

# **Poplar Estates Homeowner's Association**

## **Design & Community Guidelines**

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## **General**

All terms used but not defined herein shall be given the meanings ascribed to them in the Declaration of Covenants, Conditions and Restrictions for Poplar Estates Community Association (the "Declaration") recorded in the Johnston County Register of Deeds and any supplements or amendments thereto, unless the context requires otherwise.

As members of a planned community, Poplar Estates Owners, their tenants, and invited guests enjoy a variety of benefits. In return, they are asked to cooperate with their neighbors to create and maintain a harmonious living environment that protects and enhances the value of both the individual properties and common areas within the Poplar Estates Community. Maintaining such a mutually beneficial living environment is best achieved by developing and following rules and regulations that clearly inform all members of the expectations with respect to use of open spaces, common areas, and individual homes.

The Design & Community Guidelines have been developed to provide direction to Owners, the Association's Board of Directors, and Management Company to uphold consistent and uniform standards as the Poplar Estates Community grows and develops. The primary objective of Design & Community Guidelines is to encourage and maintain the excellent design of a community of individual residences which, when viewed together, produce an outstanding and consistent total community environment.

Owners, residents, tenants, and invited guests are cautioned that nothing in these Design & Community Guidelines, and governing documents relieves them of the responsibility for complying with federal, state, county, and local laws, ordinances, and other legal requirements such as obtaining from the county necessary approvals and construction permits for architectural changes or projects they intend to undertake. Despite the Association's approval, county or other government permits shall be required for a wide range of home improvement or modification projects. In addition, county or other government-imposed specifications must be honored. In short, government approvals and Association's approvals are separate and unrelated.

In the event of conflict between the Architectural Review Committee, Board of Directors, Management Company and any government ordinance, building code or regulation, the more restrictive standard shall prevail.

The Architectural Committee, Board of Directors, Declarant, and Designated Home Builders shall not have any liability in connection with or related to approved or disapproved plans, specifications or improvements. The approval of the plans does not mean that judgment is passed on the structural soundness of the addition or its effect upon existing or future damage. Review of plans by the Architectural Committee is for aesthetic purposes only.

## **Landscaping & Maintenance**

The Poplar Estates Community Association shall be responsible for the maintenance, management, operation, and control of the common areas and all improvements thereon. The Association shall keep the Common Areas and Open Spaces in good, clean, attractive condition as determined by the Board of Directors, Architectural Reviewer, or Management Company.

Each Owner shall be responsible for the exterior maintenance of his or her dwelling as follows: paint, repair, replace and care of roots, gutters, downspouts, concrete driveways and walkways, exterior building surfaces and other exterior improvements. Residents and tenants are responsible for erosion control, for maintaining proper drainage through their property, and not blocking or hindering natural drainage from adjoining properties. No landscaping shall be planted or permanently installed or removed within the boundaries of any Lot without the prior written approval of the Board of Directors, Architectural Reviewer, or Management Company.

The Association shall not have any obligation to perform lawn-mowing service of any portion of any Lot within the perimeter of a fence or improvement built by an Owner on a Lot that abuts a public drainage easement, easement, open space, or common area. Each Owner acknowledges and agrees that the Association shall not be responsible for maintenance or repair of fence or landscaping installed by an Owner or resident in the event of damage from maintenance of the common areas, easements, or open spaces.

No Residential Unit, structure, building, landscaping, fence, wall or other Improvement shall be constructed, installed, placed or maintained in any manner that would obstruct, divert, interfere with or change the direction of flow of water in accordance with the drainage plans for Poplar Estates, or any part thereof, or for any Lot or Parcel as shown on the drainage plans on file with the Johnston County or other governing municipality. Each Owner shall, at their own expense, maintain the drainage ways and channels on their Lot or Parcel in proper condition free from obstruction.

## **Amenities**

All Poplar Estates Communities amenities, including but not limited to any playground, walking trail, park, lake, open spaces, natural areas, or common areas, are private property owned by the Poplar Estates Community Association. Homeowners, residents, tenants, and invited guests are required to adhere to all Poplar Estates Governing Documents, rules, and policies, and any rules posted at the amenity or common areas. Additionally, the rules below must be followed:

- (a) All amenities and common areas may be used by homeowners, residents, tenants, and invited guests at their own risk;
- (b) Amenities and common area may be used from 7:00 a.m. until dusk;
- (c) Playground equipment is reserved for children 12 years and younger;
- (d) Children 12 years old and younger must be accompanied by a parent or guardian at all times when using any amenity or common area;
- (e) Homeowners, residents, tenants, and invited guests must clean up any garbage or trash acquired from their use of the common areas and amenities;
- (f) Vandalism, defacement, or destruction of any part of the amenity or common area is prohibited. Any damages to common areas and Poplar Estates Community amenities may result in finds to the Owner, resident, or tenant responsible;
- (g) Rough play and foul and abusive language while using any amenity or common area is prohibited;
- (h) Noise and music must be maintained at a level which does not disturb neighboring homeowners or the general public. In the event of complaints, from officials or the general public, violation penalties may be assessed; and
- (i) Failure of any Owner, resident, tenant, or their guests to comply with these guidelines, any other rules of the community, or any requirements of the covenants for the community may result in temporary or permanent loss of access privileges and/or fines.

