

Date: September 4, 2001 (Revised 2005)
To: Silverton Homeowners
From: Board of Directors of Silverton Homeowners, Inc.
Re: Revised ARCHITECTURAL REVIEW GUIDELINES

The Board of Directors and the Architectural Review Committee (ARC) present to you these revised Guidelines designed to assist you in complying with the Restrictive Covenants for Silverton Homeowners Association. These Guidelines supercede the January 17, 1995 Guidelines. Changes to these Guidelines may be made periodically and without notice to homeowners. Every effort will be made to reissue the Guidelines when significant changes occur, but will be made available at all times on the Silverton website at www.silverton-at-cary.com.

Homeowners must obtain prior written approval for any exterior change on any property individually owned or on any property owned in common by all property owners. Additionally, property must be maintained in compliance with the following Guidelines.

The primary purpose of the Architectural Review Guidelines is to maintain and enhance the appearance of the community by assuring that any newly added appurtenances, as well as basic changes to the property, are evaluated and approved in accordance with the Covenants and standards.

Basic control for maintaining the quality of design is provided through the Restrictive Covenants filed with the Register of Deeds in Wake County for each phase of the Silverton subdivision. These Covenants run with the land and are binding on all homeowners.

The Restrictive Covenants establish an Architectural Review Committee (ARC) to be made up of three or more representatives who are appointed by the Board. The Covenants require written approval from the ARC before any exterior change, addition or alteration on any property is begun. Such changes include: any building, fence, wall or other structure that may be added or altered, including a color change in paint on the exterior of the home. It requires that the plans and specifications showing the nature, kind, shape, height, materials, and location of the same be submitted in writing so that they may be reviewed as to the harmony in external design and location in relation to surrounding structures and topography.

Return completed applications to the Management Firm whose address is shown on the application form. Provided the homeowner has no outstanding monetary obligations to the Association, the application will be accepted and stamped by the Management Firm as to the date received. Three days after this date will be the first day of the thirty-day review and approval period. Because the ARC is made up of part-time volunteers, thirty days is required to act upon an application, so do not commit labor or materials until you have received approval.

The Architectural Review Committee is charged with conducting the review of all applications for exterior changes and to render a decision to the applicant within thirty days of receipt of the application. If an application is denied, the applicant may appeal to the Board of Directors. The Board may reverse or modify the committee's decision by a majority vote.

It is important to note that some violations exist to these adopted guidelines and Restrictive Covenants for Silverton. In the circumstances surrounding each case, the homeowners are either protected by a "Grandfather" clause or were granted exceptions by the Board. As a general rule, exceptions will not be approved by the Architectural Review Committee, but will come before the Board of Directors for consideration.

Please keep in mind that many additions to your property may require the approval of the Town of Cary and the Town may require certain permits. Town of Cary regulations will take precedence of Silverton Guidelines and Covenants. If you have any questions concerning this, please contact the Town of Cary directly.

TABLE OF CONTENTS

Page Number	Topic
3	Application for Approval of Exterior Design Change
7	Submittal and Approval Process
8	Maintenance and Repairs
8	Clotheslines
8	Parking
8	Storage
9	Radio/TV Antennas and Satellite dishes
9	Swing sets, Playhouses, Jungle Gyms and Basketball Goals
10	Doghouses and Dog Pens
10	Shed / Storage Buildings
10	Awnings
11	Decks, Patios, Arbors and Screens
11	Swimming Pools and Hot Tubs
12	Fences
12	Exterior Painting
13	Signs
13	Landscaping

SILVERTON HOMEOWNERS ASSOCIATION, INC.

Application for Approval of Exterior Design Change

Date Received by Architectural Review Committee: _____

Mail Application to: PPM, Inc. 919-848-4911
P.O. Box 99657 919-870-7241 (fax)
Raleigh, NC 27624 ppm@silverton-at-cary.com (e-mail)

Homeowner's Name: _____

Property Address: _____ Lot #: _____

Homeowner's Telephone H: _____ W: _____

The homeowner hereby requests design approval from the Silverton Architectural Review Committee (ARC) and/or Homeowners Association, and grants permission for such to enter onto the homeowners' property to review the application and to inspect the proposed project site before, during and after completion of the work. The homeowner also understands that any work done on the proposed project prior to written approval (or conditional approval) of the ARC constitutes a violation of the Silverton Restrictive Covenants and may have to be removed at the homeowners' expense.

