

To submit your exterior change application for approval, please follow the instructions provided below:

ARC Approval Process

1. Review the Hortons Creek Architectural Guidelines for any restrictions/requirements (**Pages 2-20 of this document**).
2. [Log in](#) to your HOA account. Your username is your email address. Choose 'Forgot Password' if you need to reset your password. Please do not click 'Create Account
3. Click the 'Architectural Requests' box on the main dashboard screen.
4. Click the 'Add ACC Requests' icon to complete the online application and upload the required information for your project.

IMPORTANT: Upload the following information with your application to avoid delays in the review process: .

- A full description of your project, including dimensions, material, style, etc.
- A photo example of the materials being used or of the structure to be installed.
- A current photo of the exterior area of your property where the modification will be made.
- A copy of your surveyed plot plan with the proposed location of each modification marked within your property lines. *If you did not receive a survey with your closing documents, you can have your property surveyed by a professional surveyor. Alternatively, depending on your project, an image of your lot from the recorded subdivision plat may be sufficient (Search for your property address on the Wake County iMaps website page and scroll to/click on 'Book of Maps').

REQUIRED for Fences:

- The location of the **fence/fence gates** marked on a copy of the survey within your property lines - see above. Please also note the proposed distance from the property line.
- If you plan to attach your new fence to an existing adjacent fence, you must also submit the '*Permission to Attach to an Existing Fence*' form. This form can be downloaded from the 'Community Info' area of the Association's website page.

You will receive a receipt confirmation email within 48 business hours of submitting your application.



ARCHITECTURAL GUIDELINES
for
Hortons Creek Subdivision
Cary, NC

Adopted March 24, 2021

by

The Board of Directors for the Hortons Creek Homeowner's Association

THIS DOCUMENT REGULATES OR PROHIBITS THE DISPLAY OF POLITICAL SIGNS

Architectural Standards and Construction Guidelines

The Hortons Creek Board of Directors with the assistance of the Hortons Creek Architectural Control Committee (the “Committee”), is pleased to present the completed and approved ARCHITECTURAL STANDARDS AND CONSTRUCTION GUIDELINES for use by the Hortons Creek community. These guidelines give residents a consistent standard to follow as the foundation to planning any exterior changes to your property.

Please retain this copy as part of your permanent papers to refer to now and in the future. These guidelines should also be made available to prospective buyers of your home.

Please read and follow these guidelines. You MUST obtain approval IN WRITING from the Architectural Control Committee BEFORE the start of any exterior change. This written approval is also required by Wake County before any permits will be issued. **Do not commit to labor or materials until you have received written approval.**

The standards and guidelines on these pages help to clarify what factors the Hortons Creek Architectural Control Committee considers in the architecture review and approval process. It is the Committee’s intention that these guidelines serve as a *positive* tool to assist you in the full and free use of your property in a manner that is consistent with creating a community that is both aesthetically pleasing and functionally convenient.

The Architectural Control Committee has the absolute and exclusive right to approve or disapprove plans in its sole discretion and may approve or disapprove plans based on purely aesthetic reasons, which in the sole discretion of the Architectural Control Committee shall be deemed sufficient. Absent an approval from the Architectural Control Committee the proposed alteration or improvement may not be commenced.

Please direct your questions regarding these guidelines to PPM, Inc. (the “Management Firm”) at the address below.

P.P.M., Inc.
(Professional Property Management)
11010 Raven Ridge Road.
Raleigh, NC 27614
Office: (919) 848-4911
Fax: (919) 870-7241 (Black & white only)
Email: mwilson@ppmral.com (Preferred submission method)
Web: www.ppmral.com
Hortons Creek Website: www.hortonscreek.nabrnetwork.com

The Board of Directors reserves the right to modify or amend these guidelines from time to time as it deems desirable or necessary.

Sincerely,

The Hortons Creek Board of Directors

I. INTRODUCTION

These standards are intended to serve as consistent set of guidelines and the foundation for planning exterior changes to your property. Owners are responsible for repairs to existing structures, landscape, paint, turf grass, additions, etc. **No application is needed to effect repairs and restoration to the original condition.** If you are unsure or have questions, please contact the Management Firm regarding whether or not an application is required.