# Parking

Owners, residents, tenants, and their guests must abide by the following parking rules:

1. Vehicles must be parked in the garages or in the driveways, if any, serving the units where the Owner, resident, or tenant lives:
  - (a) Inoperable vehicles shall not be parked in the driveway or on the street; and
  - (b) Recreational vehicles and trailers may not be parked in the driveway for not more than 24 hours.
  
2. Guests of an Owner, resident, or tenant may park their vehicles on the street provided that the resident and the guest have:
  - (a) Utilized all available parking spaces in the garage or driveway serving the unit where the resident lives; and
  - (b) Otherwise used reasonable efforts to park the vehicles owned by guests of that resident in the garage or driveway of that resident.
  
3. All Owners, residents, tenants, and invited guests must abide by all other parking rules established under the covenants and Poplar Estates Governing Documents.
  
4. All Owners, residents, tenants, and invited guests must abide by any temporary parking rules established by the Association's Board of Directors.
  
5. All Owners, residents, tenants, and invited guests must abide by all applicable traffic and parking rules established in accordance with the law.
  
6. When parking a vehicle for the purpose of utilizing an amenity owned by the Association, all Owners, residents, tenants, and invited guests must use marked parking spaces only.
  
7. Parking of commercial vehicles anywhere within the properties other than in enclosed garages is prohibited. Lettering on the door(s) or side(s) of a vehicle does not automatically determine if a vehicle is commercial. Commercial vehicles include, but are not limited to, vehicles with commercial attachments like servicing buckets, cranes, roof/bed racks for ladders, pipes, etc.

## Trash & Recycling

1. Containers: All trash and recycle containers must be units designated or provided by trash or recycle providers. The containers must be stored out of public sight within the Living Unit's garage or area screened in an area as approved by the Board of Directors, Architectural Reviewer, or Management Company, with the exception of collection days. On collection days designated by the service providers, containers must be placed in the designated locations of pick up only. Trash and recycle containers shall only be placed out for collection after dusk the night before collection day. All containers must be removed from view after collection no later than 8:00 p.m. the day of collection.

2. Container Screening: Generally, the Board of Directors, Architectural Reviewer, or Management Company will approve treated wood or vinyl lattice or solid wood or vinyl screening to screen trash containers provided that the lattice or solid wood is painted white or the color of the exterior trim or, if the lattice or solid wood screening is installed adjacent to a natural-colored deck or screened-in porch, the lattice or wood screening may be left natural to match the deck or screened-in porch. Notwithstanding the forgoing guidelines, the Board of Directors, Architectural Reviewer, or Management Company must approve, in writing:

- (a) Placement and location of any designated trash or recycle containers not screened from the view of any road adjacent to the property and not screened from the view of all neighboring property; and
- (b) The design, materials, color, and location of any screen used to screen any container prior to installation of such screening.

3. Owners, residents, and tenants are responsible for picking up litter, debris, or trash on Open or Common Space that originated from their Property or Unit. No trash, containers or receptacles, debris, or litter may accumulate or be stored in a visible location on the Property or Lot. Construction materials required for the improvement of a Unit or Lot must be neatly stored in as unobtrusive a location on the Lot as possible when in use.

## **Temporary Structures**

No Improvement or structure of a temporary nature shall be erected or allowed to remain on any Lot unless and until the Board of Directors, Architectural Reviewer, or Management Company has granted permission for the same. No outdoor clotheslines shall be permitted to be erected or allowed on any Lot.

It is expressly understood and agreed that no temporary building, tent, trailer or other structure, except as noted elsewhere herein, shall be erected, stored, or caused to be placed on the Common Areas, Open Spaces, or Association's Common Area except for the purpose of constructing and selling lots in the development by Declarant or Designated Home Builders.



# Flags

1. The Board of Directors, Architecture Review Committee, Management Company, or their agents shall be authorized, in their sole discretion to determine if flags displayed within the community are poor condition, poor taste, or controversial in nature. Additionally, the Board of Directors, Architectural Review Committee, or Management Company reserves the right, on a case-by-case basis to determine and require removal of any flags that may cause any kind of disturbance based on size, quantity, color, location, or other such criteria.

## 2. Official Flags

(a) Up to two (2) official flags at a time may be displayed on any Unit or Lot provided that such flag is displayed in the manner required under the Federal Flag Code (4 USC Sections 4 through 10) and is maintained in good condition. Another nation's official flag may be displayed in lieu of the United States Flag on national holidays of such nation provided the display complies with the requirements for displaying the United States Flag;

(b) No flag shall be placed above the United States Flag;

(c) Mountings and Hardware for Official Flags: Official Flags may be mounted on a pole that is bracketed to the Unit. Brackets must be painted to match the color of the Unit where the bracket is attached. Free-standing flagpoles are not permitted on any Lot;

(d) Size of Official Flags: Official Flags shall be no more than twenty-four square feet in size. The size of the flag shall not exceed 4' by 6' in dimension;

(e) Conditions of Official Flags: All flags and mountings pole and hardware shall be maintained in good condition in accordance with community standards, and state or military flags must be flown in accordance with the Federal Flag Code; and

(f) Lighting of Official Flags: When lighting is installed, all due care must be taken to use a fixture and bulb wattage that will not cause a nuisance to neighboring units.

