

ARCHITECTURAL STANDARDS

AND

CONTROL SPECIFICATIONS

HAWTHORNE HOMEOWNERS ASSOCIATION

July 2001

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II. STANDARDS AND POLICY

The Architectural Standards and Control Specifications (hereafter referred to as the Standards) were established by Article VI of the New Declaration of Covenants for Hawthorne. Their primary purpose is to preserve and maintain the property values and the natural beauty of the development. Article VI also establishes the Architectural Review Committee with final approval authority given to the Board of Directors.

These Standards incorporate the Uniform Sign Regulations, Uniform Mailbox Regulations, Landscape Guidelines, and Environmental Rules and Regulations addressed in Section VI.

It is part of the charter of the Architectural Review Committee to maintain consistent standards while remaining flexible and open minded to changes in our community and our lifestyles. This standard is intended to be a dynamic document that allows for individual creativity of design, with each request being reviewed on it's own merits. The aesthetics of the modification will be a primary consideration of the Committee.

The Committee is restricted to five (5) members with volunteers solicited during the annual homeowners meeting. If there are no volunteers for the Architectural Review Committee, this Committee's responsibilities are handled by the Board of Directors. The Architectural Review Committee meets as needed. Their primary purpose is to review all architectural requests, which were received during the previous month and to and make recommendations to the Board of Directors.

III. REFERENCES

HAWTHORNE COVENANTS (REFER TO SPECIFIC PAGES).

IV. RESPONSIBILITIES

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

BOARD OF DIRECTORS

The Board of Directors is responsible for approving or disapproving all architectural requests, as well as making decisions about violations and related penalties or legal remedies, and final interpretation of the Covenants and Restrictions.

ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee is responsible for reviewing requests, making site inspections (both before and after modifications), and making recommendations to the Board of Directors. It is also the responsibility of the Architectural Review Committee to keep this document updated on a regular basis.

HOMEOWNERS

Each homeowner has the responsibility to properly complete and submit an Architectural Request Form to the Property Management Organization in accordance with the requirements of these Standards. Each homeowner is also responsible for adherence to this policy, decisions made by the Board of Directors, and report any problems or violations to the Property Management Organization.

PROPERTY MANAGEMENT ORGANIZATION

It is the Property Management Organization's responsibility to collect all architectural request forms submitted, and to do an initial screen to assure completeness. Incomplete forms will be immediately returned to the homeowner. Completed submittals will be distributed to the Architectural Review Committee in a timely manner. The Property Management Organization also acts as the clearing house for problems or concerns. The PMO then channels these messages to the appropriate committee. The PMO is also responsible for sending the Board of Directors response for each complete submittal that was reviewed to the homeowner and the Architectural Review Committee.

VI. GUIDELINES

It is the interpretation of the Hawthorne Homeowners Association Board of Directors that the provisions of Article VII apply to a wide variety of aesthetic considerations in the community. Every attempt has been made to include in these Standards those considerations, which have the potential to impact property values. Suggestions for improvement of this document should be submitted to the Property Management Organization.

The following are examples of the types of changes, additions or deletions that would either 1) require submittal of an Architectural Request Form, 2) not require a submittal, or 3) are prohibited. While every effort has been made to identify all aspects of change, the homeowner who has doubts if his/her situation is adequately addressed should contact the Property Management Organization for guidance.

NOTE: It must be recognized that the submittal/approval process is administered by volunteers on their own time (nights and weekends) and is inherently lengthy. The Committee and the Board meet as needed. It is imperative therefore, that each homeowner plan in advance and allow for the process time required.