Homeowner's Signature Date

General Observations

The Architectural Review Committee knows this application is cumbersome to fill out. Past experience, however, has shown that unclear or vague applications get delayed, usually because the ARC must obtain additional information from the homeowner. Detailed applications facilitate a quick approval process. Therefore, please be as detailed as you can.

You may be contacted individually by ARC members to review the proposal. The ARC realizes that several 'appointments' does cause the homeowner some inconvenience, however, this is the fastest way to get your proposal reviewed. Please understand the difficult and time-consuming task of arranging a single visit by all members. Also, please remember that a major goal of the ARC is quick turnaround time.

Before beginning this or any project on the exterior of your home or on your property, please take the time to review the Architectural Review Committee Guidelines to ensure that you are in compliance with Silverton Homeowners Association Covenants.

Description of Proposed Project

1. What is it you want to do – in detail?

2. General layout of proposal - **Attach a copy of your lot survey** (found in your settlement/closing papers) and draw the exact location of the proposed project onto the survey. If the project is attached to your home, also include a dimensioned floor plan of your home and show how the project will be attached. Be detailed.

3. Specific dimensions of proposal (length, width and height of all components – be detailed):

4. Describe the proposed color scheme of all components (attach color charts if any paint or stain is involved).

5. Describe the materials you will use for all components:

6. Have you thought about the effect on neighbors? Does the project interfere with a neighbor's view, change drainage into an adjacent property, create shadows onto a neighbor's property, or otherwise adversely affect an adjacent property in any way? If so, please explain the cause and magnitude of the disturbance. (Adverse effects are not necessarily a cause for disapproval, but should be considered during the approval process.)

7. Will you do the work yourself or will it be contracted?

8. Attach plan drawings (or photographs) which **show how the finished project will look** – including size, shape and style. (For example, if your project is a fence, furnish drawings (or photos) of a fence section showing style of fence, how the top and bottom edges will look, planking dimensions and spacing, estimated post spacing, gate locations, etc.)

9. Approval from the ARC is valid for 6 months only. You must commence work on your project within six months of the date the ARC approves (or conditionally approves) your project proposal. Furthermore, after the date you commence work, you must complete all exterior work within 60 days. Bearing this requirement in mind, what is your anticipated:

start date _____ completion date _____

10. Does your proposal encroach on any easements (sewer, electrical, telephone, etc.)?

Yes _____ No _____

11. Discuss any additional information which has not been asked of you, but which you feel is pertinent to project approval.

12. The ARC considers notification of neighbors as a common courtesy in the approval process. Therefore, for each neighbor who is adjacent to your property, you should obtain their name, address and telephone number so that the ARC may contact them (if the ARC deems is appropriate). To show that your neighbors have been notified, please obtain their signatures, which merely state they are aware of your project proposal. Their signatures do not signify approval or disapproval – just their awareness of the project.

* If a neighbor does not agree with your project and wishes to directly notify the ARC, they can mail their opinions to the ARC through PPM, Inc. If a neighbor is uncooperative in signing this form, please furnish their name, address and telephone number below. The ARC may contact them.

Signatures below signify that neighbors have been notified of the proposed project and have had an opportunity to review this application in its entirety – with any drawings or attachments. Signatures are not a showing of approval or disapproval of the project.

Name (please print)	Street Address	Phone #	Signature
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Neighbor to your left			
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Neighbor to your right			
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Neighbor to your front, if applicable			
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Neighbor to your rear			
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Neighbor to your rear			
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** The ARC may call neighbors to verify that they have been notified.

SUBMITTAL AND APPROVAL PROCESS

Homeowners must complete an Application for Approval of Exterior Design Change prior to making any changes, additions, or deletions to their home or property. The process will be the same for all submittals with the required details varying dependent upon the type of change.

Items to be submitted:

1. Application for Approval of Exterior Design Change completed in its entirety.
2. Plot plan outlining the position of placement of the change or addition.
3. Drawings / plans showing the construction of the change or addition.
4. Samples of paint, siding, or any other items that may be helpful in making a decision.
5. Signatures of surrounding neighbors as they may be affected by the changes. A neighbor's refusal to sign the Application does not disallow the change; however, the consideration of your neighbors the reason for the Guidelines.

