

**CANDLEWYCK HOMES ASSOCIATION
HOMEOWNER'S HANDBOOK
ARCHITECTURAL CONTROL COMMITTEE
4/7/2017 VERSION**

CITY/ COUNTY/STATE LAWS AND REGULATIONS

Neighborhood issues that are subject to city, county, or state laws and regulations are not the responsibility of the ACC and should be brought to the attention of the appropriate agency. Examples of city ordinances would include pet complaints, election signs, parking of commercial vehicles in the neighborhood, nuisances, trash/junk, leaving trash containers and bulky items at the curb, junk vehicles, parking on the front lawn, and neglect of property. Information on these issues and how to report violations can be found at www.charmeck.org and by dialing "311."

ARCHITECTURAL CONTROL COMMITTEE RESPONSIBILITIES

The Architectural Control Committee ("ACC") is responsible for the administration of Article VI (Architectural Control). The key elements of Articles VI are as follows (refer to the CC&R for the specific language and details):

- The ACC members are appointed by the Board of Directors (Board).
- Detailed plans and specifications of any new building, fence, wall and other structure and any changes to any building, fence, wall and other structure on a property must be submitted to the ACC and approved by the ACC prior to the start of construction. The ACC will review and either accept or disapprove the request within 30 days after detailed plans and specifications are received.

The general responsibilities of the ACC are as follows:

- Administer Articles VI of the CC&R only. Articles VII and VIII of the CC&R are administered by the Board of Directors and not the ACC.
- Establish the Guidelines and procedures for architectural control approval.
- Communicate to the property owners the Architectural Control Guidelines and the procedures for ACC activities.
- Perform ACC activities according to the CC&R and the Guidelines:
 - Review all requests for new construction or changes prior to construction and either approve or disapprove.
 - Conduct periodic surveys of the neighborhood to identify non-compliance issues.
 - Notify property owners of non-compliance issues to request correction/compliance.
 - Report issues to the Board in a regular basis, of property owners who have not addressed non-compliance issues.

APPROVAL PROCESS FOR NEW CONSTRUCTION AND MODIFICATIONS

All new construction of buildings, fences, walls and other structures and all alterations, modifications, or additions to existing buildings, fences, walls and other structures must have approval from the ACC. Work cannot begin until approval is obtained. The ACC will act only on written requests using the Architectural Modification Request Form. This form is included in this handbook (Architectural Control Committee-Form 1) and is also available on the Candlewyck Homes Association website (www.candlewyckhomes.com). The form describes what information is required and how to submit it to the ACC for approval.

The ACC will either approve or disapprove submitted modifications within 30 days after detailed plans and specification and a complete request form are received. If the ACC does not respond to the property owners within 30 days, the request is deemed approved. If a request is not approved, the property owner may revise and resubmit a new request and plans and specifications to the ACC, at which time a new 30 day period of review begins.

The following are examples of structures, alterations, modifications, and changes that must be submitted for ACC review and approval:

1. Utility Building (style and site placement)
2. Fence (style and site placement)
3. Garage (style and site placement, Architectural plans and elevations)
4. Carport (style and site placement, Architectural plans and elevations)
5. Home Addition (architectural plans and elevations)
6. Patio (materials selected and site placement)
7. Driveway (not required if the same size, configuration, and concrete)
8. Roof (not required if asphalt or fiberglass shingles and similar color)
9. Porch (material, size, and site placement)
10. Screened Porch (architectural plans if an addition)
11. Attached awning (elevation drawing included)
12. Deck (size and plan)
13. Siding (color and material- not required if they are the same as the existing color and material)
14. Painting (color and manufacturer- not required if it is the same as the existing color)

The above are examples only and do not represent an exhaustive list of the items that required Board or ACC approval.

ARCHITECTURAL CONTROL GUIDELINES

The Architectural Control Committee (“ACC”) is responsible for preserving the architectural integrity of Candlewyck. The functions of the ACC are to establish general Architectural Control Guidelines, to inform homeowners about the Guidelines, and to ensure the Guidelines are followed. The goal of the ACC is to administer the Guidelines uniformly to all. These Guidelines are not mandatory requirements or standards but are intended to provide guidance and direction only. Compliance with the Guidelines does not mandate approval of any submission and variations from the Guidelines does not mandate disapproval. Each architectural submission will be reviewed on its own merit

Architectural Control Guidelines have existed and have been administered by the ACC since the original construction of Candlewyck. The Board has approved the following Guidelines and has directed the ACC to refer to them and apply them in considering requests for the benefit of the community. These Guidelines may be modified or supplemented as deemed appropriate from time to time.

