

Architectural Control Guidelines  
Revision: March, 2023

## Purpose and Scope

The purpose of these Architectural Control Guidelines is to:

1. Ensure that property changes and improvements conform to the requirements and intentions set out in the organizing documents of the Cedarfield II community, to preserve the existing architectural tone of the community.
2. Ensure that future changes will maintain the overall appearance of the community as established by the organizing documents and enforced by the Board of the Association.
3. Provide information for the Board, its agents, and committees to evaluate requested changes and improvements to properties and enforce violations.
4. Provide information to Homeowners of acceptable changes and improvements to properties and expectations of the overall appearance of the homeowners' properties.

These Guidelines should be applied by the Board, its agents, and committees in making decisions about requested improvements and modifications to property and in decisions about violations of existing restrictions.

## Background

This 2023 document incorporates decisions and previously published Guidelines to help homeowners and the Board comply with the Covenants, Conditions, and Restrictions ("CCR"). These Guidelines address the most commonly asked questions of the Architectural Control Committee and should be used in conjunction with the CCR and other community organizing documents.

The Architectural Control Guidelines expand on and provide more detail than the requirements stated in the community organizing documents which include:

- the Articles of Incorporation;
- the Bylaws;
- the Declaration of Covenants, Conditions and Restrictions; and
- the Declaration of Restrictions, including 2022 amendment ("Restrictions").

Authorization regarding oversight of these areas is found in two sections of the **CCR, Article VI, Exterior Maintenance** and **Article VII, Architectural Control**. The language used can be found in a footnote on the last page of this document.

## Approval of Changes to Property

Any improvement to property which changes appearance (such as paint, fencing, porches, porticos etc.) or adds any physical structure (such as storage sheds etc.) must be approved by the Board, through the Architectural Review Committee (ARC).

An Architectural Request Form **must be completed for any project or change on the property or exterior of the home, prior to beginning of the project.** This includes fences, exterior painting, replacement of windows, siding or front door, and changes to decks. Allow two (2) weeks for review and approval.

### Setbacks and easements

Requests for changes must conform to the setbacks and easements defined in maps and documents filed with Mecklenburg County. Front setbacks of 30 feet from the curb are indicated on plat maps filed with the County. Side and rear setbacks may be defined separately for each lot depending on location.

Setbacks for accessory structures are:

- Sheds must be five (5) feet from rear and side property lines,
- Pools must be ten (10) feet from rear and side property lines; and
- Pool mechanical equipment must be five (5) feet from rear and side property lines.

The Declaration of Restrictions states that easements are five (5) feet from the front, sides, and rear of each lot. Within easements, no structure, planting, or other material may be placed or permitted to remain that would interfere with a utility or would change the flow of water.

### Home Addition and Changes

Any attached addition that is completely enclosed and capable of being heated and cooled will:

- Have foundations of brick curtain wall construction.
- Exterior siding, roofing, doors and windows will match the material on the house and will be of the same color.
- Additions that are not completely enclosed shall be considered porches or decks and may be constructed on concrete, brick, or wood pier foundations. Exposed wood must be treated lumber, redwood or cedar. Any other wood must be painted or stained.
- All projects shall be completed in an expeditious and timely manner.

The Architectural Control Committee shall approve any changes of exterior paint colors. Main paint colors should not match either adjacent neighbors' homes or the home directly across the street.

### Outbuildings

Any reference to a home or residence refers to the home constructed on the lot. Outbuildings refer to free-standing structures such as sheds and garages. All outbuildings must be approved by the Architectural Control Committee in advance of their

installation. Requests for an outbuilding must have a survey of the property and show the specific location of the building.

1. Portable buildings are defined as those that sit on the ground, wood or block risers. They shall not be larger than 120 square feet of floor space. Portable buildings shall be installed in such a manner to minimize the gap between the ground and the bottom of the structure. Gaps in excess of twelve (12) inches shall be blocked or screened with a foundation, lattice, landscaping or with other approved materials to minimize the potential for animals to create a nest or den under the building.
2. Permanent outbuildings are defined as one larger than 120 square feet. They cannot be more than 170 square feet and must be constructed on a permanent foundation, with appearance similar to that of the home.
3. Buildings made of metal or formed plastic or rubber will not be allowed.
4. Roofs with pitch less than 2:12 will not be allowed.
5. No outbuilding may be used as living quarters.
6. Exterior color must be approved by the Architectural Control Committee.
7. Storage buildings must be placed in the backyards only and the homeowners shall attempt to place the buildings on their lot where the building cannot be seen easily from the street in front of the house. Placement on the property shall conform to setbacks and easements for the lot.
8. Storage buildings will not be permitted on berms.