Please retain these Standards as part of your permanent papers for reference and provide them to future owners of your home. **Please read and follow these Standards.** Approval **MUST** be obtained IN WRITING from the Architectural Control Committee and the Management Firm **BEFORE** the start of any exterior change. The Committee is comprised of volunteers from the Hortons Creek community. Per the Covenants, the Committee is allowed up to 30 business days to act on an application however the vast majority of applications will be processed within 15 days of receipt. As residents, the Committee understands the need to review and process applications in a time efficient and professional way. To this end, most applications will be processed within 10 business days or two calendar weeks. Please plan for a 30-day review process and **do not commit labor or materials until you have received written approval.**

Your cooperation and adherence to these guidelines is appreciated. Thank you for your support and compliance.

II. PURPOSE AND POLICY

The Hortons Creek Architectural Review Committee presents the following guidelines designed to assist homeowners in complying with the ARCHITECTURAL CONTROL and RESTRICTIONS (Article VIII) in obtaining prior approval for exterior changes on any property individually owned or on property owned in common by all property owners in Hortons Creek. It is the intended effect that these guidelines will result in equitable and consistent handling of all applications for Architectural Committee approval so the necessary value judgments will be kept to a minimum. These guidelines are published to help the homeowner better understand the Covenants. This document does not replace or supercede the Covenants. The Hortons Creek covenants are the legal and binding authority and the covenants precedence over any of these stated guidelines.

In a planned community such as Hortons Creek, the question naturally arises as to how to maintain a harmonious, quality development as the community matures. The following guidelines attempt to provide a meeting ground between private interests and the broader interest of the Hortons Creek community as a whole.

Basic control for maintaining the quality of design is through the Declaration of Covenants, Conditions, and Restrictions for HORTONS CREEK SUBDIVISION. The Covenants run with the land and are binding on all homeowners and renters and should be fully understood. The fact that each homeowner is subject to these Covenants should assure all homeowners that the standards of design quality would be maintained in order to enhance the community's overall environment and to protect property values.

The Declaration established an Architectural Control Committee to be composed of 3 or more representatives appointed by the Board of Directors. Article VII of the Hortons Creek Covenants requires the Committee's prior written approval of any exterior change, addition or alteration to any property. Such changes include any building, fence, wall, other structure, color change, or lawn type change that may be added or altered. It further requires that the plans, specifications and location showing the nature, kind, shape, height, finishes, colors, and/or materials be approved in writing as to the harmony in external design and location in relation to surrounding structures and topography. The Architectural Committee is charged with conducting the review of all applications for exterior changes and with rendering a decision to the applicant in writing in a timely manner following receipt of a complete application. If the Committee fails to approve or disapprove a request for a change within 30 business days after receipt of a complete and correct application, it shall be conclusively presumed that the Architectural Committee has disapproved the proposed change.

III. Responsibilities

The following are the responsibilities of all parties as they relate to the Architectural Guidelines.

Homeowners

Each homeowner has the responsibility to read and understand the Architectural Guidelines or ask for clarification from the architectural Committee or the Board of Directors. Homeowners proposing to make external changes to their property shall complete and submit an Architectural Request Form to the Property Management Company in accordance with the standards set forth herein. Each homeowner is responsible for the adherence to the policies, standards, and control measures established by the architectural Committee and Board of Directors. Problems or violations should be reported to the Property Management Company or to the Board of Directors.

Architectural Control Committee

The Architectural Control Committee is appointed by the Board of Directors and consists of volunteer homeowners. The architectural Committee will hold a meeting as needed to review requests. The architectural Committee is responsible for reviewing architectural requests, making site inspections of requested modifications (before and after if required), and offer recommendations or changes to the Board of Directors with regard to the Architectural Guidelines. Per the Covenants, the architectural Committee has up to 30 business days to officially respond to an architectural Committee request. It is imperative that each homeowner plan in advance to allow for the architectural Committee request process the time required as defined in Section I of this document.

Each architectural Committee request will be reviewed and approved on its individual merits. Previous approval of a similar request does not guarantee future approvals on current or additional properties. The architectural Committee will notify the homeowner of the approval/rejection of the request. The architectural Committee will provide completed and approved/rejected requests to the Board of Directors for inclusion in Board meeting minutes and for filing.

IV. REVIEW CRITERIA

The Architectural Committee evaluates each application on its individual merits. Refusal or approval of plans, locations, or exterior color may be based by the Committee upon any ground, including purely aesthetic considerations. In general, the Committee's decisions are based on the following standards as guidelines.