TO THE EXTENT ANY OF THESE GUIDELINES ARE INCONSISTENT WITH OR CONTRADICT THE CC&R, THE CC&R WILL CONTROL. NEITHER THE BOARD NOR THE ACC HAS THE POWER TO GIVE TO ANY OWNER PERMISSION TO VIOLATE THE USE RESTRICTIONS SET FORTH IN ARTICLE VIII.

1. Exterior Alterations, Modifications to Buildings, and New Structures

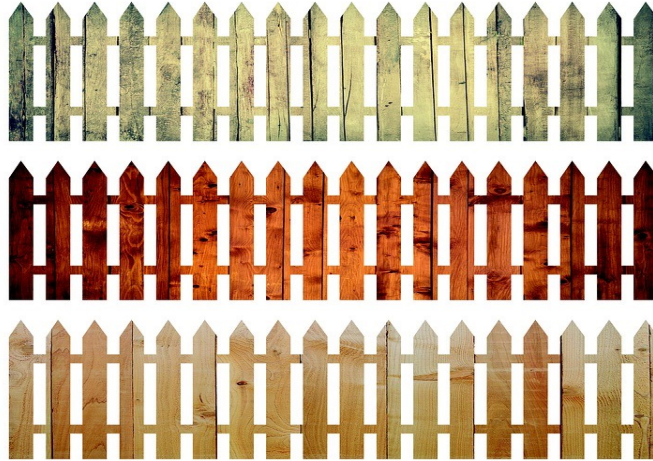
All require ACC approval. Any addition, exterior alteration, modification, change, or new structure shall be compatible with the design character of the original building. A utility building including the shingles must be compatible with the house. Only asphalt or fiberglass shingle roofs of a similar color will be approved. Utility buildings must be placed behind the rear line of the house (not closer to the street than the rear facade of the house). Some structures may require an approved site plan or building permit from the city.

2. Fences

All fences require ACC approval. Fences are restricted to backyards and are not to be in front of the back line of the house. Approved fence designs are split rail, ornamental black metal fencing, and unpainted wooden (white or a natural color wood stain) picket fences with spacing between the pickets. (See examples below) Fences are not to exceed 4 feet in height. Privacy fences and chain link fencing are not allowed. Metal mesh fence combined with approved split rail and picket designs are permitted. All fencing requests must be submitted with fencing specifications included.



Example of Split Rail Fencing with metal mesh fencing attached



Example of picket fencing



Example of Black Metal Fencing

3. Playground Equipment and Play Houses

All playground equipment and playhouses must be kept in the backyard, behind the rear line of the house. Basketball goals must not be located near the street (toward the rear of the driveway).

4. Other Neighborhood Architectural Issues

Any architectural aesthetic issue not listed in the above sections which is inconsistent with the intent of the ACC Guidelines, or could be potentially harm the property values of the neighborhood, will be brought to the attention of the property owner as a noncompliance issue to be addressed. If noted, the ACC will have the authority to enforce compliance.

ARCHITECTURAL CONTROL COMPLIANCE PROCEDURES

The Architectural Control Committee (“ACC”) will use the following procedures to perform its responsibilities to insure compliance with Article VI.

1. Approval Process for New Construction and Modifications

All property owners will be asked and expected to comply with the APPROVAL PROCESS FOR NEW CONSTRUCTION AND MODIFICATIONS set forth above.

2. When a Property Owners Starts Construction without ACC Approval

The ACC will notify the property owner that they are in violation of the CC&R, and all work must STOP until reviewed and approved. The owner will be required to submit an Architectural Modification Submittal Form which the ACC will review using the above process. If the request is rejected, the homeowner should revise and resubmit for approval. If approval is not given, the property must be returned to its original condition.

3. ACC Survey of Neighborhood for Architectural Control Issues

The ACC will periodically survey the neighborhood for architectural control compliance issues. The ACC will also respond to issues they discover or which are brought to its attention.

4. Enforcement

The Board of Directors may take enforcement action as allowed under North Carolina law. This may include the imposition of fines or other sanctions after notice and hearing.