

Ashton Hall Architectural Control Guidelines

The following requirements are in addition to those found in the Architectural Control section of the Ashton Hall Covenants. Homeowners must ensure they review the Covenants, any amendments, and these guidelines in their entirety prior to contemplating a project to the exterior of their home. Homeowners should review all sections of this document; including the two regarding Variances and Project Guidelines to ensure a full understanding of all project-related issues before considering an exterior project for their home.

Homeowners in the Ashton Hall community are required to abide by certain Architectural Control guidelines which relate to home improvement work being done on their property. It is the responsibility of each homeowner to ensure compliance with the existing building codes – established by the City of Durham and/or Durham County – which may also apply to any project they are contemplating; including obtaining advance approvals from the entity in question, obtaining building permits and remaining within any permeable land requirements which exist for their property.

Beyond these requirements are the following guidelines which specifically apply to projects within this community. These include the requirements to properly submit requests for approval of a project in advance of any work being done, obtaining said approval, and then complying with all requirements outlined in the approval they have been granted for their specific project. Homeowners must be prepared to begin work soon after obtaining approval for a project and ensuring the work is completed in a timely manner. Any project which is not completed within a timeline established by these guidelines will require the homeowner to reapply for approval to continue with the project.

Home Improvement Guidelines:

Conditions of Approval / Rejection of Plans

Approval by the Architectural Control Committee (ACC) shall in no way relieve the owner and/or builder of responsibility and liability for the adherence to any applicable ordinances and codes. Construction documents submitted for review or any portion thereof, may be disapproved upon any grounds, which are consistent with the purpose and objectives of the ACC. **The final decision of the ACC may be based on purely aesthetic considerations.**

Renovation / Additions to Existing Structures

All renovations, additions, or improvements to existing dwelling structures, inclusive of landscape structures, must be approved by the ACC. The applicant or authorized agent shall submit plans showing the nature of the work to be performed, including an application for the revisions. The application shall include the signatures of at least two neighbors who may be visually impacted by the renovation or addition.

Additions

- 1) Shall be built on a permanent foundation.
- 2) Shall be physically attached to the home.
- 3) Flashing, trim, etc. is to match existing style of the home.

- 4) Built using materials consistent with the existing home including color, siding, roofing, and trim.
- 5) No roll up doors for access unless garage addition.
- 6) Must follow all setbacks.

Approved Exterior Siding Material

1. Approved exterior siding materials:
 - a. Brick
 - b. Stone
 - c. Fiber cement or approved equal

Approved roof materials shall consist of the following:

1. Dark shingles which are used throughout community.
2. Standing seam metal (accent areas only).

Attached Sheds

Attached sheds are defined as sharing a common wall, the same as an addition. Sheds are considered an addition and all rules shall be followed as stated in the Addition section of this document.

Mailboxes

Mailboxes in the community are restricted to the type and style approved by the ACC. No other type of mailbox is permitted. All mailboxes are to be installed at the end of the driveway next to the street. To replace the mailbox, contact Streetscapes & WindowWorks in Winston-Salem at 336-946-2164 or email blevco66@gmail.com.

Pet Enclosures / Houses

Birdhouses are allowed in the back yard. For a birdhouse in the front or side yard, application to the ACC is required. Pet enclosures / houses and dog runs are not allowed. **All pets shall be kept on a leash when outside except when in a back yard, completely enclosed with fencing designed to ensure the animal may not leave the yard.**

Awnings, Gazebos, Pergolas, Doors and Shutters

Retractable awnings shall be preapproved before being installed and canopies shall not be affixed to the exterior of the residence. Exterior shutters shall be used consistently on all windows on the front of the home unless the window is under the cover of a roofed area. Shutter size shall be proportional to the window size. Prior ACC approval is needed if materials, design or colors for doors and shutters are being changed/replaced from their original.

Decks and Patios

Detailing of all patios and decks shall be architecturally compatible with the home. Patios and decks shall be designed to serve as an extension of the house. The city of Durham has specific permeability requirements for all decks and patios. Homeowners must ensure they have sufficient impervious space remaining on their lot and are required to obtain preapproval by the City before the project is presented to the ACC.

Decorative Objects

All decorative objects placed in the front or side yard of the property are subject to ACC approval. This includes the following: sculptures, birdbaths, fountains, birdhouses, and lawn ornaments. Decorative planters may be placed around the home.

Storage Boxes

Storage boxes used for items such as trash and recycling bins, lawn equipment, etc., are allowed with prior approval from the ACC. These storage boxes must be no more than 6 feet tall with a maximum footprint of 35 square feet. These are not allowed to be free-standing in the yard, and must be flush against the back of the house in the back yard, not blocking any existing windows or doorways.

Home Siding/Door/Shutter Paint Colors

When the community was built, specific color palettes were used by the builder. Any deviation in exterior paint schemes from the original colors on the home should be submitted for ACC approval. **If the homeowner is changing the exterior color of the home, a minimum of four neighbors rather than the two typically required, must be obtained, and submitted with their ACC application for the project.**

Solar Panels

Solar panel installations should be made on the back of the home if possible. If the azimuth of the sun does not allow a sufficient wattage generation the homeowner may apply for approval to place the solar panels on the front of the home. Solar panels are required to closely match the color of the home's roofing material. The ACC strongly encourages solar panel conduit be installed within interior walls. However, any conduit installed on the exterior of the home must be painted to match the color of the material adjacent to its installation.

Retaining Walls

Materials and plan must receive prior approval by ACC.

Walkways and Pavers

All materials and plans for walkways and garden pavers must be approved by the ACC before construction on the property.

Fencing

All fencing projects must be submitted for approval by the ACC. The ACC has allowed wide discretion in the type and appearance of fencing within the community. Homeowners may install most fencing as long as it is similar to existing private fencing, less than six (6) feet in height, and goes no further up the side of the home than 5 feet beyond the back corner; unless it is necessary to extend the fence in order to abut a neighbor's existing fence which ends at the neighbor's back corner. Materials approved for fencing include wood, powdered-coated aluminum, and vinyl. Fencing material shall be maintained by the homeowner regardless of type used. Chain-link fencing and chicken wire will not be approved.

Drainage Projects

Any drainage project shall be approved in advance of beginning the project by the ACC. Once this is obtained, homeowners shall call 811 (Do Not Dig) for advance marking of utility lines prior to approval of a project. These approvals are only good for a brief period of time so the homeowner must be prepared to begin the project quickly once their approval is obtained and must be completed within the established time frame of the approval.

Play Equipment

Recreational and playground equipment shall not be placed on the front or side yard of any Lot. Recreational and playground equipment may be placed in the back yard, provided the equipment is placed 15 feet or more from the rear of the Lot and 10 feet or more from either side of the Lot.

Variances:

From time to time, the Design Guidelines or existing site conditions may impose an undue hardship that may inhibit a particular home site. In such case, the applicant may submit a variance application (in addition to the construction application) to the ACC. The ACC will grant or deny the variance request in writing. No variances are allowed unless the applicant has received a written notice of approval from the ACC. Any variances or exceptions granted are unique and do not set any precedent for future decisions of the ACC.

Approved Projects Guidelines:

Site Maintenance

Homeowners shall ensure the job site is maintained in a clean and orderly condition. Care shall be exercised in the storage of materials and debris. Should it become necessary for the Association to clean a site or have a site cleaned, the cost will be the responsibility of the homeowner.

1. No fires are allowed on construction sites. No petroleum-based products or other potentially hazardous or toxic substances may be disposed of on any lot or any drainage ditch, stream, or lake.
2. No materials may be stored or placed in the streets, swale, right-of-way, natural areas, or common areas.
3. Only usable construction materials may be stored on a construction site. They must be neatly stacked or placed in a way that they are not visible from adjacent sites or the street.
4. All wrapping, packaging materials, and food containers must be placed in a covered/enclosed trash receptacle to prevent debris from blowing onto adjacent property.
5. Discarded construction materials and debris must be removed daily or contained within a dumpster or solid-walled trash enclosure.
6. Dumpsters, debris bins and other trash receptacles shall not exceed capacity. Schedule prompt pick up for bins and receptacles exceeding 75% of capacity to avoid overflow.
7. Common property may not be used to access a homeowner's property on an approved project without advanced written approval by the ACC.

8. Any damage to common areas caused by a homeowners work or contractor will be repaired by the HOA's contractor and charged to the homeowner.

Right to Inspect Property for Compliance

Inspection is specifically reserved by the ACC, its agents, and representatives to visit the Owner's property for verifying compliance with the requirements of the ACC. A representative of the ACC may make periodic inspections during the entire construction period; however, it is the builder's responsibility to conform to all construction documents and applicable building codes. The Owner will be notified in writing with any items and exceptions noted in the inspection report. Such items and exceptions must be resolved to the satisfaction of the ACC.

Revisions and Changes during Construction

All revisions and changes made during construction shall be submitted in writing to the ACC for approval prior to the implementation of such changes. All revised drawings, materials, and color samples must be submitted along with the revision request. When the ACC grants approval, it will be in writing. **Failure to obtain written ACC approval for any revision during construction will result in fines and removal of the unapproved change.**

Termination / Replacement of Builder

In the event the hired contractor or builder is terminated or needs to be replaced, the homeowner shall notify the ACC of any delays that will occur as a result from that change.