

## **Architectural Review and Maintenance Rules and Regulations for Pope's Crossing Homeowners Association**

Pursuant to the Declaration for Pope's Crossing and applicable North Carolina General Statutes, the Board of Directors hereby adopts the following rules, regulations and standards for architectural review and general maintenance:

1. All improvements, construction work, painting and other changes of any kind to the exterior of all property (with exception to general landscaping which does not need approval) in Pope's Crossing must first be submitted to the Architectural Review Committee (the ARC) for approval before any work commences. Pursuant to Article II, Sec. 3 of the duly recorded Declaration of Covenants, Conditions and Restrictions for Pope's Crossing, the ARC is comprised of three members appointed by the Board of Directors. Appointed members may also be Board members. The ARC shall consider each submission to determine whether the proposed work is in harmony with the neighborhood.
2. Submissions to the ARC must be in writing and must include plans and specifications on the kind, shape, height, color, location and materials proposed to be used. Owner-applicants should consult with neighboring property owners and accurately represent whether any neighboring owners object to the proposed work.
3. The ARC shall consider and act on submissions within thirty (30) days of submission. If the ARC does not act within this time frame, submissions are deemed approved.
4. General standards to be followed by the ARC when considering a submission include but are not limited to the following:
  - a. Fences:
    - (1) Prefabricated fences may be allowed if otherwise in compliance with these rules and regulations;
    - (2) No stockade-type fences are allowed;
    - (3) No wire fences of any kind are allowed;
    - (4) Preferred fence height is 5 feet or under.
  - b. Decks:
    - (1) Location, materials and proposed structure must be in harmony with the existing property;
    - (2) Location, materials and proposed structure must be in harmony with surrounding properties and the neighborhood.
  - c. Sheds and storage buildings:
    - (1) No metal, tin, or aluminum structures are allowed;
    - (2) Must be placed behind house and be minimally visible from the street in front of the house;
    - (3) Size must be in harmony with surrounding structures, properties and the neighborhood.

d. Exterior house painting:

(1) Any changes to exterior house paint colors must first be submitted to the ARC in accordance with these rules and regulations;

(2) No submission is necessary if the same color is used for exterior house paint.

5. Owners shall maintain the exteriors of their houses as well as the surrounding lots to a generally accepted standard including but not limited to timely mowing of grass, removing leaves and yard debris, and generally keeping the house and surrounding property in a neat condition.

6. Enforcement. The goal of the Board of Directors for Pope's Crossing Homeowners Association is to work with fellow owners and make efforts to work amicably with owners to bring owners and properties into compliance with these rules, regulations and standards. To that end, the Board shall make efforts as may be reasonably required to communicate with owners in writing to seek compliance. Generally, the Board will first authorize and send an initial letter to an owner to bring the contended violation to the attention of that owner with a follow-up letter to be sent the following week if no corrective action is taken. If, however, any dispute is not resolved through this informal communication process, the Board shall proceed as follows:

a. Pursuant to N.C.Gen.Stat. § 47F-3-107.10, the Board shall schedule and hold a hearing before the Board to determine if the owner is in violation of these rules, regulations and standards;

b. The owner shall be given at least ten (10) days notice of the hearing date, time and place. The Board shall give notice in writing and shall deliver the notice to the owner either by hand delivery or by mailing to the owner at the property address and at such other owner address, if any, as may be in the records of the Association;

c. At the hearing, the owner shall have the right to be heard and to submit evidence in response to the alleged violation. The Board shall control the conduct and time of the hearing. The Board shall carefully consider the owner's submission before making a decision;

d. If the Board decides that the owner is in violation of these rules, regulations and standards, the Board may (but is not obligated to) give the owner time to correct the violation. The amount of time is dependent on the nature of the correction, but the Board anticipates compliance in the usual case will be accomplished within thirty days or less. The Board shall specifically inform the owner in writing of the required corrections, the deadline for completion of corrections, and any fines that may be imposed thereafter;

e. If the owner does not correct violations within the time allowed by the Board may impose a daily fine of \$20 per day for each day that the violation remains beginning the day after the deadline for completion of the corrections. (Daily fines may, by statute, begin for each day more than five days after the original decision.) As required by statute, fines are assessments which may be secured by liens on property if not paid.