Validity of Concept

The basic idea of the exterior change must be sound and appropriate to its surroundings.

Landscaping and Environment

The exterior change must not adversely impact the natural landscape or the man-made environment.

Relationship of Structures and Adjoining Property

The proposed change must relate harmoniously to its surroundings and to existing buildings and terrain that are visually related to the change.

Protection of Neighbors

The interests of neighboring owners must be protected by making reasonable provisions for such matters as water drainage, sound and sight buffers, privacy, preservation of views, light and air, and other aspects of design which may have substantial effects on neighboring property.

Design Compatibility

The proposed change must be compatible with the design characteristics of the applicant's home and the general neighborhood setting. Compatibility is defined as harmony in design, style, scale, materials, finish, color and construction details.

- A. Scale: The three-dimensional size of the proposed change must relate satisfactorily to adjacent structures and its surroundings.
- B. Materials: Continuity is established by use of the same or compatible materials as used in the home.
- C. Color: Must be consistent with the residence's color scheme.

Workmanship

The quality of work must be equal to or better than that of existing structures.

Project Completion Timing

An approved property change may be built or installed either by the owners or by a contractor. However, projects that remain uncompleted for a long period of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must contain a proposed maximum time period from start to completion of construction. If the proposed time period is considered unreasonable, the Committee may not approve the application or recommend the project be broken up into phases or reject the application.

V. APPLICATION, REVIEW, APPEAL, and CORRECTION PROCEDURES

Objectives

The Architectural Committee, in examining each application for design approval, considers whether or not the exterior change is in compliance with the Covenants, Conditions, and Restrictions for the Hortons Creek Subdivision and the Architectural Review Guidelines outlined in this document. The main objective of the Committee and these guidelines is to preserve and enhance property values in the community and to maintain a harmonious relationship among structures, vegetation, topography and the overall design of the community.

APPLICATION PROCEDURES

1. Complete the Application form and attach all required exhibits.
 - a. Include full details of the proposed change. If the change is structural, fencing, or grading, submit a sketch or plan and outline specifications. Be sure to include such information as type of material, size, height, color, location, etc.
 - b. Provide a sketch of the location of the improvement as it relates to your house and lot. Please provide a surveyed plot plan with exterior change clearly sketched onto it. Indicate the distance of the exterior change to the lot line of adjacent properties.
 - c. Your neighbor's signature is mandatory. Your neighbors will indicate their knowledge of the project by physically signing your application. $\frac{3}{4}$ of your adjacent neighbors must sign the application. A minimum of two signatures is required. For complex or large projects, it is highly encouraged to gain concurrence to the project plan with all neighbors that are immediately adjacent to the property.
 - i. Adjacent Neighbors - any Hortons Creek property owner with whom you share a property boundary and any Hortons Creek property owner whose property is intersected when you project your front property line across the road or cul de sac.
 - d. Notification of the project must be given to all neighbors adjacent to the property being modified. The applicant will indicate they notified all adjacent neighbors on the application.
2. No application for a change will be accepted for consideration if not submitted with the application form and appropriate exhibits.
3. Email, fax, mail or hand-deliver the application to the Management Firm at the address on the application form. Incomplete applications will require that you submit additional information before they are accepted and reviewed.

- a. The first day of the **30-business day review period** will begin three business days after the date the complete application is received, accepted, and confirmed by the Management Firm.
 - b. Accepted applications will then be forwarded to the Hortons Creek Architectural Committee for review.
4. When you submit your application, it will be uploaded to a private website for review, questions, and voting by the Committee members. The website will automatically notify you via e-mail that the application has been received and whether it is complete or not. It is the responsibility of the applicant to ensure the application is received and accepted by the Management Firm. If you do not receive a confirmation via e-mail, please do not assume your application has been received. If the Committee has any questions or needs clarification, the questions will be sent to you via e-mail. When the final result has been determined, you will receive your official letter via e-mail.

REVIEW PROCEDURES

During the Committee's consideration of an application, Committee member(s) may wish to view the site and talk to the applicant or neighbors regarding the proposed change. Neighbors do not have "veto" authority but may provide any concerns or objections to the Board or Committee for consideration. The Committee may inspect work in progress and request (either orally or in writing) the applicant to correct any non-compliance with the approved design.

The Committee will vote on applications, rendering one of three possible decisions: Approved, Approved with Conditions, or Declined.