### Exterior maintenance and appearance

All yards and exterior surfaces of any building on a lot shall be kept in a neat and orderly state. This will include the following:

1. Yards and bushes will be kept trimmed and neat with regular edging of sidewalks, drives and curbs.
2. Plants shall be maintained so any portion of the plant below six (6) feet in height does not extend onto or above the sidewalk or the curb.
3. Free and clear sight lines shall be maintained at curbs and corners, so drivers are able to see traffic on intersecting streets. No fence, wall, hedge, mass planting or other similar obstruction exceeding two and one-half (2 & 1/2) feet in height shall be permitted between the front lot line and the front building setback line and no low tree branches or other types of obstructions shall be placed or permitted to remain in the sight line approaches to any street or to street intersections.
4. Yards must have some reasonable ground cover acceptable to the Board, such as grass, plants or mulch. Bare dirt is not acceptable.
5. Leaves, pine needles, branches and other debris shall be removed in a timely manner. Debris from the property should be removed from sidewalks and gutters around the property to minimize potential for slips and falls, or clogged storm drains.
6. Walls, chimneys, gutters, and roofs shall be free of mold, mildew, plants, and other growth. Excluding brick, exterior walls of the house and other structures will be kept painted and free of peeling surfaces.
7. Siding, trim, windows, garage doors and shingles should be maintained to repair or replace any rotted or damaged components in a timely manner.

8. Garbage and refuse holders will not be visible from the street in front of the house unless being placed on the curb for waste collection. Bins should be placed at the curb no more than 1 day before regularly scheduled collection and should be removed from the curb within 1 day after collection.
9. Storage of vehicles, equipment, or property on or near the front yard or driveway, or visible from the street, will not be allowed, whether covered or uncovered.
10. No vehicles may be parked in whole or partially on the yard or any area other than the garage or driveway.

### Fences (All fences must be submitted for ARC approval)

1. Fences shall be constructed of high-quality materials and be installed in a professional manner. Fences may be constructed of wood, metal, stone, or brick.
2. Wood and metal fences must meet the thirty percent (30%) open rule when viewed perpendicular to the fence. Stone or brick fences are exempt from the thirty percent (30%) open rule.
3. Privacy fences are exempt from the thirty percent (30%) open rule and may only be placed immediately around decks and pools, not at the perimeter of the property.
4. Wood fences shall be constructed of pressure treated wood or wood with similar characteristics and shall be left natural color. Wood fences may be coated with a clear wood preservative or water repellent..
5. Wire mesh with openings no smaller than two (2) square inches may be used with a split rail fence to contain animals within the yard.
6. Black or white cast aluminum, iron, or steel are the only types of metal fences to be permitted. Chain link or chain metal fencing is not permitted.
7. Fences may not be more than 6 feet in height.
8. Gates must conform to the same standards regarding height and openness as the fence.
9. Fences, other than split rail, shall not be installed on the top of a berm, nor shall they be installed on the side of a berm in such a manner that the top of the fence extends beyond the top of the berm.

### Commercial Vehicles and Trailers

Commercial vehicles, including commercial trailers, shall not be stored or parked on any property within sight from the street in front of the residence, excluding contractor-owned vehicles when they are working at the home. Commercial vehicles and trailers may be stored inside garages or other architectural approved privacy fencing or structure that removes the vehicle from sight.

Commercial vehicles include, but are not limited to, the following:

1. Any Class A or B vehicle as determined by chapter 20-4.01 of the North Carolina State Assembly, which generally refers to vehicles more than 26,000 pounds.
2. Any vehicle with ladders, pipe or wood mounted on racks.
3. Any vehicle with advertising or signage with letters exceeding six (6) inches in height that are visible when parked overnight.
4. Public safety vehicles are not considered commercial vehicles.

## Personal Trailers

No non-commercial trailers are allowed to be stored or parked on or near the front of any residence. Permission to park a personal trailer for a limited time may be granted by the board upon request made to Hawthorne Management at least than five (5) days in advance. This includes, but is not limited to:

1. Recreational vehicles
2. Campers or travel trailers
3. Boats or jet skis on trailers
4. Any non-motorized unit that is intended to be pulled by another vehicle.

### **Footnote: Excerpts from the Covenants, Conditions, and Restrictions (“CCR”):**

#### **Article VI, Exterior Maintenance**

“The Owner shall maintain the grounds and the improvements situated on each Lot, including but not limited to, plantings, landscaping and lawns, at all times, in a neat and attractive manner satisfactory to the Board of Directors of the Association.”

#### **Article VIII, Architectural Control**

“No building, fence, wall, outbuilding or other accessory feature to the dwelling structure shall be erected, placed or altered on any Lot, or combination of contiguous Lots, until the complete construction plans, plot plan, plan sheets from sale, and specifications showing, among other details, the external appearance and the proposed location of the building, fence, wall, outbuilding or other accessory features on the Lot have been approved in writing by Caroleen-Henderson Enterprises, Inc., or its designated agent, which shall have fifteen (15) days after receipt of such plans and specifications for proposed construction to accept or reject the same in whole or in part; if neither acceptance nor rejection has been made in writing by Caroleen-Henderson Enterprises, Inc., the plans and specifications shall be deemed to be approved as submitted automatically.”