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

A. Types of Changes, which require submittal.

Changes to the exterior of the home such as:

Addition of:

1. Awnings
2. Decorative lighting
3. Solar collectors

Appearance, such as:

1. Color
2. Materials (such as siding)

Other exterior changes, such as:

- a. Buildings
- b. Clotheslines
- c. Decks and Patios
- d. Dog pens or runs
- e. Driveway extensions and parking pads
- f. Enclosures
- g. Fences
- h. Hedges and screen plantings
- i. Landscaping
- j. Mailboxes
- k. Parking
- l. Poles, free-standing
- m. Recreations or sport equipment
- n. Signs
- o. Structures
- p. Swimming pools and hot tubs
- q. Removal of live trees

B. Specific changes which do not require a submittal

1. Basketball goals attached to a garage
2. Flower boxes which meet color requirements
3. Minor landscaping
4. Non-permanent children's play equipment
5. Periodic repainting and restraining with the existing color
6. Portable pools usable only by small children
7. Removal of dead trees
8. Small, discretely located garden plots
9. Storm doors (must still meet color requirements)
10. Satellite dishes less than one meter in diameter

C. Specific changes which are prohibited

1. Animals other than household pets
2. Chain-link fences – NOTE: Chain-link fencing erected just to form a dog run is eligible for approval
3. Commercial advertising signs
4. Encroachment on other property
5. Metal storage sheds
6. Parking of vehicles or trailers on soft surfaces
7. Permanent clotheslines
8. Above grounds pools (except for those usable only by small children)
9. Unclean, unsightly, unkempt, unhealthy or unsafe conditions which tend to substantially decrease beauty or safety
10. Very bright colors
11. Wire-backed wood fences

VII. STANDARDS AND SPECIFICATIONS

The specifications/details listed below apply to both items requiring submittal and not requiring submittal, and are those that have been identified by the Board as requiring a specification. For items detailed below, while not requiring submittal, the expectation is that this minimum detail will be met.

- A. Animals**
 - 1. No animals; livestock or poultry of any kind shall be raised, bred or kept on any lot, except that:
Dogs, cats, or other household pets may be kept, provided that they are not bred or maintained for any commercial purpose.
- B. Dog pens or runs**
 - 1. Submittals for approval of fencing (including chain-link) erected just to form a dog run must include:
 - a. Location in the yard
 - b. Size, height and material
 - c. Screening from public viewConstruction should follow basic fence details in "O".
- C. Clotheslines**
 - 1. Permanent exterior clotheslines are prohibited
 - 2. Temporary exterior clotheslines do not require submittal, if:
 - a. Laundry is not left on the lines any longer than necessary for drying
 - b. The line is retracted immediately after each use
- D. Satellite dishes**
 - 1. Satellite dishes less than one meter in diameter are permitted.
- E. Poles**
 - 1. Submittals for free standing poles (such as for flags or basketball) should include construction and installation details.
- F. Signs**
 - 1. Real estate signs do not require submittal
 - 2. Garage/yard sale signs do not require submittal if they are removed no later than one day after the sale.
 - 3. Political campaign signs that meet the requirements of Wake County ordinances do not require approval if they are removed within one week after election day.
 - 4. Commercial advertising signs are prohibited.
 - 5. Private real estate signs may be placed at subdivision entrances only if they are placed on the corner properties and not on the medians.
- G. Mailboxes**
 - 1. Posts shall be wood 4"x4" or 6"x6" type and should be set in the ground to maintain stability and vertical alignment, preferably in concrete.
 - 2. Boxes will be either the commercially available standard size or larger.
 - 3. Boxes may be painted in the primary or trim color of the house, and should be opposite of that used for the post if it is painted.
 - 4. Boxes may have commercially available designs, such as those of country scenes, etc.