If the application is "Approved with conditions" or "Declined", the Committee will provide, in writing, the reason(s) why the project was not approved as submitted. Applications that are "Approved with Conditions" may proceed only if the noted conditions are completed and addressed. All submitted applications are retained and archived by the Management Firm.

APPEAL PROCEDURE

If the applicant disagrees with the decision of the Committee in its review or inspection, the following appeal process is defined:

- 1) File a written appeal with the Board of Directors at the address of the Management Company within fifteen days after receipt of a notice of disapproval.
- 2) The date and time of the appeal is established by the Board of Directors; this is normally at the next scheduled Board meeting. A majority vote of the Board is required to reverse a Committee decision.

CORRECTION PROCEDURE

Remedies: An exterior change made without the required approval of the Committee, or the Board on an appeal, constitutes a violation of the Protective Covenants. A violation requires removal or

modification of the work at the expense of the property owner, or payment of damages incurred by the Association in an effort to have it removed or modified.

Reports: The Committee may inspect projects in process and/or the community in general to identify violations although they are not required to do so. All Hortons Creek residents have the right and responsibility to bring to the attention of the Management Firm any apparent violation of any provision of these Architectural Review Guidelines or the Protective Covenants. When the Management Firm receives a violation report, a notification of a violation is made to the resident in order to identify the problem and request a resolution.

FAILURE TO COMPLY: Should the owner fail to follow through on the agreed resolution the homeowner will be requested to attend a Due Process Hearing with the Board of Directors in order to determine the final resolution. Due process hearings can result in fines and/ or “self-help” (where the association may take action on an owner’s behalf and charge his or her account for the work).

VI. DESIGN and CONSTRUCTION GUIDELINES

This section of the guidelines provides specific guidance regarding particular design situations that have been or may be encountered in Hortons Creek. These guidelines are not meant to be exhaustive or all inclusive. They represent generally acceptable methods for achieving the required objectives and standards necessary for project approval.

Antennas and Satellite Dishes

Television antennas and radio aeriels are not permitted. Satellite dishes are permitted, but must be no larger than 3 feet in diameter. Dishes are to be placed at the rear of the home so as not to be seen from the street. If reception is not available when the dish is placed out of view from the street, the homeowner must contact the Committee and propose acceptable screening. Locations for satellite dishes and other electronic devices and wires need to be approved by the Committee.

Basketball Goals

Basketball goals shall not be mounted on the house. Permanent basketball goals must be installed on the rear third of the driveway or parking pad. The goal shall be placed so that the street is not the intended playing surface. All goals must be mounted on a single pole painted black or trim color to match the house. The backboard should be predominantly white, clear or gray in color. Only one goal per house is permitted. Locations for basketball goals need to be approved by the Committee.

Portable goals must be kept in good repair and returned to the rear third of the driveway or parking pad when not in use. Portable basketball goals need to be approved by the Committee.

Clotheslines

Permanent clotheslines/poles are not permitted except that retractable clotheslines may be considered by the Committee if they will not be visible from the street.

Decks

Deck plans require the prior approval of the Committee.

Dog Houses, Dog Pens, or Other Animals, Habitats and Structures

Dog pens are not permitted. Doghouses are discouraged within Hortons Creek and will be considered for approval on a case-by-case basis. Chickens, chicken coops, and rabbit cages are not permitted.

Fences/Retaining Walls/Hardscape Borders/Patios

Fences will be allowed in rear yards but must not be placed further forward than the rear corners of the side building setback. The approved fencing restrictions and design materials are to be black aluminum and there are two different allowable heights 48" and 54". Please refer to Covenants for additional detail. Additionally:

- All fencing is to be placed on the property lines and must be contiguous to your neighbors, no double fencing between homes is allowed.
- Application must include plot plan showing fence location, attachment to your home and your neighbor's fence if one exists also gates with location and any other relevant details.
- Privacy type fences exception
 - May be considered where the property line borders a non-Hortons Creek or non-residential neighboring property or if the lot backs up to a natural area

Shrubbery planted in a row which creates a natural fencing or barrier between properties requires architectural approval. The applicant is responsible for the maintenance and encroachment of live shrubbery.

Retaining walls, hardscape borders, and patios require approval of the Committee.

Exceptions to height and/or fencing materials requirements may be submitted to the Committee which may grant a variance from these guidelines, in its sole discretion.