## 3. Decorative Flags

(a) Decorative flags, such as a season (e.g. spring, summer, fall, or winter), theme, holiday, school, sports team, or special occasion may be displayed;

(b) Holiday or special occasion decorative flags may be displayed thirty (30) days before and must be removed within fourteen (14) days after the date of the holiday or special occasion to which the flag pertains;

(c) Each Unit or Lot may display no more than two (2) decorative flags at a time, provided that however:

(i) Each residence may display no more than two (2) large decorative flags not exceeding 3' by 5' each; however, if a resident displays two (2) large decorative flags, the resident must display one (1) in the front of the Unit or Lot and one (1) in the back of the Unit or Lot; residents may use brackets mounted on the Unit for the display of these decorative flags; and

(ii) Each residence may display no more than one (1) small decorative flag not exceeding 12" by 15", the small decorative flag holder must be less than 2' tall.

# Signage

Signs may not be erected within the Poplar Estates Community without the written consent of the Board of Directors and/or Management Company, except those signs complying with the following guidelines:

1. For Sale Signs: For the sole purpose of selling a home, residents or their agents may place a single “For Sale” sign on their property provided that the sign is compliant with the following guidelines:

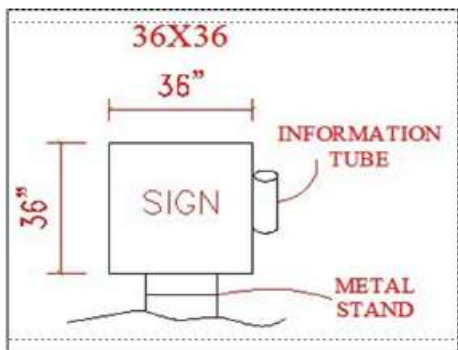
- (a) The sign may not to exceed 18” by 24” including the attachment of a single rider, and shall not exceed a 36” by 36” signage envelope, within which the core signage and any accessory signage must be contained, and must be consistent with the diagram found on page 11 of these Design & Community Guidelines;
- (b) The sign may not be placed any closer than 3’ from the street and may not be located in the ditch section of the yard;
- (c) A sign may be placed in the window or the yard, but not both;
- (d) Signs must be professionally made, and handwritten signs are prohibited;
- (e) Directional signs are prohibited;
- (f) As part of the single rider attached to the sign, a tube or other device may be attached to the sign for handouts provided that the single rider does not exceed 4” by 24”;
- (g) All signs must be placed on metal stands, and no wood stakes are allowed;
- (h) Signs enhanced by lights or audio are prohibited;
- (i) Residents are responsible for all signs placed or installed by their agents;
- (j) All “For Sale” signs must indicate on the sign that the property is “For Sale”, and signs which indicate that property is “For Lease” or “For Rent”, or signs which indicate that the property is anything other than “For Sale”, are prohibited;
- (k) Signs must comply with all the governing documents and all municipality regulations;
- (l) All signs indicating that homes will be sold by owner must be pre-approved by the Board of Directors or Management Company; and

- (m) For the sole purpose of selling a home, residents or their agents may place a single “Open House” sign on their property on the day of the open house.

2. Political Signs: For the sole purpose of attempting attempt to influence the outcome of an election, including the support or opposition of an issue or candidate on an election ballot, residents may place one (1) “Political” sign on their property compliant with the following guidelines:

- (a) Display of a political sign more than forty-five (45) days before an election and later than seven (7) days after an election is prohibited;
- (b) The political sign may not to exceed 24” by 24”;
- (c) The political may not be placed any closer than 3’ from the street and may not be located in the ditch section of the yard;
- (d) A political sign may be placed in the window or the yard, but not both;
- (e) Political signs must be professionally made, and handwritten signs are prohibited; and
- (f) Political signs enhanced by lights or audio are prohibited.

3. Signage Guideline Diagram:



## **Holiday Decorations & Lighting**

1. For holiday seasons that occur during November and December, decorations and lighting may be displayed beginning November 1<sup>st</sup> and must be removed by January 31<sup>st</sup>.
2. Other seasonal holidays or special occasions, decorations and lighting may be put up and displayed thirty (30) days before and must be removed within fourteen (14) days after the date of the holiday or special occasion to which the decorations and lighting pertains.

