

**EVERWOOD HOMEOWNERS  
ASSOCIATION INC.**

**Architectural Standards**



**Everwood Architectural Review Board (ARB)**

**Revised October 20, 2017**

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## **SECTION 1**

### **INTRODUCTION**

#### **1.1 AUTHORITY**

Article II, Section 1 of the “Declaration of Covenants and Restrictions” states: “Architectural Review Board is the intent of the Declarant to create a general plan and uniform scheme of development for the Property and to create within the Property a residential community of high quality. Accordingly, the Architectural Review Board (the “ARB”) shall have the right to approve or disapprove all architectural, landscaping and locating of any proposed Improvements, as well as the general plan for development of all Lots within the Property. The ARB may in its sole discretion, impose standards for construction and development which may be greater or more stringent than standards prescribed in applicable building, zoning or other governmental codes.”

#### **1.2 ADOPTION**

The appointed members of the ARB hereby adopt this Architectural Standards Document and future amendments hereto as the Architectural Standards of the Everwood Homeowners Association effective **October 20, 2017**.

As the neighborhood changes and ages, as technology changes, and possible environmental issues impact Everwood, we will ensure flexibility, fairness, and openness going forward.

The ARB Standards will be periodically reviewed and modified, keeping in mind the need to maintain property values and a friendly, open culture.

#### **1.3 COMPLIANCE**

Compliance with these Architectural Standards is not voluntary, and will be enforced in the same manner as the covenants. The Board of Directors, in accordance with the powers given in Article V Section 5 of the Bylaws shall enforce the Architectural Standards and decisions of the ARB. All potential architectural and landscaping improvements must be submitted to the ARB using the Architectural Review Application and approved by the ARB prior to implementation.

#### **1.4 ARB TEAM CONTACT INFORMATION**

The ARB email address is [arb.everwood@gmail.com](mailto:arb.everwood@gmail.com).

## 1.5 ARB MEETINGS

The ARB will meet the third Thursday of the month except for July and August. Special ARB Requests may be reviewed as received, depending on the nature and urgency of the request. The ARB may approve, disapprove or return the ARB Request to the resident for additional information or clarification. The Applicant and HOA Board will be formally notified of the results of the ARB review by the Property Management Company, currently Community Focus of NC, Inc.

ARB Requests **must** be received by the ARB Members by 5:00 PM the Monday prior to the meeting. If not received by 5:00 PM, it may be deferred to the next meeting of the ARB.

## **SECTION 2**

### **GENERAL INFORMATION**

#### **2.1 PROPERTY MANAGEMENT**

Everwood Homeowners Association has contracted the management of the neighborhood to Community Focus of NC, Inc. (CFNC). All architectural requests and inquiries should be directed to CFNC Inc. A copy of the Architectural Review Application can be found on their website under the Everwood HOA section.

**MANAGEMENT COMPANY:**

Community Focus of NC, Inc.

P.O. Box 52395

Durham, NC 27717

Josh Lindgren

Phone: 919-564-9134

Web: [www.CommunityFocusNC.com](http://www.CommunityFocusNC.com)

#### **2.2 COMMON AREAS**

Maintenance of common areas including entrance, retention ponds, and lots owned by the Association is managed by the management company. Landscaping, irrigation, landscape lighting, and pond maintenance within the common areas is the responsibility of the Association. Concerns or questions related to the common areas should be directed to the management company or the HOA Board of Directors.

## SECTION 3

# ARCHITECTURAL STANDARDS

### 3.1 FENCES

The use of landscaping, plant material or combinations of plants and short fence segments, or fencing hidden in plant material are the preferred options for creating privacy; however, fences are permitted.

1. All plans for fences must be submitted to, reviewed, and approved by the ARB prior to implementation. Plans should provide details as to intended layout, materials, construction and finishes.
2. It is the responsibility of the homeowner to comply with all governmental codes and regulations pertaining to easements and other constraints.

**PLEASE NOTE:** Approval of request by the ARB in no way implies that an investigation into these matters has been conducted by the ARB or that the project meets governmental requirements.