Exterior Painting

All painting projects, beyond repairs or restoration to the original color, require approval from the Committee. On the application, explain in detail for each paint color, the manufacturer, the product quality, the sheen and the location where the color will be applied. Paint swatches must be included with the application. The Committee reserves the right to further designate an official color palate and color scheme.

Flagpoles and Lamp Posts

Flagpole and lamp post structures must be approved. When submitting your application please include details regarding the materials of construction, height, and approximate location on lot plan.

Grading

MAJOR changes to the topography of your lot, including but not limited to, lot clearing, tree removal, addition or removal of fill, etc. require approval prior to being started. Neither the Board nor the Committee accepts any liability for any damaged caused by such grading action, whether approved by the Committee or not.

Holiday Decorations

All holiday decorations must be removed within thirty (30) days or 4 full weekends (whichever is longer) of the particular holiday or celebration. Consideration of neighbors should be exercised when decorating for any occasion. All holiday lighting should be considered temporary and may not be installed prior to (60) sixty days before the holiday and must be removed within thirty (30) days or 4 full weekends (whichever is longer) after the holiday. Decorations with sound must be turned off at a reasonable time: 9PM on weekdays and 10:30 PM on weekends. The architectural Committee reserves the right to approve (or disapprove) holiday displays.

Landscaping

Committee approval is not required for most plantings or biodegradable landscaping treatments (i.e. mulch) as long as the existing landscape scheme is maintained. In the case of mulch, only natural color or non-dyed is permitted (i.e. brown or black dyed wood mulch is OK, but bright red is not, also different materials such as rubber, must be approved by the Committee). If in doubt, please submit an application for review by the Committee.

Significant changes to the existing landscape scheme such as turf type, building of mulch beds, retaining walls, etc. will require Committee approval.

Large vegetable gardens and/or compost areas require architectural approval. Garden areas should be maintained in the rear yard not visible from the street.

Mailboxes

One decorative uniform mailbox is provided to each homeowner within the Hortons Creek community when the home is first constructed. It is the responsibility of the homeowner to maintain the integrity of the mailbox and structure. If your mailbox or mailbox post structure requires replacement, you should contact the Management Firm for specific instructions. No alteration in the exterior appearance of any mailbox shall be made without written approval of the Committee.

Play Equipment

All stationary play equipment (i.e. swing sets, play structures, play houses, sandboxes, trampolines, etc.) must be submitted for approval by the Committee to include appearance, size, height, and location. Such items shall be located in the rear yard behind the house (inside rear corners) and shall not be generally visible from the street. Such items shall also be located at least 15 feet from any neighbor's property line. Metal play structures or structures of bright or fluorescent colors are prohibited. All play equipment must be kept in good condition or must be removed.

Slides and tube slides shall be dark green in color whenever practical.

Tree houses are not permitted.

All wooden play structures shall be stained with a tinted sealant in order to preserve the appearance/finish and to minimize the visual prominence of the structure.

Skateboard, bike, and other types of ramps are not allowed.

Rain Barrels

Rain barrels require Committee approval. Rain barrels must be black, brown, or dark green in color, and made of plastic or wood (no metal containers permitted). It is preferred to locate rain barrels at the rear of a dwelling or along the side of a dwelling with minimal visibility from the street.

Sheds/Storage Buildings/Enclosed Structures

Sheds and storage enclosures are not permitted.

Signs/Flags

Except as may be required by legal proceedings or noted below by exception, no sign or flags shall be erected or maintained on any property without prior approval by the Committee. Approved exceptions:

1. A single real estate "For Sale" (or "For Rent") sign of not more than six square feet. Artificial lighting or illumination of the sign is not permitted.
2. "Open House" signs are permitted only during the hours that the premises are open. This includes all such signs anywhere within the borders of Hortons Creek, its entrances and streets, but not located on the property of another homeowner without his/her permission.
3. A single security sign indicating monitoring of the property. The sign may not exceed 24 inches by 24 inches.
4. National or state flags, Seasonal decorative flags. Sport team flags. Limit of two (2) flags per property at any given time.
5. "political sign/flag" meaning a sign that attempts to influence the outcome of an election, including supporting or opposing an issue on the election ballot. Each lot may display one (1) sign with the maximum dimensions of 24 inches by 24 inches. The political signs cannot be placed earlier than 45 days before the day of the election and must be removed no later than seven days after Election Day.

