



Architectural Guidelines and Application

Duncan's Ridge Homeowners Association

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Introduction

In a planned community, the question naturally arises as how to maintain a harmonious, quality development as the community matures. The following guidelines attempt to provide a meeting ground between private interests and the broader interests of the community.

Declaration of Covenants

- Runs with the land
- Binding with all homeowners
- Should be kept as part of your permanent papers
- Should be made available to any renters of your home.

Architectural Guidelines

- Approved by the Board
- Comply with Declaration of Covenants
- Provide for the architectural integrity of the neighborhood
- Minimize problems and expenses for the association
- Help to ensure quiet enjoyment for the residents

Each homeowner is subject to these Covenants and Architectural Guidelines. The rules, responsibilities, and procedures outlines in these Covenants should assure all homeowners that the standards of design quality shall be maintained, enhancing the community's overall environment and protecting property values.



Architectural Review Committee

The Declarations establish an Architectural Review Committee (ARC) to be comprised of three (3) or more representatives to rule on architectural submittals. The ARC is charged with the following responsibilities:

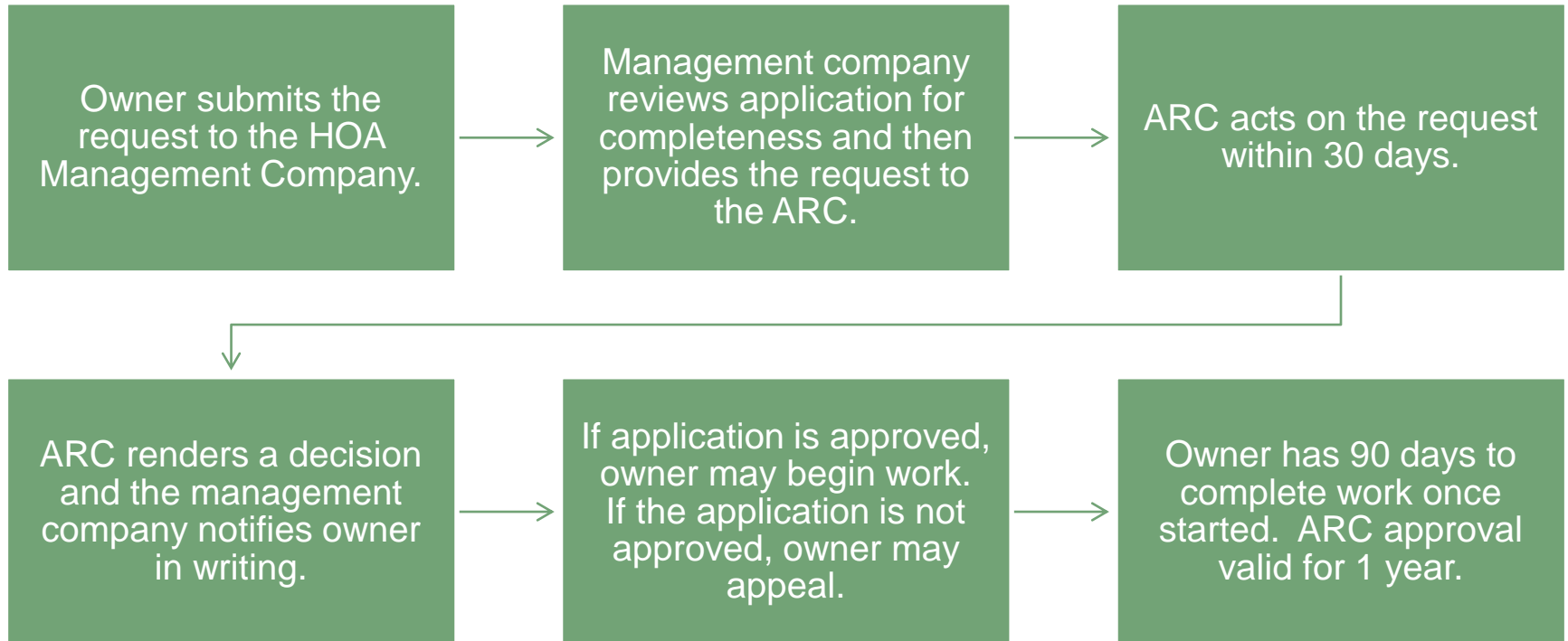
- Conducting the review of all applications for exterior changes
- Rendering a decision to the application within 30 days
 - Response will be in writing with either an approval, approval with conditions, disapproval or a request for more information on the project.
 - If the ARC fails to render a decision (after receiving all required information) in the allotted 30 days, the ARC approval will not be required and the application will be considered to have been approved.
- Annually review and communicate Architectural Guidelines to supplement the Declaration of Covenants. In building these guidelines, the ARC shall:
 - Be responsive to technological advances or general changes in architectural designs and materials and related conditions in future years
 - Use its best efforts to balance the equities between matters of taste and design (on one hand) and use of private property (on the other hand)



Architectural Review Process



Overview of the Architectural Review Process



Preparing the Application (Owner)

1. Out of courtesy, we request you inform your neighbors of proposed improvement(s)
 - **Note:** When attaching to a neighbor's fence, written approval must be obtained from neighbors.
2. Complete the application form
 - Include a drawing detailing the change
 - Provide color samples of materials to be used
3. Submit the application to the management firm
 - ARC has 30 days to review and respond to applications.
 - The review period does not start until the community's management company acknowledges to the homeowner that the completed application has been received.
 - Complete applications will be considered on individual merit, using these documented standards as a basis for decision-making.



The Declaration of Covenants requires prior written approval for improvements to an owner's lot.

Do not commit labor or materials until you have received written approval.



Responding to the Application (ARC and Owner)

ARC may request additional information or clarification on the application.

The owner will be notified in writing by the management company of all ARC final decisions.

Decision	Explanation
Approval	Approved as submitted
Approval with conditions	The overall proposal is accepted, but with certain specific changes, limitations, or requirements that must be followed
Disapproval; Additional information required	<p>The Committee has determined that additional information is needed for appropriate review of the application.</p> <ul style="list-style-type: none">• In this case, the entire process begins again once management receives the information. The owner should follow the same submission procedure.• ARC will act swiftly on all re-submissions.
Disapproval	The application is denied with an explanation.

If the application is not approved, the owner can appeal to ARC within 15 business days. Further escalation may require the involvement of the Board of Directors. The [Appeal Process](#) section has more details.



Completing the Improvement (Owner)

- The owner is responsible for obtaining all necessary City/County approvals, permits, etc.
 - It is strongly suggested that the City and/or County be contacted to determine what permits or approvals are required from a City/County Ordinance.
 - ARC approval does not substitute for approval by the City/County.
 - The City and/or County may not issue a permit without the written approval of the ARC. Please plan in advance.
- ARC has the right to visit your lot and inspect the improvement to ensure that the application details were followed.



Applications are valid for **1 year** from the date of approval.

Once work on the improvement starts, it must be completed within **90 days**.

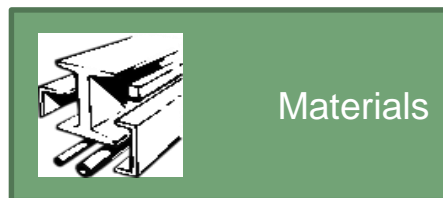
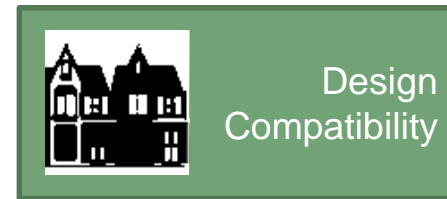
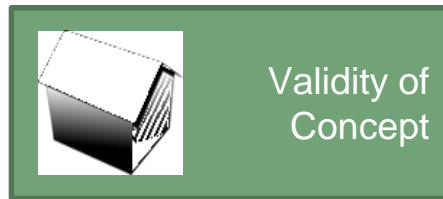


ARC Review Criteria



Criteria Overview

The ARC evaluates each application on the individual merits of the application and the standards as shown below:



The ARC should consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governed in each specific application.



Criteria Details

Validity of Concept

- The basic idea of the exterior change must be sound and appropriate to its surroundings.

Scale

- The three-dimensional size of the proposed change must relate satisfactorily to adjacent structures and their surroundings.

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.



Criteria Details

Landscape and Environment

- The exterior change must not unnecessarily destroy the natural landscape or the ornamental environment such as shrubbery, retaining walls, plantings, etc.

Relationship of Structures and Adjoining Property

- The proposed change should relate harmoniously among its surroundings and to existing buildings and terrain that have a visual relationship to the change.

Protection of Neighbors

- The interest of neighboring owners should be protected by making provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, and other aspects of design, which may have substantial effects on neighboring property.



Criteria Details

Materials

- Continuity is established by use of the same or compatible materials as used in the existing home. Siding material and shingles must match existing structure.

Color

- May be used to soften or intensify visual impact.
- Color palette should be harmonious with the neighborhood.

Workmanship

- The quality of work must be equal to or exceed that of any existing structure.
- The work should maintain or enhance property value.

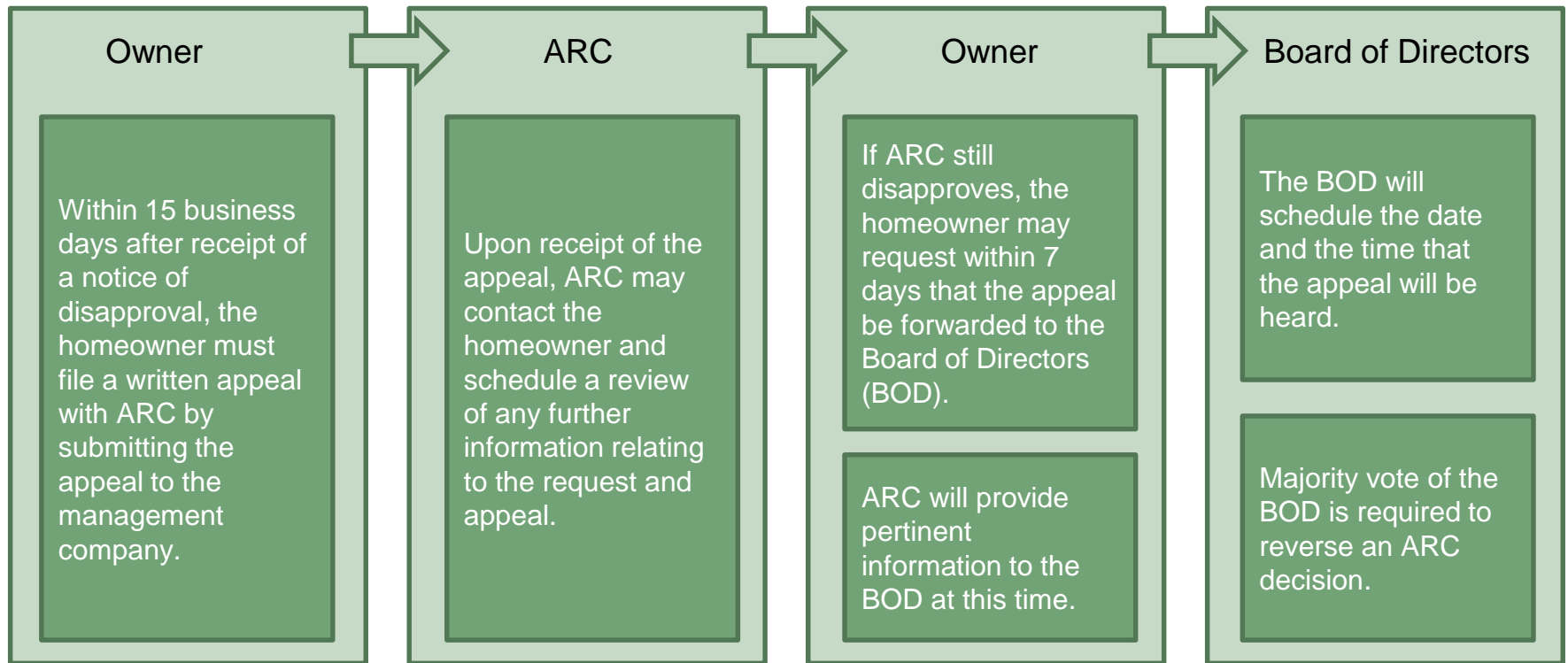


ARC Appeal Process



Appeal Process

No work may proceed during the appeal process.



ARC Violations and Penalties



What is a Violation?

An exterior change made without the required approval of the ARC constitutes a violation of the Declaration of Covenants and Community Guidelines.



A violation may require removal or modification of the work at the expense of the property owner.

When a violation is determined to have occurred, the following steps shall be taken:

1. ARC will investigate any reported violation and attempt to bring the owner into compliance.
2. Homeowners will be notified in writing of the violation and are expected to bring the violation into compliance within thirty (30) days.
3. Should the owner fail to act upon the recommendations for corrections, ARC shall submit the matter to the Board of Directors.
4. The homeowner shall be invited to a hearing with the BOD where the homeowner shall have opportunity to be heard and present evidence.
 - Failure to appear will indicate the homeowner waived their right to be heard.
5. After the hearing, the BOD shall respond to the homeowner with a decision in writing within five (5) days.
 - Any penalties or costs relating to the violation (and the date from which the accrual shall begin) shall be noted in the letter from the BOD.



Violation Fines and Fees

Fines:

- Fines will be levied on a weekly basis of up to \$100 per week, per violation, until the violation is rectified.
- The North Carolina Community Act passed in January of 1999, allows planned residential communities the ability to uphold standards that will protect and ensure homeowners of maintained property values, with regard to holding all property owners accountable for abiding by the existing covenants.

Fees:

- A violation may also result in payment of damages incurred by the Association in having the work removed or modified, as well as a fine assessed by the Association.
- Attorneys' fees, court costs, site assessment will all be incorporated into the fine process.



ARC Standards



Home Improvement Categories

These three are very important to you because they identify which improvements are permitted and how approvals can be secured. **Items not specifically mentioned require approval.**

Blanket Approvals

- Items in this category do **not** require approval, provided the guidelines mentioned are followed.

Common Improvements

- Items in this category require approval.
- An application must be submitted and meet these guidelines.
- Approval is not necessarily limited to constraints listed here, but is much more likely to be given the items mentioned.

Appearance Standards

- Items in this category include general maintenance and upkeep homeowners are expected to perform



Blanket Approvals



Blanket Approvals - Landscaping

- Plants, shrubs and flowers planted within six feet of the front of your house, not to grow higher than the lowest portion of the windows.
- Bedding border, if constructed of common landscaping borders not to exceed 8 inches in height.
- Plantings of flowers and shrubs around trees, mailboxes, or culvert walls.
- Vegetable gardening in rear yards, provided they are not noticeable from the street, do not exceed allowed fence heights or grow through to the neighbor's yard.
- Removal of trees that are less than six inches (6") in diameter and less than four feet (4') above the ground. All other trees must have the approval of the ARC and possible neighbors signatures. Any dead tree may be removed without approval.
- Low voltage lighting.



Blanket Approvals – Outdoor Items

- Mailboxes and posts, if repainted or replaced in original colors and style.
- Hose caddies affixed to the home or enclosed in appropriate container.
- Outside seasonal decorations, displayed up to five (5) weeks prior to and three (3) weeks after the season.



Blanket Approvals – Exterior Modifications

- Exterior Painting / Maintenance
 - Provided that the material and color remains the same, no approval is required for standard maintenance of the house exterior.
- Satellite Dishes
 - No more than one meter (30”) in diameter, with hidden cable.
 - Preferred placement of the dish is on the roof. If placement is necessary on the side or front of the house, screening with plant material and/or painting the dish to match the background is also preferred.
 - Dishes placed on poles in the front yard are prohibited, unless written architectural approval is received.
- Play Equipment / Treehouses
 - All play equipment should be located in the rear of the house, not the side, front yard or porches.
 - Play equipment must be located at least 3 feet from property lines.
 - Treehouses are prohibited.
 - Metal play equipment is prohibited.



Blanket Approvals – Exterior Modifications

- Basketball Goals
 - Goals are not to be placed so basketball is played in the street.
 - Basketball goals are to be placed on the rear third (toward the house) of the driveway or parking pad.
 - Goals should be mounted on a single pole with a backboard that is predominately white, clear or gray; Basketball goals are prohibited from being mounted directly on the house.
 - Basketball goals may be cemented into the ground with ARC approval.
 - One goal per house
 - It is required that player be courteous and not hinder a neighbor's property during normal play.
 - Moveable basketball goals are to be located on the driveway, away from the street end when not in use; Basketball goals need to be erect at all times.
- Solar Panels
 - Preferred placement of the panel is on the roof so the panel cannot be seen from the road when standing directly in front of house.
 - Any other placement requires written architectural approval.



Common Improvements



Common Improvements

- Grading
 - ARC approval for major changes to the topography of a lot is required prior to being started.
 - Drainage and water flow patterns must be taken into consideration prior to the start of any grading.
 - The Association, its Board of Directors, and the Architectural Review Committee do not accept any liability for any damage caused by such grading, whether or not the committee approved the request.
- Lamps & Landscape Lighting (low voltage lighting does not need ARC approval)
 - One walkway/entrance light on post is allowed, not to exceed 7 feet in height to base of light fixture
 - The post shall be of metal painted black and the lamp design should be similar to existing house exterior lights.
 - Entrance lighting on walls on the sides of driveway entrances will be considered providing they match existing light fixtures.
 - Homeowner should make reasonable efforts that lighting shall not negatively impact neighbors.
- Drives and Parking Areas
 - Proposed changes in drives or parking pad additions must be submitted to the ARC.
 - Gravel driveways or parking areas will not be permitted.



Common Improvements

- Exterior Color and Maintenance (Changes)
 - You must specify the new material and/or color you wish to use; include a color sample from the store.
- Windows
 - Window unit air conditioners are prohibited.
 - Fans in windows are prohibited.
- Decks/Screened Enclosures/Outdoor Living Areas
 - A deck should not extend past the side of the house.
 - All decks should be on the rear of the house. No side or front decks are permitted.
 - Decks may be stained or painted to match the house.
 - They must pose no drainage problems for you or your neighbors.
 - The materials to be used are designed specifically for patio and/or deck designs.
 - Screened enclosures must not be visible from the street.
 - All decks, patios, gazebos and screened porches must blend in with the natural terrain.
- Pools and Hot Tubs
 - No above-ground swimming pools shall be permitted



Common Improvements

- Fences/Walls
 - They enclose all or part of the back yard, and extend no further forward than the rear corners of the house.
 - They are no higher than 6' (six feet) and the smooth side of the fence needs to face outward.
 - Pressure treated wood, black aluminum and white PVC vinyl are permitted fence materials.
 - When fence fronts street, fence must be landscaped 2/3 within two years.
- Storage Sheds/Outbuildings
 - No larger in size than 225 square feet
 - Shall not be located nearer than 10 feet from an adjacent interior side subdivision property line nor within 50 feet of the front or rear property lines. Refer to Article VII of the Declaration of Covenants for additional placement requirements.
 - Constructed of wood; no aluminum sheds allowed.
 - A suitably constructed floor system or foundation is required.
 - Roof must have a similar pitch, similar materials, and similar color as that of the home
 - They are placed on the property behind your home so the shed cannot be seen from the road when standing directly in front of house.
 - Siding material must be similar in color and composition to the home.



Appearance Standards

These standards are in addition to any listed in the Declaration of Covenants.



Appearance Standards – Maintenance & Parking

- Home Exterior
 - Paint and stain must be maintained in uniform and good repair (with no peeling, chipping, cracking, or discoloration) on the trim or siding.
- Landscaping & Yard Maintenance
 - Properties should be free of any debris.
 - Vegetable gardens are allowed in backyards only.
- Vehicles & Parking
 - No parking vehicles on lawns or common areas.
 - Parking in the street overnight is discouraged.
 - For events such as Garage Sales or parties, it is the responsibility of the homeowner hosting the event to inform neighbors and make provisions to prevent damage to the neighbors' yards.
 - For safety and aesthetic purposes your driveway should be full of cars if you are parking on the street.
- Campers and tractor trailers are prohibited. Boats, watercrafts, commercial vehicles, and/or trailers may be parked on a lot as long as they are in a closed garage or screened from the street and neighboring properties.
- Automobiles requiring over 48 hours to repair must be stored in a closed garage.



Appearance Standards – Outdoor Items

- No items (toys, bikes, garden equipment, wood, etc.) may be stored in front or side yards or on porches when not in use.
- Trash storage needs to be screened from the road.
- Pets
 - No portion of the properties can be used to tie up dogs or for breeding
 - No doghouses should be visible from the street
 - Excessive dog noise will be treated as a noise ordinance violation
 - Maintenance of the yard to keep it free from offensive odors is required. Please note all homeowners are required to pick up after their pets. There is a County/City Ordinance that enforces this guideline. Please be courteous!



Appearance Standards – Signs

- No signs are permitted in windows with the exception of alarm and pet signs.
 - Security, burglar alarm, or dog fence signs may also be located discreetly in the front yard of the house.
- Homemade signs in yards are prohibited.
- Signs may be placed in the homeowner's yard for the express purpose of selling and/or renting the property.
- Political signs may be placed on the homeowner's property expressing support or opposition to a candidate or referendum issue, not 60 days before the election and must be removed within 2 days following the event.
- No signage may be located in the common area, with the exception of an open house or community event.
- Yard/Garage Sale signs are permitted the day prior to and of the event and the event day and then need to be removed, promptly.
- Temporary signage during the period of home improvements is permitted. Signs must be removed as soon as the job is complete.



Application for Architectural Improvement

The pages in this section must be completed and submitted to CAS



Request for Architectural Approval Packet

Before sending in this application, please be sure you have included the following information:

- All items on the application have been completed
- Drawing of the proposed change(s) relative to existing structures and hardscapes.
- Plans from the architect, contractor, or surveyor if applicable
- Color samples for paint/stain changes
- Building permits, if already available

All applications and supporting documentation should be provided to CAS using any of the following:

Fax: 919-788-9911

Email: carol@casnc.com

Mail: Duncan's Ridge HOA
c/o CAS
207 W. Millbrook Road, Suite 140
Raleigh, NC 27609



Don't forget to call before you dig!

Make certain you have contacted power, phone, and other utilities to mark lines before you break ground on any project, large or small.

Questions?
Contact CAS at 877-420-9320

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Application for Architectural / Landscaping Changes

Community	DUNCAN'S RIDGE	Date	
Owners Name		Day Phone	
Home Phone		Cell Phone	
Address		Email Required	
City, State, Zip			

If an agent (contractor) is submitting on behalf of the owner, complete the following.

Name		Company	
Address		Phone	

In accordance with the Declaration of Covenants, Conditions, and Rules/Restrictions for this community application is hereby made for review and approval of the following described modifications. Note: Architectural information for your community can be found on the CAS website at www.casnc.com, your community name, documents.

Summary description only, details to be provided on separate sheet or on the survey.
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Submit Applications to:

CAS Inc.	Approved	Date
207 West Millbrook Rd., Suite 110	NOT Approved	Date
Raleigh, NC 27609 Fax: 919-788-9735 Phone: 919-788-9911	Approved As Noted , see box below or attached letter.	Date

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It is hereby understood and agreed that approval of this application by the Architectural Committee (ARC)/Board does not constitute compliance with applicable North Carolina law or any County Ordinances. Note: The flow of water from your lot must not change or in any way cause problems for any lot or common area that could be affected by the work done on your property.

All permits must be applied for, posted as required, and work should be completed by a licensed contractor under the direction of a licensed engineer as necessary.

In support of this application the following items must be submitted.

Plat/Survey: The plot/survey will indicate the following: location of requested changes in relation to your lot lines, exterior elevations, and roof design. If you do not have a plat/survey, in your search engine type in your county's name and Imaps, this will take you to the Imaps website where you type in your address, press return, and a map of your property should appear. Print, indicate the location of your changes, and return with this form to your manager. Hand drawings will not be allowed for most requests and in some cases actual 8 1/2 x 11 plans may be necessary.

Summary: Written statement summarizing the nature, style, setback, height, square footage, exterior materials and finishes (must match current home's exterior unless you are repainting the entire home), fence design, material, and color, paver/cement details, plant selections, and other items required to reflect the character of the modifications. Photos and brochures are great additions, samples are not required unless requested.

If the application is incomplete, the ARC will notify the applicant and the application will not be further considered until receipt of the additional information. The approval process will not begin until all documents have been obtained by the ARC.

Your neighbors have the right to know of your plans. You must obtain signatures from all property owners having common lot lines with your property along with property owners who reasonably view the improvement from their property. If signatures are not available please explain why and include their address. Signatures do not mean approval of your plans, it simply lets us know your neighbors are aware of your plans.

Signature of Owner		Date	
Signature of Agent (Contractor completing the form for owner.)		Date	
Signature, Printed Name, and Address of Immediate Neighbors		Date	
1)		Date	
2)		Date	
3)		Date	