3. Standards for new metal fencing:
  - a. Black steel (wrought iron) or aluminum vertical picket fencing is the standard design for Everwood.
  - b. Height of fence should be 48". Minimum Picket spacing is 3".
  - c. Fences must be maintained to be free of damage, rust and color fading.
4. Standards for existing and new wooden fencing:
  - a. Height of fence should be 72". Space between posts should not be more than 8'.
  - b. Fences must be of a "good neighbor" design with horizontal cross-members facing inside.
  - c. Fences must be constructed of quality pressure treated lumber.
  - d. Wood fences must be painted, stained, or sealed, and maintained. Fences are not permitted to "gray" naturally. Stain must be re-applied as needed when fading or peeling is visible.

- e. The approved stains are:
  - i. SW 3512 – Cider Mill Sherwin Williams Semi Transparent Deck Stain
  - ii. SW 3513 – Spice Chest Sherwin Williams Semi Transparent Deck Stain

Other finishes (including oil-based stains) must be approved by the ARB.

- f. Fences are not allowed in the front yard of any Everwood Lot. Fences that tie in to the side of the house must be set back at least 15 feet from the front corner of the house.
- g. Any curled or twisted boards must be replaced as needed. Any loose, sagging or damaged sections must be promptly repaired.
- h. Alleyways between fences must be kept free of weeds and properly maintained.
- i. Areas between fences and the property line must be maintained (i.e. mowing, seeding and weed control).
- j. Homeowners and adjacent neighbors may request ARB approval to erect a shared fence on the dividing property line.

### **3.2 DECKS**

1. All plans to build or modify decks must be approved by the ARB prior to construction. Proposals should detail the intended layout, materials, construction, and finishes.
2. It is the responsibility of the homeowner to obtain all building permits and inspections required by the governing municipality(-ies).
3. Decks—including supports, deck boards and railings—must be painted, stained, or sealed. Color and type of stains to be used must be approved by the ARB. Decks are not permitted to “gray” naturally. Stain must be re-applied as needed when fading or peeling is visible.
4. Decks must be properly maintained and may not be allowed to fall into disrepair regarding structure or aesthetics.



### **3.3 PATIOS, WALKWAYS & DRIVEWAYS**

1. All plans to construct or modify patios, walkways, and driveways must be approved by the ARB prior to construction. Proposals should detail the intended layout, materials, construction, and finishes.
2. Patios or walkways cannot extend within 6 feet of a side property line.
3. Patios or walkways may not be placed within any buffer, right-of-ways or easement(s). Homeowners are responsible for providing proof that they do not exceed permissible permeable area limits noted on the homeowner's Plat map.
4. Patio installation must not negatively alter the grade of the lot. Homeowner is responsible for any negative drainage to own or neighboring property because of lot modifications.
5. Patios shall be constructed of natural or colored concrete, slate, flagstone, brick, or wood (no synthetic turf is permitted). Patios must be harmonious in design with the adjoining structure and must not impinge in any way on the privacy of neighboring properties.
6. Driveway and sidewalk extensions require ARB approval and must conform to the standard for the Everwood neighborhood. No gravel or asphalt driveways will be permitted.

### **3.4 EXTERIOD HOUSING MATERIALS**

All plans must be submitted to, reviewed, and approved by the ARB prior to implementation. Plans should provide details as to intended layout, materials, construction and finishes.

1. Materials and finishes must be consistent with existing styles of the neighborhood.
2. All exteriors must consist of HardiPlank, stone, brick, or cedar shake.
3. Aluminum siding, vinyl siding, or stucco are not approved exterior materials.

### **3.5 MISCELLANEOUS STRUCTURES (ACCESSORY BUILDINGS/UTILITY BUILDINGS/SHEDS)**

1. Per Article III of the Everwood Declaration of Covenants – Use Restrictions, Sections 4 and 5: "No accessory buildings or out-buildings of any kind will be permitted on any Everwood Lot."

2. No structure or object of a temporary character, such as, but not limited to, trailers, construction trailers, shacks, sheds and garages, barns, or other temporary or other outbuildings, shall be erected, kept, or maintained on any Lot for any use whatsoever, either temporarily or permanently.
3. No structures for housing animals, including but not limited to dogs, livestock, poultry, are permitted on any Everwood Lot.