## **Trampolines & Basketball Goals**

1. Trampolines and basketball goals that ARE NOT PERMANENT STRUCTURES and can be removed if the homeowner relocates do not need official HOA approval. Any structure that is going to be cemented in DOES NEED THIS APPROVAL.
2. If you are putting in a NON PERMANENT STRUCTURE, you will need to complete a release of liability form for insurance purposes. To obtain this form, please contact [arc@irjpm.com](mailto:arc@irjpm.com)
3. PERMANENT INSTALLATIONS will need to provide the following information and note the following items for approval:
  - (a) A plot plan of the property showing where the PERMANENT basketball goal will be located must be submitted with the request to approve the structure;
  - (b) The area proposed for the PERMANENT basketball goal must be large enough to assure that no other property will be unduly impacted by the use of the trampoline or basketball goal and, in order to help satisfy this requirement, adjoining property owners on both sides must consent in writing to the installation of the PERMANENT basketball goal;
  - (c) The owner of the PERMANENT basketball goal is responsible for any physical damage to any other property caused by the PERMANENT basketball goal, and physical damage to other property can lead to the removal of the PERMANENT basketball goal at the owner's expense;
  - (d) No PERMANENT basketball goal can be installed adjacent to the street, and basketball games cannot take place in the street;
  - (e) If not in use and not in its approved location, portable basketball goals must be stored in an area not visible from any adjacent street; and
  - (f) Every PERMANENT basketball goal must be professionally constructed, painted, and maintained by the owner, and, if damaged, bent or rusted, the owner must repair the play structure or basketball goal immediately.
4. Owner, resident, or tenant is responsible for ensuring that anyone using their trampoline or basketball goal behave in such a manner that all neighbors and general public are not disturbed by the use of the trampoline or basketball goal, including but not limited to disturbances caused by loud noises from screaming and music.
5. Owners, residents, and tenants shall acknowledge the fact that these guidelines may be amended and agree to maintain the trampoline or basketball goal in accordance with any amendment to these guidelines as adopted by Board of Directors.

6. Owners, residents, and tenants must acknowledge that permission to install a trampoline or basketball goal is merely a “temporary” privilege granted to the Owner, resident, or tenant which can be revoked at any time, with or without cause, by the Board of Directors or Management Company.

7. Basketball Goal Maintenance Requirements:

- (a) Basketball goal/hoop must be properly attached to the goal at all times and maintained to manufacturer’s original condition and may not be altered in any way;
- (b) Basketball goal/hoop must be rust and damage free;
- (c) Basketball goal/hoop must be kept in upright position;  
and
- (d) Damaged basketball hoop, goal, or equipment must be immediately stored out of view of neighboring properties.

## Play Structures

Play structures that are not being concreted into the ground are considered temporary in nature **DO NOT NEED ARCHITECTURAL APPROVAL**. If you are putting in a **NON PERMANENT STRUCTURE**, you will need to complete a release of liability form for insurance purposes. To obtain this form, please contact [arc@irjpm.com](mailto:arc@irjpm.com).

**PERMANENT INSTALLATIONS** of any playhouses, swing sets, sandboxes, or similar equipment must be approved by the Board of Directors, Architectural Review Committee, or Management Company, in writing prior to installation.

1. Prior to submitting an Architectural Review (AR) form, resident is expected to familiarize themselves with the terms of the Covenants, Conditions, and Restrictions, By-Laws, and other governing documents to comply with the necessary review and approvals before submitting a request to install, move, or construct a play structure on the property or lot.
2. Residents seeking to install or construct a **PERMANENT** play structure must initiate the approval process by submitting a complete Architectural Review (AR) form to the Board of Directors, Management Company, or Architectural Review Committee.
3. The Architectural Review form must indicate the anticipated date of completion, and if approved, the resident agrees to complete the installation and/or construction within a reasonable time of the anticipated date of completion indicated.
4. Notwithstanding the fact that all play structure designs and their placement must be pre-approved:
  - (a) For aesthetic reasons and in their sole discretion, the Board of Directors, Architectural Reviewer, or Management Company may refuse to permit the installation of any play structure;
  - (b) The dimensions and sketch of the proposed play structure as well as a plot survey of the property showing where the play structure will be located must be submitted with the request to approve the play structure;
  - (c) The request to approve the play structure must include an anticipated completion date, and if approved, the play structure must be completed by that anticipated date;
  - (d) The base structure of all play structures must be made from stained or treated lumber which remains unpainted and appears in a natural state; and
  - (e) Accessory items for the swing play structure, such as seats or slides, may be made of plastic and have a different color than the base structure.
5. All play structures and related equipment, whether **PERMANENT OR TEMPORARY**, must be maintained in good condition at all times by the resident.



6. In addition to design compatibility, the Board of Directors, Architectural Reviewer, or Management Company shall consider the play structure's impact on access, view, and drainage. Play structures may not unreasonably obstruct, limit access, or encroach on neighboring properties, infringe on any easements, or reduce open space.

## Satellite Dishes & Antennas

This section applies to antennas, satellite television dishes, and other receivers (“Devices”), including poles or masts for the Devices for transmission or reception of television, internet, or radio signals. Residents seeking to install a satellite dish or antenna either at some location other than the roof of the house and/or visible from an adjacent street but otherwise permissible under these guidelines may initiate the approval process by submitting a Architectural Review (AR) form to the Board of Directors, Architectural Review Committee, or Management Company for approval.

1. With regard to satellite dishes or antennas which an Owner or resident seeks to install at some location other than the roof of the house and/or visible from an adjacent street:

- (a) Such satellite dishes or antennas must be screened with lattice or landscaping, and installed in the location on the resident’s property least visible from any adjacent street necessary to receive or transmit an acceptable quality signal (e.g. maintain line-of-sight contact with the transmitter or view the satellite), and the appropriateness of such location over other less visible locations on the property, such as the rear roof of the home, must be confirmed in writing by a professional installer of the devices to the Board of Directors and/or Management Company; and
- (b) Requests to approve the location of a satellite dish or antenna must include a plot survey of the property showing where the satellite dish or antenna will be located as well as a specific description of the type of screening proposed for the satellite dish or antenna.