5. Replicas of houses, windmills and other similar designs enclosing the box are prohibited.

H. Parking

1. No industrial or commercial type trucks or tractors or inoperable automobiles may be regularly parked out on the lot.

I. Driveways and Parking Pads

1. No parking of motor vehicles or trailers on soft surfaces.
2. Driveways and vehicle parking pads shall be concrete only. Any other type of pad (i.e. brick, stone, etc.) shall be reviewed on an individual basis. Aggregate base, thickness, reinforcement, etc. should comply with good construction practices.
3. Particularly close attention must be paid to structure placement, setbacks and encroachment due to the size of most lots in Hawthorne.
4. A crush and run aggregate may be used for a boat or camping trailer parking area behind a residence (where permitted). Accessibility to that parking area shall be on a suitable surface to preclude rutting.
5. Trailers, recreational vehicles or trailered boats, where permitted, must be parked only on approved driveways or parking pads.
6. When submitting requests for the parking of any item be sure to specify attributes such as height, length and weight.

J. Storage

1. No trade materials or inventories may be stored on residential lots.
2. Temporary storage of materials for modification projects should be discretely placed and orderly maintained.

K. Swimming Pools

1. In ground pools must meet local code standards for safety including fencing.
 - a. Fencing styles must meet guidelines.
2. Above ground pools are prohibited.
3. Portable pools usable by small children are pre-approved.

L. Trees

1. The removal of a live tree requires approval unless the tree is less than six inches (6") in diameter at a height above the ground of four feet (4').
2. Removal of dead trees does not require submittal, regardless of size. It is the homeowner's responsibility to assure the tree is dead.

M. Landscaping

1. Landscaping of a minor nature such as naturalizing an area of yard and adding shrubs, trees, flowers, etc. need not be submitted for approval. These are considered normal improvements and are strongly encouraged.
2. Other types of landscaping represent more significant projects that may be structural, have an impact on adjacent property, or require strong aesthetic consideration, and will require submittal. These include:
 - a. Retaining walls
 - b. Drainage, swale, runoff: Careful consideration should be given to landscaping that will regulate current drainage/runoff to adjoining property. Details should be contained in submittals.
 - c. Garden plots. Small discretely located garden plots do not need to be approved. Large plots in public view with tall crops (i.e. corn) should be submitted with details of screening.
 - d. Ornaments/Figurines to be placed in public view (front yards, corner lots, etc.) should be submitted with a picture. This applies to permanent placements like birdbaths, etc., not to seasonal visuals (Halloween, Christmas).

N. Hedges and Screen Plantings

1. No hedge or screen planting shall be erected or permitted to remain on any lot closer to the front lot line than the front of the home.
2. Hedge or screen plantings which form a barrier between properties should have:
 - a. Concurrence of the adjoining property owner
 - b. Agreement for maintenance access
 - c. Setbacks to allow for plant growth

O. Fences

1. The fence standards provide minimum standards to assure:
 - a. Sound, long lasting construction
 - b. Aesthetic continuity
2. **Styles**
 - a. French Gothic Picket – See Appendix B – Style #1
 - b. Dog Ear Stockade – See Appendix B – Style #2
 - c. Vertical Shadowline – See Appendix B – Style #3
 - d. Split Rail (Rustic) – See Appendix B – Style #4
 - e. If you desire a style not described here, you are required to submit it for approval. The Architectural Committee wishes to encourage creativity to reduce the “clone” effect. The only restrictions are:
 - i.) No chain-link yard fences
 - ii.) No wire-backed fences
 - iii.) Compatibility with the surrounding aesthetics
 - f. Use of split-rail fences for decorative landscaping will be given individual consideration after a site visit.
 - g. Property owners are cautioned that building a fence that infringes on easements or access right-of-ways may result in removal or destruction of the property at the owner’s risk and expense.
3. **Construction Details**
 - a. In general, the gaps between pickets should not exceed one and a half to two inches (1 ½ to 2”), depending on the style and size of the pickets.
 - i.) For the vertical shadowline style, the gap should be no more than one half the width of the picket.
 - b. The finished side of the fences, other than shadowline, must face outwards towards adjoining property or streets.
 - i.) This means that pickets have to be on the outside of the cross members