Street Right-of-way Obstructions

Both the Hortons Creek community and the NC-DOT prohibit placement of any obstructions in the street right-of-way. Such barriers include posts and/or chain/rope, blocks or stones, fences or hedges of any kind, any form of large shrub/tree planting or bed, construction materials, dirt piles, construction debris.

Construction equipment, materials, mulch, pavers, etc. must be delivered and placed entirely within the borders of your property and not stored on the street during your project.

Solar Collectors

Applications are required prior to installation. Solar collectors must be installed to be as inconspicuous as possible. Whenever possible, collectors must be placed on the rear of the home or on the side which has the least public exposure. Collectors must be attached only to the roof, not free standing, or ground mounted. Every effort must be taken to camouflage the plumbing and supports for the collectors. This camouflaging may require completely encasing the collectors. All metal parts must be painted to match roof coloring. There must be a minimum exposure of piping with no piping running down the side of the dwelling. Any tree

removal required to permit increased solar exposure to the collectors must adhere to the tree removal guidelines.

Swimming Pools, Spas, and Hot Tubs

Above ground swimming pools are not permitted. In ground swimming pools shall be considered on a case-by-case basis according to the guidelines established by the Architectural Committee. Pools shall comply with all local and state safety codes and requirements.

NOTE: Pumps and motors for pools and related equipment shall be screened and located inside the fence.

Spas or hot tubs require Committee review and approval.

Temporary Marking Flags

When installing and/or marking landscaping, irrigation systems, invisible dog fences, or other items with temporary flags, such flags must be removed within a reasonable time following installation (not to exceed 30 days).

Trash Receptacles

All garbage cans and recycle bins shall be stored in a suitable hidden or screened (by evergreen shrubbery or approved structure) so as to minimize visibility from the street.

Tree Removal and Replacement

Any tree removal and/or replacement requires approval via the Hortons Creek architectural review process. The Town of Cary site plan for the Hortons Creek subdivision requires 2 "street trees" in the front yard. These trees can be removed but must be replaced with a tree variety from the approved street trees per the Hortons Creek site plan. The following trees are approved street trees:

Approved Large Canopy Trees

Scarlet Oak
Nuttal Oak
October Glory Maple
*Chinese Elm (smaller)
Tupelo

Smaller sized trees that may be used with Town of Cary Approval.

European Hornbeam
Zelkova
*Chinese Elm
Ginkgo biloba
Chinese Pistache

For all street tree questions please consult the Town of Cary Planning Department.

<http://www.townofcary.org/connect-engage/town-departments-offices/planning-department>

Turf Renovation

Renovation or replacement of turf grass with same type/variety of grass **does not** require Committee approval.

Replacement of turf with different variety requires Committee approval.

Acceptable yard grasses:

- ***Fescue*** - Fescue is referred to as a cool-season grass. As the name implies, cool-season grasses can endure cold temperatures but decline in the summer's heat. There are numerous turf-type fescues available. Turf-type fescues are improved fescue varieties that have finer blades and deeper, more vigorous root systems. All variations of Fescue are acceptable
- ***Zoysia***- Zoysia grass is a warm-season grass that spreads by rhizomes and stolons to produce a very dense, wear-resistant turf. All variations of Zoysia are acceptable.
- ***Bermuda*** - Bermuda grass is a medium- to fine-textured warm-season turfgrass that spreads by rhizomes and stolons. It has excellent heat, drought, and salt tolerance but does not do well in shade. All variations of Bermuda are acceptable.

Changing your front yard grass requires sod planting. A "from seed" conversion of your front yard grass is not allowed.

Each Lot Owner must establish and maintain backyard turf within 3 years of purchase of the house. The initial backyard turf establishment must be Committee approved.

All yard grass type modifications (either front or back) require the signatures of all neighbors who share a physical boarder with the area to be modified.

For example:

- If you are changing your front yard grass type, you will need signatures from your side neighbors on the application.
- If you are changing your backyard grass type, you will need signatures from your side neighbors and the neighbors behind your property on the application.

When a neighbor signs the application, it is implied that the applicant and the neighbor have discussed the nature of the grass being planted, and that they understand and assume the reasonable maintenance of any grass that might cross property lines.