2. No satellite dish shall be installed which exceeds 40” in diameter.

3. Except for the following two types of antennas, no antenna shall be installed:

- (a) Antennas designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite may be installed provided that:
  - (i) the antenna does not exceed one meter in diameter or diagonal measurement;
  - (ii) the mast for that antenna is no higher than 12’ above the roofline of the house; and
  - (iii) the height of the mast for that antenna is necessary to receive or transmit an acceptable quality signal (e.g., maintain line-of-sight contact with the transmitter or view the satellite) and such necessity is confirmed in writing by a professional installer to the Board of Directors.

- (iv) Antennas designed to receive local television broadcast signals provided that the mast for that antenna is no higher than 12' above the roofline of the house; and
- (v) No more than one satellite dish or antenna may be installed unless more than one (1) satellite dish or antenna is necessary to receive the desired service(s), the basis for the necessity of multiple satellite dishes or antennas is confirmed in writing to the Board of Directors, and one (1) or more satellite dishes or antennas are removed as soon as the applicable service(s) are terminated.

4. A satellite dish or antenna otherwise permissible under these guidelines may be installed without the written approval of the Board of Directors, Architectural Reviewer, or Management Company, provided that such satellite dish or antenna is installed on the roof of the house and is invisible from any adjacent street.

5. Residents seeking to install a satellite dish or antenna either at some location other than the roof of the house and/or visible from an adjacent street but otherwise permissible under these guidelines must initiate the approval process within 24 hours after ordering the installation of a satellite dish or antenna.

6. Any resident who contends that these guidelines unreasonably delay or prevent use of, unreasonably increase the cost of, or preclude a person from receiving or transmitting an acceptable quality signal from a satellite dish or antenna shall immediately set forth the basis for their contentions to the Board of Directors and/or Management Company in writing.

7. Following approval and installation residents are responsible for the maintenance of the devices and any screening improvements made to their property. Such maintenance and repairs must be consistent with the governing documents of the Poplar Estates Community.

## Architectural Changes

1. The Board of Directors, Architectural Reviewer, or Management Company must approve in writing any and all exterior architectural changes, alterations, or modifications in regard to design, materials, color, and location prior to construction, modification, or installation. This includes any minor, temporary, or permanent changes. Approval is also required when an existing fixture or item is removed or when replacing an existing item. Exterior items requiring approval include, but are not limited to, awnings, gutter systems, roofs, exterior doors, garage doors, exterior decorative objects, facades, windows, house numbers, light fixtures, exterior paint, siding, and solar panels.
2. Prior to submitting an Architectural Review form, the resident is expected to familiarize themselves with the terms of the Covenants, Conditions, and Restrictions, By-Laws, and other governing documents to comply with the necessary review and approvals before submitting a request to make any changes or improvements to the exterior of the home or lot.
3. Residents intending to change the architecture of their home or lot must initiate the approval process by submitting a complete Architectural Review (AR) form to the Board of Directors, Management Company, or Architectural Review Committee.
4. The Architectural Review form must indicate the anticipated date of completion, and if approved, the resident agrees to complete the installation and/or construction within a reasonable time of the anticipated date of completion indicated.
5. Any and all architectural changes to the exterior of the home or lot must clearly described on the Architectural Review form. Notwithstanding the fact that all architectural changes must be pre-approved and construction activities may not commence until the resident receives requisite approval for such architectural changes.
6. Architectural Review form submissions:
  - (a) Of proposed architectural changes must include clear site plans with the property boundary, footprints of any and all permanent structures, and the project location, clearly identifies the owner's name, a North arrow, drawing scale, sheet number, and dates;
  - (b) Must have specifications that clearly detail all dimensions, elevations, and applicable measurements;
  - (c) Shall be consistent with architectural design and styling of the homes within the community in terms of make, detail, shape, scale, and proportion;
  - (d) Shall include type of building materials and the brand, color, and name of fixtures, windows, doors, etc. that resident intends to use;
  - (e) That are for proposed modifications to landscaping must contain site plans with locations of proposed and existing plants, with plants drawn at mature size as well as irrigation plans if irrigation will be installed;
  - (f) For proposed architectural or landscaping site plans must contain construction details for all structural elements; i.e., retaining walls, pools, decks, etc.; and

(g) Warrant the resident's acknowledgement and that the resident agrees he or she is responsible for complying with all applicable laws relating to any construction and must obtain all appropriate permits prior to any construction or modifications to the exterior of the home or lot.

7. Residents shall be responsible for maintaining and repairing the exterior of their dwelling and any and all improvements thereon, including all architectural or landscaping changes. Residents must maintain their Unit and Lot that is consistent with the governing documents of the Academy Point Community. As such, the Association and/or Management Company retains the right to determine when items must be cleaned, repaired, or replaced due to weathering, fading, tearing, etc.

8. In addition to design compatibility, the Board of Directors, Architectural Reviewer, or Management Company shall consider the impact on access, views, and drainage of the architectural changes, additions, or improvements. As such, architectural changes, additions, and improvements may not unreasonably obstruct, limit access, or encroach on neighboring properties, infringe on any easements, or reduce open space.

## Decks

1. The Management Company, Architectural Review Committee, or the Board of Directors must approve in writing all deck designs, proposed materials, colors, and location.
2. Prior to submitting an Architectural Review form, the resident is expected to familiarize themselves with the terms of the Covenants, Conditions, and Restrictions, By-Laws, and other governing documents to comply with the necessary review and approvals before making any changes or improvements to the exterior of the home or lot.
3. Residents intending to construct a deck may initiate the approval process by submitting a completed Architectural Review (AR) form provided by the Management Company and/or Board of Directors.
4. The Architectural Review form must indicate the anticipated date of completion, and if approved, the resident agrees to complete construction within a reasonable time of the anticipated date of completion.
5. Notwithstanding the fact that all deck designs, colors, materials, and locations must be pre-approved before beginning any activities of installation or construction:
  - (a) The dimensions, elevation and sketch of the deck as well as a plot survey of the property showing where the deck and landscaping around the deck will be located must be submitted with the request to approve the deck;
  - (b) Decks may be constructed from pressure treated lumber or vinyl composite materials only, and the bottom of the deck must be enclosed with lattice; and
  - (c) The resident is responsible for complying with all applicable laws relating to construction of the deck and must obtain all appropriate permits and approvals prior to construction of the deck.
6. Residents shall be responsible for maintaining and repairing the exterior of their dwelling and any and all improvements thereon, including a deck. Residents must maintain their Unit and Lot that is consistent with the governing documents of the Poplar Estates Community. As such, the Association and/or Management Company retains the right to determine when items must be cleaned, repaired, or replaced due to weathering, fading, tearing, etc.
7. In addition to design compatibility, the Board of Directors, Architectural Reviewer, or Management Company shall consider the deck's impact on access, view, and drainage. Decks or improvements to the deck may not unreasonably obstruct, limit access, or encroach on neighboring properties, infringe on any easements, or reduce open space.

## Screened In Porches

1. The Board of Directors, Architectural Reviewer, or Management Company must approve in writing all screened-in porch designs, materials, colors, and location prior to installation.
2. Prior to submitting an Architectural Review (AR) form, the resident is expected to familiarize themselves with the terms of the Covenants, Conditions, and Restrictions, By-Laws, and other governing documents to comply with the necessary review and approvals before, changing, installing or constructing a screened-in porch.
3. Residents seeking to install or modify a screened-in porch may initiate the approval process by submitting a completed Architectural Review (AR) form provided by the Management Company and/or Board of Directors.
4. The Architectural Review form must indicate the anticipated date of completion, and if approved, the resident agrees to complete construction within a reasonable time of the anticipated date of completion.
5. Notwithstanding the fact that all screened-in porch designs, materials, colors and locations must be pre-approved and the following must be detailed on the Architectural Review form:
  - (a) The dimensions, elevation and sketch of the screened-in porch as well as a plot survey of the property showing where the screened-in porch and landscaping around the screened-in porch will be located must be submitted with the request to approve the screened-in porch;
  - (b) The resident is responsible for complying with all applicable laws relating to construction of the screened-in porch and must obtain all appropriate permits prior to construction of the screened-in porch;
  - (c) The only approved construction material for a screened-in porch is pressure treated lumber, composite materials and approved vinyl materials. If constructing on a deck, lattice must be used under the deck; any lattice used must be 6'x6' or 4'x4';
  - (d) If painted, the screened-in porch must match the trim or lightest color of the house; and
  - (e) Roof material for any screened-in porch must match the roof material for the house.
6. Residents shall be responsible for any repairs and routine maintenance of the exterior of their dwelling and any and all improvements thereon, including a screened-in porch. Residents must maintain their Unit and Lot that is consistent with the governing documents of the Poplar Estates Community. As such, the Association and/or Management Company retains the right to determine when items must be cleaned, repaired, or replaced due to weathering, fading, tearing, etc.

7. In addition to design compatibility, the Board of Directors, Architectural Reviewer, or Management Company shall consider the screened-in porch's impact on access, view, and drainage. Screened-in porches and improvements to screened-in porches may not unreasonably obstruct, limit access, or encroach on neighboring properties, infringe on any easements, or reduce open space.