### **3.6 PLAY EQUIPMENT**

1. Play Sets
  - a. All Play Sets require ARB approval prior to any installation.
  - b. All structures shall be constructed of timber or similar neutral material and finish. Components such as slides, climbing apparatuses, etc. may be plastic or rubber.
  - c. Timber must be stained and colors approved by ARB.
  - d. All colors of plastics, awnings, canopies, roofing or similar materials must be approved by the ARB. Bright or florescent colors are not permitted as well as graphics, text, logos, etc. on any part of the play equipment.
2. Above ground pools, spas, or hot tubs of any type are not permitted on any Everwood Lot.
3. Basketball Goals
  - a. Approval of the ARB is required prior to installation of any basketball goal.
  - b. Posts and nets should be maintained and free of rust.
  - c. Installed goals must be located on the outer side of the driveway, no closer to the street than halfway between the front of house and edge of street.
  - d. Goals shall not be attached to the house or any other structure.
  - e. Goals shall not be in the street or any other right-of-way.

### **3.7 LANDSCAPING**

1. Minor landscape improvements do not require ARB approval. This includes:
  - a. Flowers and shrubs planted in existing beds.

- b. Flowers or flower beds around mailboxes, provided they do not restrict access to the mailbox door or visibility of the number.
  - c. Ground cover in existing natural areas or landscape beds. However, new natural areas or landscape beds need approval if larger than 10 ft. x 10 ft. or more than a total of 100 sq. feet in size.
  - d. Replacement of existing shrubs, plants, or trees that are diseased, damaged, or dead with the same variety and size shrub, plant or tree in the same location.
  - e. Borders around flower beds, trees, or shrubs (edging), one level high, consisting of pressure treated yellow pine timbers, brick, stone, pre-cast concrete, black plastic, or other commonly used material need no approval. More than one level of stackable material that holds back 12" or less of fill also needs no approval. Heights above that are considered retaining walls and require approval.
  - f. Flower boxes on porches or hung from windows, or hanging baskets.
  - g. Adding more compost or topsoil to a lawn, or re-seeding or applying sod to a lawn.
  - h. Installing an invisible electronic fence for pet containment.
  - i. Fixing drainage problems improperly installed or overlooked by the builder, provided it does not impact drainage on your neighbor's property.
2. Any plans to significantly alter the appearance of landscaping must be approved by the ARB prior to implementation. Plans should indicate details of the changes including layout, materials, etc. If there is any doubt as to whether a proposed exterior change is exempt from design review, and approval, homeowners should first seek clarification from the ARB before proceeding with the improvements.
3. Lawns
- a. All lawn areas are to be established as turf grass or planting beds.
  - b. Lawns must be maintained and cut on a regular basis. Turf grasses are not permitted to be above 6" in height at any location on the Lot unless weather conditions preclude mowing.
  - c. Approved grass types include the following Piedmont Region grasses:

- i. Tall Fescue
  - ii. Kentucky Bluegrass
  - iii. Perennial Ryegrass
  - iv. Fine Fescue
- d. Measures shall be taken to satisfactorily maintain turf areas (mowing, raking, watering, weeding, pest control, seeding etc.) year-round.
- e. Fallen trees, leaves, limbs and debris must be collected and removed from yard.
- f. Weeds should be mechanically removed and/or treated when present.

#### 4. Planting Beds

- a. Beds must be weeded as needed.
- b. Beds should be mulched as needed, with the following suggested materials.
  - i. Hardwood shredded mulch
  - ii. Designer or Dyed hardwood mulch
- c. Pine Straw is allowed on berms behind houses that have them but is not permitted in landscape areas around the houses visible from the street. The only exception to this is the common area behind the wall to the entrance of Everwood.
- d. The use of gravel or rocks is not permitted to be used in any planting beds except in areas of drainage and water control.
- e. Bushes or shrubs must be kept trimmed and not overgrown.
- f. Foliage should be maintained and kept in scale with the size of the lot.
- g. Edging, if used, shall be of the following types:
  - i. Dark colored edging.
  - ii. Landscape stone (matching home if applicable).
  - iii. Keystone blocks (matching or complementing colors of home).

## 5. Irrigation

- a. Lawns should be watered sufficiently to maintain a healthy appearance.
- b. Hoses and sprinklers should be stored (out of sight) between watering.
- c. Drain pipe should be buried where possible. Any visible pipe should be black or brown in color.