OTHER DESIGN DATA and CONSIDERATIONS

Many additions to a homeowner's property may require approval of the Town of Cary, Wake County and/or the State of North Carolina. These guidelines are not intended to be a substitute for or summary of those specifications or requirements. It is strongly advised that any homeowner undertaking any modification to the house or lot consult the Town of Cary to ensure that the necessary permits are obtained and building code and inspections are fulfilled.

VII. PENALTIES FOR NONCOMPLIANCE

In addition to any remedies the Association may have at law or in equity, the Association reserves the right to levy a fine of one hundred (up to \$100.00) dollars per day against any Lot Owner who fails to comply with the

rules and regulations set forth herein concerning obtaining approval for improvements or abiding by a Committee decision regarding said improvements after being notified by the Association in writing of non-compliance and attending a Due Process Hearing before the Board of Directors.

Document control:

Revision	Modification	Ratification Date
A	Origination	April 10, 2014
B	Removed survey requirement for fences and permanent borders	September 15, 2014
C	Added Tree Removal and Replacement, modified trees, mulch, painting, and other small sections.	September 20, 2017
D	Added additional allowances for sign & flags	January 29, 2021

Appendix A:

Application for Approval of Exterior Design Change

The application is available online at
<https://hortonscreek.nabrnetwork.com/site/792/myhoaforms.php>

HORTON'S CREEK COMMUNITY ASSOCIATION
Application for Approval
of Exterior Design Change

MAIL APPLICATION TO:

PPM, Inc.
11010 Raven Ridge Road
Raleigh, NC 27614
Phone: (919) 848-4911
870-7241 (Fax)

DATE RECEIVED:

NAME OF OWNER _____
PROPERTY ADDRESS _____ LOT# _____
MAILING ADDRESS _____ (if different)
PHONE: (Home) _____ (Work) _____
Email Address: _____

The owner requests design approval and grants permissions to the Horton's Creek Architectural Committee to enter on the Property to consider the request and to inspect prior, during and/or upon completion.

Signature of Owner

Date

Builder/Contractor: (name and contact information)

(Please note if you are an agent submitting on behalf of a homeowner.)

ESTIMATED CONSTRUCTION DATES:

Begin: _____

Complete: _____

All applications must include the following information. Incomplete applications will be returned.

- Plat Plan (Showing locations of improvements on the lot, drawn to scale.)
- Floor plans and roof design (if applicable.)
- Neighbor Notification
- Materials and Finishes, Colors (attach samples, paint chips, etc.)
- Photos and Brochures (is available), Exterior elevations (scale drawings.)
- Plant Selections (if applicable, include size, variety, etc.)

OTHER INFORMATION PERTINENT TO REQUEST FOR DESIGN CHANGE SHOULD BE ATTACHED TO THE APPLICATION

Project Description

I am applying for the following improvement(s) to my/our lot. More than one box may be checked.

- Addition (Space conditioned rooms, garage, sunroom, screen porch)
 - Deck
 - Fence
 - Landscape (trees, bushes, flowers) and/or Hardscape (walkways, walls)
 - Paint – Exterior (color chips required)
 - Pool
 - Other (explain)
-

DESCRIPTION OF PROPOSED CHANGE:

Please indicate sizes, heights, location, description of materials, etc. **Attach a copy of your plot plan** and indicate the location of proposed exterior design change on the lot in relation to the house and other existing structures. Also attach any sketches, specifications, pictures, paint chips, etc., as appropriate.

Neighbor Acknowledgment

Name	Signature	Address	Lot #

I/we acknowledge that the requesting property owner has shown me/us the details of the proposed improvement and the signature above represents awareness of this proposal. If I/we have any questions or problems we will contact the PPM so that our concerns can be considered by the Architectural Committee during its review of this request.

Your neighbor's signature is mandatory. Your neighbors will indicate their knowledge of the project by physically signing your application. ¾ of your adjacent neighbors must sign the application. A minimum of two signatures is required, unless otherwise specified in the Architectural Guidelines.

Adjacent Neighbors- any Hortons Creek property owner with whom you share a property boundary and any Hortons Creek property owner whose property is intersected when you project your front property line across the road or cul de sac.

Check box to indicate all adjacent neighbors have been notified of the proposal

*****For Architectural Committee *****For Architectural Committee*****

Design Approval

Yes

Conditional Approval

No

Committee Chairman

Date

REMARKS/SPECIAL CONDITIONS:

