as good neighbors and therefore minimize the time and expense associated with unpleasant legal remedies.

B. Homeowner Association Remedies

- 1. The Sandlin Branch Association shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Sandlin Branch Association to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.**

2. Remedies include but are not limited to:

- a. Obtaining a Restraining Order to prevent an action.**
- b. Obtaining a Court Order to require the homeowner to remove a project.**
- c. Imposing a daily fine for each day the violation remains.**
- d. Billing homeowner for any work performed by the Home Owners Association including but not limited to repair, replacement, and clean up to reinstate the property back to the Standard.**