## Single Family Unit Fences

**NO PRIVACY PARTITIONS ARE ALLOWED FOR DETACHED SINGLE FAMILY HOMES WHILE UNDER DECLARANT CONTROL.**

1. The Board of Directors, Architectural Reviewer, or Management Company must approve in writing all fence designs, materials, colors, and location prior to installation or construction.
2. Prior to submitting an Architectural Review form, the resident is expected to familiarize themselves with the terms of the Covenants, Conditions, and Restrictions, By-Laws, and other governing documents to comply with the necessary review and approvals before submitting a request to install, construct, or modify a fence.
3. Residents intending to install, construct, or modify a fence must initiate the approval process by submitting a complete Architectural Review (AR) form to the Board of Directors, Management Company, or Architectural Review Committee.
4. Notwithstanding the fact that all fence designs, colors and locations must be pre-approved and form submissions shall include or adhere to the following:
  - (a) For aesthetic reasons and in their sole discretion, the Architectural Reviewer, Board of Directors, or the Management Company may refuse to permit the installation of any fence;
  - (b) The dimensions, elevation and sketch of the fence as well as a plot survey of the property showing where the fence and landscaping around the fence will be located must be submitted with the request to approve the fence;
  - (c) The request to approve the fence must include the name, address and telephone number of the person or entity installing the fence;
  - (d) The proposed dates of fence construction/installation and must include the anticipated date of completion;
  - (e) The resident is responsible for complying with all applicable laws relating to construction of the fence and must obtain all appropriate permits prior to construction of the fence;
  - (f) The fence must be erected directly on the property line or as near as is reasonably possible to the property line;
  - (g) The property owner installing the fence must consent to allow all adjacent property owners to tie into the fence in the event adjacent property owners construct fences in the future;
  - (h) The overall design and aesthetic appeal of the fence shall conform to any fence drawings applicable to the neighborhood where property is located; and

(i) When landscaping of the fence is required, the landscaping must match what is currently being used in the area and any shrubs must be a minimum of 3' to 4' in height at time of planting and planted on 5' on center.

5. Single family home privacy fences must comply with the following standards:

(a) The fence must be built with unpainted, unstained, treated pine lumber;

(b) Must be 5' or 6' in height;

(c) Posts must be 4" by 4";

(d) Space between posts shall not exceed 8';

(e) Slats must be 1" by 4" or 1" by 6";

(f) Space between slats must be 0 to 1";

(g) Horizontal supports must be 2" by 4"; and

(h) Fences must come off of the BACK CORNERS of the home.

(i) Top of wood slats must be consistent with the topography and the fence CANNOT be scalloped in shape, meaning all panels are even across the top.

(j) Fences MUST run along the property lines unless there is an easement on the property.

6. In addition to design compatibility, the Board of Directors, Architectural Reviewer, or Management Company shall consider the fence's impact on access, view, and drainage. Fences may not unreasonably obstruct or encroach on neighboring properties, infringe on any easements, or reduce open space.

7. Residents shall be responsible for any repairs and routine maintenance of the exterior of their dwelling and any and all improvements thereon, including walls or fences. Residents must maintain their Unit and Lot that is consistent with the governing documents of the Academy Point Community. As such, the Association and/or Management Company retains the right to determine when items must be cleaned, repaired, or replaced due to weathering, fading, tearing, etc.

## **Single Family Unit Utility Buildings**

1. The Board of Directors, Architectural Reviewer, or Management Company must approve in writing all single-family utility building designs, materials, colors, and location prior to installation.
2. Prior to submitting an Architectural Review (AR) form, the resident is expected to familiarize themselves with the terms of the Covenants, Conditions, and Restrictions, By-Laws, and other governing documents to comply with the necessary review and approvals before submitting a request to install, move, or construct a single-family utility building on the property or lot.
3. Residents seeking to install a single-family utility building must initiate the approval process by submitting a complete Architectural Review (AR) form to the Board of Directors, Management Company, or Architectural Review Committee.
4. The Architectural Review form must indicate the anticipated date of completion, and if approved, the resident agrees to complete the installation and/or construction within a reasonable time of the anticipated date of completion indicated.
5. Notwithstanding the fact that all utility building designs, materials, colors, and placement must be pre-approved and Architectural Review forms must include or incorporate the following:
  - (a) The dimensions and sketch of the proposed utility building showing the design, proposed materials, and color of the utility building as well as a plot survey of the property showing where the utility building will be located must be submitted with the request to approve the utility building;
  - (b) The utility building must be no larger than 8' by 12'; and
  - (c) The exterior materials of the utility building must be identical to the exterior materials of the home, including but not limited to the siding material, roofing material, and paint color.
6. For aesthetic reasons and in their sole discretion, the Board of Directors, Architectural Reviewer, or Management Company may refuse to approve the installation of any utility building.
7. Residents shall be responsible for any repairs and routine maintenance of the exterior of their dwelling and any and all improvements thereon, including single-family utility buildings and sheds. Residents must maintain their Unit and Lot in a manner that is consistent with the governing documents of the Academy Point Community. As such, the Association and/or Management Company retains the right to determine when items must be cleaned, repaired, or replaced due to weathering, fading, tearing, etc.
8. In addition to design compatibility, the Board of Directors, Architectural Reviewer, or Management Company shall consider the utility building's impact on access, view, and drainage. Utility buildings or similar structures may not unreasonably obstruct or encroach on neighboring properties, infringe on any easements, or reduce open space.

## **Yard & Garage Sales**

Residents may hold “yard sales” or “garage sales” once every 6 months per property. Please let the management company know with a 1 week advance notice when these events will take place. Reach out to the management company at [info@irjpm.com](mailto:info@irjpm.com). Yard sale signs MUST be removed as soon as the yard/garage sale is over.

## **Estate Sales**

Residents may hold “estate sales” once every 6 months per property. Please let the management company know with a 1 week advance notice when these events will take place. Reach out to the management company at [info@irjpm.com](mailto:info@irjpm.com). Estate sale signs MUST be removed as soon as the estate sale is over.

## **Solar Panels**

1. Solar Panels require ARC Approval. When forms are submitted, the homeowner must also provide a map of the roof of the home showing where panels will be installed as well as how much energy the panels will provide upon installation.
2. Solar Panel projects must be approved **IN WRITING** by the Architectural Review Board or Declarant before installation.
3. When possible and if the amount of kWh/m<sup>2</sup>/year is comparable, solar panels should be installed on the **BACK** of the home.

## **Above Ground Swimming Pools**

Above ground swimming pools are allowed in the community, but homeowners must go through the Architectural Review Process in order to be approved. Please see specific requirements below:

### **Above Ground Swimming Pools**

- ABOVE GROUND POOLS WILL BE APPROVED ON A CASE-BY-CASE BASIS
- Minimum size for above ground pools is 4-foot height and the pool cannot exceed the local city or county impervious surface limit. Please contact the county for this information.
- The installation of the pool must be done by a professional company and must have proper permits from the county.
- Homeowners and installation companies need to be able to ensure that their septic system isn't impeded in any way for the health safety of the community as a whole.
- If you need to drain your pool, you must use the nearest drainage easement for diverting water OR NCDOT right-of-way easement for drainage. Every homeowner has an easement in their front yard that they can access for this purpose.
- Provide all plans for the pool
- Provide all permits obtained from the county/town (these must be applied for and obtained prior to approval)
- Provide (in writing from Johnston County) that the lot's impervious surface limit will not be exceeded with the addition of a pool. To do this, you will need to reach out to the county. Impervious surface limits should be on the homeowner's site plan survey or plat.
- Provide a photo/drawing of the pool with any landscaping, concrete, etc.
- Provide a plat map showing where the pool will be located on the property
- Above ground pools do not require a fence if the side are AT LEAST 4 feet tall, and the stairs/latter/or deck entrance need to be removed or locked when not in use. If these requirements cannot be met, they need to be surrounded by at least a 4-foot-tall fence.
- The application must be complete (including neighbor signatures) and you must also provide all of the attached documents required.
- The homeowner's association shall not be liable for any events, injury, damages, etc. that may result in the use, construction, maintenance, etc. of the pool.

## **In-Ground Swimming Pools**

In-ground swimming pools are allowed in the community, but homeowners must go through the Architectural Review Process in order to be approved. Please see specific requirements below:

### **In-Ground Swimming Pools**

- Pools cannot exceed the local city or county impervious surface limit. Please contact the county for this information.
- **IN-GROUND POOLS WILL BE APPROVED ON A CASE-BY-CASE BASIS**
- The installation of the pool must be done by a professional company and must have proper permits from the county.
- Homeowners and installation companies need to be able to ensure that their septic system isn't impeded in any way for the health safety of the community as a whole.
- If you need to drain your pool, you must use the nearest drainage easement for diverting water OR NCDOT right-of-way easement for drainage. Every homeowner has an easement in their front yard that they can access for this purpose.
- Provide all plans for the pool
- Provide all permits obtained from the county/town (these must be applied for and obtained prior to approval)
- Provide (in writing from Johnston County) that the lot's impervious surface limit will not be exceeded with the addition of a pool. To do this, you will need to reach out to the county. Impervious surface limits should be on the homeowner's site plan survey or plat.
- Provide a photo/drawing of the pool with any landscaping, concrete, etc.
- Provide a plat map showing where the pool will be located on the property
- In-ground pools are **REQUIRED** to have fences surrounding them. If you are submitting an application for an in-ground pool, you also need to submit your plans for a fence.
- The application must be complete (including neighbor signatures) and you must also provide all of the attached documents required.
- The homeowner's association shall not be liable for any events, injury, damages, etc. that may result in the use, construction, maintenance, etc. of the pool.



## Hot Tubs & Spas

Hot tubs & spas are allowed in the community, but homeowners must go through the Architectural Review Process in order to be approved. Please see specific requirements below:

- HOT TUBS AND SPAS WILL BE APPROVED ON A CASE-BY-CASE BASIS
- The installation of the hot tub or spa must be done by a professional company and must have proper permits from the county.
- Homeowners and installation companies need to be able to ensure that their septic system isn't impeded in any way for the health safety of the community as a whole.
- If you need to drain your hot tub or spa, you must use the nearest drainage easement for diverting water OR NCDOT right-of-way easement for drainage. Every homeowner has an easement in their front yard that they can access for this purpose.
- Provide all plans for the hot tub or spa
- Provide all permits obtained from the county/town (these must be applied for and obtained prior to approval)
- Provide (in writing from Johnston County) that the lot's impervious surface limit will not be exceeded with the addition of a hot tub or spa. To do this, you will need to reach out to the county. Impervious surface limits should be on the homeowner's site plan survey or plat.
- Provide a photo/drawing of the hot tub or spa with any landscaping, concrete, etc.
- Provide a plat map showing where the hot tub or spa will be located on the property
- Hot tubs and spas ARE NOT REQUIRED to have fences surrounding them as long as they have a cover that meets ASTM safety cover guidelines. The hot tub/spa supplier will know which ones qualify.
- The application must be complete (including neighbor signatures) and you must also provide all of the attached documents required.
- The homeowner's association shall not be liable for any events, injury, damages, etc. that may result in the use, construction, maintenance, etc. of the hot tub and/or spa.