## 3.8 LIGHTING

1. Per Article III of the Everwood Declaration of Covenants – Use Restrictions, Sections 9: “Landscape, recreation, security and any other exterior lighting shall be designed as not to be an annoyance to surrounding residents. All outdoor lighting shall be designed, installed and maintained so that the source of the light (the bulb) cannot be seen off premises.”
2. All exterior lighting plans should be approved by the ARB.
3. Soffit mounted flood or spotlights are to be pointed inward towards the home and not interfere with shining in neighbor’s windows. Lights can be left on overnight as added security measure to the home.
4. Cables, power sources, sensors, timers etc. shall not be visible.
5. Temporary Decorative or Holiday Lighting do not require ARB approval but must be removed no later than 20 days post designated holiday.

## 3.9 SIGNAGE

1. Sale or For Rent Signs
  - a. One for sale sign of a maximum 30” wide is permitted in the front yard of the home.
  - b. One directional sign may be placed along Old Chapel Hill Rd. near the entrance and may be no larger than 18” x 24”.
2. Political Signs
  - a. One political sign 18” x 24” may be displayed in a front yard.
  - b. Signs referencing any type of election must be removed no later than 7 days after the election.

### 3. Other Signs

- a. A small sign for an alarm system may be displayed near your front door, garage door, and/or back door or fence gate.
- b. No other signs are permitted on any Lot. Please refer to *Section 3.12 ORNAMENTAL ITEMS*.
- c. Signs in common areas must be approved by the HOA Board.

### **3.10 HOUSE MAINTENANCE**

1. Houses (including decks, fences, trim, garage doors, shutters, etc.) must be re-finished as needed due to peeling or fading paint or stains.
2. Excessive mold or mildew must be removed by power washing or otherwise cleaned from any part of the home, deck or fencing.
3. Roofs that exhibit any of the following should be replaced or repaired:
  - a. Curling or buckling
  - b. Streaking
  - c. Leaking
  - d. Missing Shingles
  - e. Discoloration
  - f. Rotting
  - g. Mold or algae growth
4. Cracked or broken driveways must be repaired or replaced as needed.
5. Driveways should be pressure washed as needed and any oil or stains removed.
6. Loose or missing trim, moldings, siding, shutters, bricks shall be repaired as needed.
7. Mailboxes and posts must be like those installed by the builders. They must be black and have gold house numbers on both sides. They must be properly maintained and in good working order with good physical appearance always.

### **3.11 SATELLITE RECEIVERS/ SOLAR PANELS/ HVAC UNITS**

#### 1. Satellite Receivers

- a. The ARB prefers that antennas be placed in the rear or sides of properties, or in places shielded from view from the street, other lots, or common areas to the maximum extent possible. However, the FCC says that the ARB cannot require you to place an antenna in a preferred location if it will not receive (or transmit) an acceptable quality signal, or if placing it in a preferred location would increase the cost of installation or maintenance, or would unnecessarily delay installation.
- b. The FCC says that the ARB could require shrubbery or a fence to hide the antenna (if it did not interfere with reception) if and only if they also required it for such things as air conditioners, heat packs, and cable boxes, but the ARB does not require shrubbery or a fence to hide those things. However, screening with shrubbery or other landscaping elements is preferred.
- c. Antennas cannot be mounted on common areas or any other owner's property, even if an acceptable quality signal may not be received from any location on your lot. Antennas must be securely and safely mounted. To prevent electrical and fire damage, antennas must be permanently and effectively grounded. The FCC Fact Sheet on the above antennas is at <http://www.fcc.gov/mb/facts/otard.html>.

#### 2. Solar Panels are permitted if mounted on the roof. All other installations will require ARB approval.

#### 3. HVAC Units

- a. HVAC units must be installed on the side of the home facing an adjacent Lot.
- b. Landscaping should be used to shield the view of units from the street where possible.
- c. No supplemental or auxiliary HVAC units that require a wall penetration or use of window mounted air conditioners is permitted in Everwood.

### **3.12 ORNAMENTAL ITEMS**

1. A reasonable amount of small ornamental items (i.e., statuettes, planters, garden balls/globes, flags, etc.) are permitted given they do not give a cluttered appearance to the yard.
2. The ARB in its sole discretion may approve or disapprove of ornamental items that are within view of adjoining lots or the street. Large items including fountains, statues, arbors, gazebos, pergolas, etc. must be approved by the ARB.