- c. Consideration should be given to access and ease of maintenance when selecting a style, location and treatment.
 - d. Maintenance of the fence is the property owner's responsibility.
4. **Materials**
- a. Fencing material shall be one of the following materials:
 - i.) Cedar
 - ii.) Cyprus fir
 - iii.) Pressure treated pine
 - iv.) Redwood
 - v.) Spruce
 - vi.) Brick
 - b. All hardware shall be corrosion resistant (e.g. galvanized, painted, etc.)
 - c. All posts shall be set in concrete
 - i.) The posts shall be encased in concrete below ground level to a depth of 50% of their height. (i.e. a 4 foot high fence post should be cemented in the ground 2 feet).
 - d. Metal, wire, chain, chain-link fences and concrete are prohibited.
5. **Treatment**
- a. Woods that are not naturally decay resistant (e.g. pine) shall be treated to resist decay.
 - b. Colored stains shall be compatible with the color scheme of the property.
 - c. Painted fences shall be primed and painted with at least one coat exterior grade paint.
6. **Height**
- a. No fence shall be higher than four feet (4') above the ground.
 - b. Posts shall extend no more than six inches (6") above the fence line.
 - c. Split rail fences may be from three to four feet (3 to 4') from the ground to the post top.
 - d. In general, a uniform or patterned height should be maintained.
 - e. When topography or landscape affect height or pattern, a detailed explanation and/or elevation drawings must be included with the submittal.
 - f. Obstruction of views of adjoining properties will be given consideration in all cases.
7. **Location**
- a. Submit a top down map (surveyor's plat) to indicate the exact location of the fence in relation to the house and property lines.
 - i.) Dimensions shall be included. (See example).
 - b. It is strongly recommended that fences be set back at least six to twelve inches (6 to 12") from the property line.
 - c. Fences should extend from the rear building line.
 - d. A fence should not extend beyond the front building line.

P. Decks and Patios

1. The Architectural Committee encourages creative designs and patterns for decks and patios, particularly in replacement of existing builder supplied components
2. There are no predetermined styles in this document for decks or patios.
3. **Deck Materials**
 - a. Deck material are generally pressure treated wood, with plastic lattice now available.
 - b. The types and treatment of wood shall be like that of fences.
 - c. Posts may be made of brick, pressure treated pine or other suitable material.
4. **Patio Materials**
 - a. Concrete slabs, smooth finish or with exposed aggregate
 - b. Bricks with a sand fill or grout
 - c. Stone with a sand fill or grout
5. **Height of Decks, Arbors and Screens**
 - a. Decks should be of a reasonable height for their intended purpose.
 - b. Arbors should be no higher than eight feet (8') above the deck surface
 - c. Free-standing deck screens (e.g. lattice) shall not exceed six feet (6') in height
 - d. Screens may extend as part of an arbor
6. **Location**
 - a. Patios should be located behind the house, but may extend beyond, around corners, or be freestanding in other areas of a backyard.
 - b. Decks shall not extend outwards beyond the rear corners of the building line.
 - i.) Special cases may require an exception to this rule and will be determined after a site visit.
 - c. Obstruction of views or breezeways of adjoining properties will be given consideration in all cases.

Q. Enclosures (Screened porch, sunroom, etc.)

1. Like other structures, enclosures should be designed and constructed for aesthetic compatibility and preservation.
2. Enclosures will have to comply with Wake County building codes, which require a building permit.
NOTE: The New Declaration and Covenants for Hawthorne require Board approval prior to application for a Wake County Building permit.

R. Materials and Colors

1. Periodic repainting and restaining with the existing color for maintenance does not require submittal.
2. Only exterior materials comparable to those on existing structures and compatible with the architectural character of the community will be approved.
3. Brick will remain unpainted.
4. **Color Changes**
 - a. Keep all colors low in intensity (saturation or chroma).
 - b. Color changes from original are generally discouraged.
 - c. Colors must not clash with the colors of the homes in the immediate vicinity.
 - d. Actual color samples must be included with a request for a color change.
 - e. In choosing a traditional "three color" scheme, use tints of the same color for two of the "colors", plus an additional color for an accent color.

VIII. MAINTENANCE

It is the primary responsibility of each homeowner to maintain his property in a way that does not detract from the overall beauty of the community. It is hoped that each homeowner will take this responsibility seriously, as this can affect the value of all properties.

Following is a list of areas that should be reviewed on a regular basis to ensure that your home is in good repair:

- a. Shrubbery
- b. Driveways and sidewalks
- c. Decks
- d. Fences
- e. Playground equipment
- f. Roofing
- g. Materials storage in yard
- h. Wood piles
- i. Paint and stain
- j. Garbage can storage

DETERIORATION

If at any time the Board of Directors is made aware of a property that has deteriorated to the point that it is affecting the aesthetics of the community, the Architectural Review Committee will be requested to make a site inspection. They will then make recommendations to the Board of Directors.

Based on the severity of the deterioration, the homeowner will be given a specified length of time to make the necessary repairs. If after that time, the repairs have still not been made, the Board of Directors has the obligation of enforcement described in Section IX of these Standards.

VIII. PROCESS

Changes, additions or deletions that have been previously identified as requiring submittal, or that the homeowners believe may require submittal, shall follow the process described in this section. The process will be the same for all submittals with the required details varying upon the type of change.

- REMINDERS:
- *No construction shall begin without Board of Directors approval on the submittal.
 - *No Wake County Building Permit shall be applied for prior to having the Board of Directors approval.
 - *Allow enough time for processing and approval in planning for construction.

A. Planning and Preparation of Submittal

1. Using this specification, determine if a submittal is required. If yes, then continue.
2. Prepare the Architectural Review Form (copy available from PMO and on the Hawthorne website at www.Hawthornehoa.com) and attach any drawings, sketches and supplemental documents. A complete submittal 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 complete submittal to all adjoining property owners or neighbors who may be visually impacted by the change, and obtain their signatures. This signature only reflects that each neighbor has seen the complete submittal. It is NOT an approval of the submittal.
5. After completing steps 1 through 4, present the submittal to the PMO. The PMO will perform an initial review of the submittal for completeness and legibility. Incomplete or illegible submittals will be returned immediately to the homeowner

B. Architectural Review Committee Review

1. The PMO will forward copies of the application and relevant documents to the Committee.
2. The Committee will review the submittal at its meeting. A site visit will be made if deemed necessary. Any responses by adjoining property owners will be reviewed and taken into consideration.
3. If the homeowner wishes to meet with the Committee, this request should be noted on the application.
4. The submittal will be voted on by the Committee, with their recommendations for approval or disapproval forwarded to the Board of Directors in time for their monthly meeting.

C. Board of Directors Review/Decision

1. At its regular monthly meeting, the Board will review the recommendations of the Committee. Particular attention will be paid to any recommendations for disapproval.
2. The Board will vote on each submittal as approved or disapproved.
NOTE: Disapproval may be on any grounds and the details will be communicated to the homeowner by the Board.
3. The PMO will complete a standard response letter indicating the Board's decision and mail it within five (5) working days.
4. Approval of any submittal or portion thereof does not ensure approval of similar submittals, as each submittal will be considered on its own merits.
5. A proper submittal approved by the Board is like a contract to comply with the specific details. Alterations/deviations of a significant nature will require resubmittal.

D. Appeals/Resubmittals

1. To appeal a disapproved submittal, the homeowner should submit a written response including specific detailed information that clarifies why the submittal should be reconsidered. The homeowner may also request a meeting with the Committee or the Board to further discuss the submittal.
2. Should the submittal have been disapproved on a technicality (i.e. location or height of a fence), and the homeowner is willing to comply with the remedy proposed in the Board's response letter, then the homeowner need only revise his submittal and initial and date the changes. The revised submittal will then be reconsidered by the Board via a telephone vote. The homeowner will be telephoned with the decision and receive a written approval letter citing the change(s).

E. Time Frame for Construction

1. Construction should begin at the indicated start date or within three months after the date of the written approval by the Board of Directors. Work must be completed within six (6) months after construction begins, unless an extension is requested and granted.
2. Approval for projects that are not begun as specified above would lapse and the applicant must resubmit the proposal or a written request for extension to the Board of Directors.

F. Details For Submittals

In some cases many attributes or details of a proposed change, addition or deletion are required for the Committee and the Board to make sound responsible decisions. In other cases, the nature of the change will be simple and straightforward, as will be the submittal. The following items should be used as a method of describing or visually depicting the requested change (as applicable).

1. Pictures, magazine cutouts, etc.
2. Color chips
3. Plot plans – Top down drawing showing location of existing structure(s), property boundaries in relation to adjoining property(s) and location of proposed change(s).
4. Elevation drawings – a side view that will show height, topography of land and visual image of the change.
5. Written description of the types of materials to be used or a contractor's bill of materials.
6. Written and/or visual depiction of construction details.
7. Location for building material storage during construction, soil disposition plan, drainage plan and landscaping or revegetation plan (as applicable).
8. Any other aids that will assist the committee and the Board of Directors in their review.

Drawings need to be to scale to show a relationship to location height, etc., with the dimensions clearly marked on all drawings. For major construction projects such as additions, sunrooms, dormers, etc. that a hired contractor is used for, the design drawing should suffice, showing roof lines and other such detail.

G. Inspections

The Architectural Review Committee and the PMO have been directed by the Board of Directors to do random on-site inspections to assure compliance with approved submittals. Homeowners are asked to cooperate during such inspections. As a minimum, the homeowner is asked to notify the PMO within 30 days of the completion of the project. If deficiencies or significant deviations are noted, the homeowner will be notified in writing by the Board of Directors with a response expected within 30 days.

H. Violations

Violations will be dealt with by the Board of Directors as described below.

X. VIOLATIONS AND HHA REMEDIES

There are essentially two types of violations that must be dealt with by the HHA:

- * Implementing a change, addition or deletion without approval of a properly completed submittal, and
- * Deviation or noncompliance with an approved submittal

A. Homeowners Association Remedies

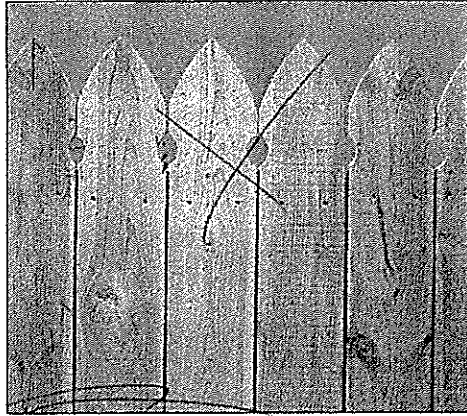
1. Enforcement of this Standard is detailed in Article VIII, Section I of the New Declaration of Covenants for Hawthorne.
2. Remedies include but are not limited to:
 - a. Suspension of voting rights and privileges
 - b. Levying of penalties as approved by the Board of Directors
 - c. Obtaining a Restraining Order to prevent an action
 - d. Obtaining a Court Order to require the homeowner to remove a project at the homeowner's expense
 - e. Entering a property to remove a project at the homeowner's expense
 - f. Submitting a lien against the homeowner's property for outstanding indebtedness to the Association for nonpayment of penalties, removal fees, etc.

B. Remedial Process

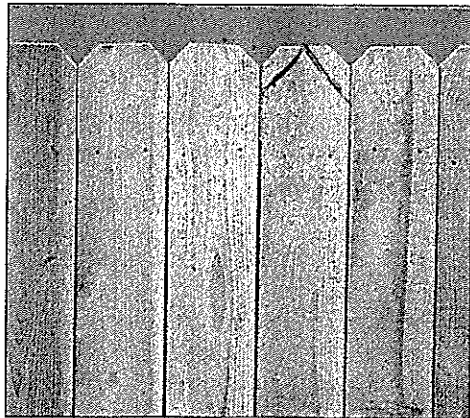
After all attempts to resolve a violation have been exhausted, including the opportunity for a hearing, the Board of Directors will select the appropriate remedy and notify Property Owner of such action.

XI. COPIES OF FORMS

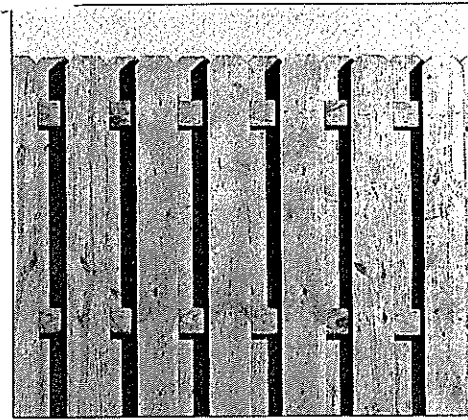
APPENDIX B – STYLE #1 – FRENCH GOTHIC PICKET



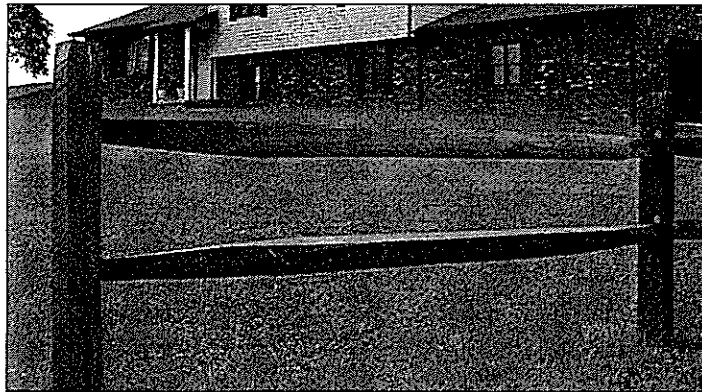
APPENDIX B – STYLE #2 – DOG EAR STOCKADE



APPENDIX B – STYLE #3 – VERTICAL SHADOW LINE



APPENDIX B – STYLE #4 – SPLIT RAIL



**HAWTHORNE HOMEOWNERS ASSOCIATION
ARCHITECTURAL REVIEW FORM**

NAME _____	PHONE # _____	DATE _____
ADDRESS _____		LOT # _____

ALL 4 of the following items must be satisfactorily completed before this request will be considered a proper submittal and reviewed by the Architectural Review Committee.

___ 1. Give an accurate description of the work proposed. Include materials, colors, preservation techniques, structural details, similarities to existing structures, anything that will help describe what the final work will look like. Use additional sheets if necessary.

Start Date _____ Completion Date _____

___ 2. Attach a "TOP DOWN" view. (This is best accomplished by making a copy of your lot survey and marking your change with a colored pen or marker.)

___ 3. Attach as many elevations (side views) of the proposed work to accurately describe it to the Architectural Review Committee.

___ 4. The signature of each homeowner whose land is adjacent to yours or will be visually impacted. These signatures merely acknowledge that the adjacent homeowners have been shown the proposed request, and in no way indicated approval. Any homeowners may submit anonymous written comments or come in person to the Architectural Review Committee meeting to voice their opinion.

SIGNATURE	NAME	ADDRESS	LOT#

BUILDING PERMIT

A building permit may be required by Wake County. Once obtained, a copy of the permit must be forwarded to the PMO for inclusion in your file.

Forward to: PPM, Inc., PO Box 99657, Raleigh, NC 27624
Phone # 848-4911, Fax # 870-7241