Submit your completed Application to the Management Company named on the form to perform initial review for completeness and legibility. Incomplete or illegible forms will be returned to the homeowner. If a homeowner has any outstanding financial obligations to the Association the Application will not be accepted until that obligation is satisfied.

Completed forms will be date stamped and forwarded to the Architectural Review Committee (ARC) to be reviewed for compliance with the Architectural Review Guidelines. Within thirty days, the ARC will render a decision and notify the homeowner. If you do not hear from the Management Company within 30 days, please contact them as items can get lost in the mail.

Exceptions to the Guidelines will not generally be made by the ARC, but can be submitted to the Board of Directors for consideration at the next scheduled meeting.

Any changes to the Application must be resubmitted for consideration. If the construction or changes do not comply with the application, the committee may request that the homeowner correct the changes in order to comply at cost to the homeowner.

Reminders:

- No construction shall begin without written approval
- Town of Cary permits may need to be obtained and will be the responsibility of the homeowner.

MAINTENANCE and REPAIRS

Owners are responsible for maintenance to property, existing structures and additions in a way that does not detract from the overall beauty of the neighborhood. No application to effect repairs and restoration to original condition are needed. Property that is left in disrepair for extended periods of time is considered a violation of the Covenants and Guidelines. If a homeowner is contacted by the Property Manager and continues to leave property in disrepair, the Association will fine homeowners in accordance with applicable laws until the property is returned to original condition. Following is a list of areas that should be reviewed on a regular basis to insure that your home is in good repair.

1. Shrubbery, trees and lawns
2. Driveways and sidewalks
3. Decks
4. Fences
5. Play equipment
6. Roofing
7. Shutters
8. Wood
9. Paint and stain
10. Garbage can storage

CLOTHESLINES

Clotheslines are not permitted.

PARKING

Parking of cars, boats, trailers, campers and commercial vehicles is not allowed on the street or any unpaved portion of a homeowner's property.

STORAGE

No trade materials or inventories may be stored upon residential lots. Temporary storage of materials for modification projects should be stored discreetly and orderly maintained.

RADIO / TV ANTENNAS AND SATELLITE DISHES

All exterior-mounted radio/TV antennas and satellite dishes require ARC approval. Please include plot plan showing location of antenna or dish. Description of plantings used to camouflage the equipment, if applicable, should be included.

A satellite dish which meets size requirements may be located on any lot zoned for residential use in Silverton provided it meets the following requirements.

1. Satellite dishes shall be less than or equal to 39 cm in diameter.
2. Satellite dishes shall not be located within ten (10) feet of the side or rear property lines, and any required yard setback or in any required buffer, whichever is greater.
3. No dish shall be located closer than thirty (30) feet of a street right-of-way.
4. Satellite dishes installed at ground level must be screened so the dish is not visible for any street or neighboring property as viewed from ground level. The screen shall consist of live evergreen screening. Any tree removal required must adhere to tree removal restrictions. All wiring must be properly buried.
5. Satellite dishes may be located on the roof of a building provided that the dish is not on the portion of the roof facing the street and the highest point of the dish is no higher than the peak of the roof.
6. Satellite dishes may be mounted on the back or side of the homeowners building but shall not be mounted on the front. If mounted on the side of the building, dishes cannot be placed within ten (10) feet of the front of the dwelling.

In no way shall these guidelines waive more stringent Town of Cary requirements nor waive the necessity of any required Town of Cary permits.

SWING SETS, PLAY HOUSES, JUNGLE GYMS and BASKETBALL GOALS

Prior to placement, the ARC must approve all newly installed permanent play equipment. Please include in your application a plot plan showing location of play equipment and distance from the property lines; drawings or pictures of the play equipment to be placed.

Guidelines:

1. Permanent play equipment must be installed to be as inconspicuous as possible and should be placed out of view from any street. It cannot be any closer than five (5) feet of adjoining property lines.
2. The preferred location is in the rear, directly behind the house, but each request will be reviewed on its own merit.
3. The ARC reserves the right to request that a homeowner remove play equipment if surrounding neighbors complain about disrepair. (Disrepair constitutes noticeable missing and/or broken parts, rust and/or peeling paint.) A site inspection will be conducted by the ARC to verify if the complaints are valid and if action needs to be taken.
4. Non-permanent play equipment must also be placed inconspicuously so that it does not detract from the neighborhood surroundings.
5. Basketball goals are not permitted on curb areas of the street. They must be located on the owner's property in such a manner that the playing area is not in the street.

DOG HOUSES AND DOG PENS

Doghouses should be painted or stained and roofed to match the exterior of your home. Dog pens should be made of pressure treated wood and should allow the animal to see out. The height of the fence cannot exceed four feet. The maximum square footage of a pen is 75 square feet with a maximum length of 12 feet.

The doghouse and or pen should be located on the property in an area that is not highly visible from the street and must be positioned at least five feet from a neighbor's property line. The area surrounding the pen should be landscaped such that drainage is not a problem. They must be properly maintained, kept in good repair, and free from materials that may create an unpleasant odor.

In all cases, dog pens and houses must be approved by the ARC.

SHED/STORAGE BUILDINGS

Detached freestanding storage sheds are discouraged. Where possible, storage sheds should be attached to the house. In most cases this is less expensive and would be more aesthetically pleasing as well as more convenient. Whether attached or freestanding, all sheds must receive committee approval and meet the following criteria.

1. Siding: Must be quality materials finished to match the home.
2. Roof: Must be similar to the home in pitch, materials and color.
3. Base: Must have suitable foundation and/or constructed floor system.
4. Size: Maximum of 100 square feet.
5. Placement: Must be behind the house, at least five (5) feet from neighboring property lines, and not in side yard areas that are highly visible from the street.

AWNINGS

All permanently mounted awnings require ARC approval. Please include a plot plan showing the location of the awning, elevation showing location of awning and a description and sample of materials to be used.

Guidelines:

1. Fabric must blend with color of the home.
2. The awning material shall be fabric only.
3. It can be either retractable or stationary.
4. Any wood structure must be the same color as the house or deck.
5. It is expected that any deterioration will be repaired within a reasonable amount of time.
6. Awnings must be attached to the home, not freestanding.

DECKS, PATIOS, ARBORS AND SCREENS

There is not a predetermined style for decks or patios. All new or expanded decks, patios, arbors, screening and under-deck enclosures require approval from the ARC. Any appearance change or addition requires ARC approval.

With your application, please include a plot plan showing the location of the deck and patio in relationship to other structures and property lines, elevation drawings showing style of deck and patio, including railings, steps, etc..., description of materials to be used including samples of stain or paint if applicable.

Deck Materials

- a. Deck materials are generally pressure treated wood and must be weather resistant.
- b. The types and treatment of wood should be like that of fences.
- c. Posts may be of brick, pressure treated wood or other suitable material
- d. Applications should include any landscape plan/screening of the area underneath the deck.

Patio Materials

- a. Concrete slab, smooth finish
- b. Bricks or stone, with sand fill or grout
- c. Applications should include any landscape plan with your request for perimeter of the patio.

Height of deck, arbors and screens

- a. Decks should be of a reasonable height for their intended purpose.
- b. Arbors should be no higher than eight feet above the deck surface.
- c. Freestanding deck screens shall not exceed six (6) feet in height, with the exception of screens as part of an arbor.

Location and restrictions

- a. Patios should be located behind the house, and may not extend beyond, around the corners, or be freestanding in other areas of the backyard.
- b. Decks shall not extend outward beyond the rear corners of the building line.
- c. Obstruction of views or breezeways of adjoining properties will be given consideration in all cases.
- d. The construction of decks or patios within a buffer area will not be allowed.
- e. Only exterior materials comparable to those existing structure and compatible with the architectural character of the community will be approved.
- f. All permits and building codes must be in compliance with the Town of Cary.

SWIMMING POOLS AND HOT TUBS

The ARC must approve all swimming pools and hot tubs. Please include plans and specifications showing the nature, kind, shape, height, materials and location; include a plot plan showing the location of the pool or hot tub; include plan for screening (either fencing or live screening). Pool or hot tub must be screened from view from any street.

FENCES

All fences require prior approval from the ARC and must comply with guidelines. Please include a map indicating the exact location of the fence in relation to the house and property lines. Include dimensions, materials, height, style, color and location of the fence.

Materials:

Fence itself must be of wood only, such as cedar, redwood or treated pine lumber. No metal, wire, chain or concrete fences allowed.

Height:

Maximum height allowed is five (5) feet. If a fence is to exceed five feet, the top section (minimum of 12 inches) must be an open style.

Style:

Fence style is to be determined by the homeowner and should be included in the application for approval. Whenever possible, at least one inch of spacing between boards is preferred.

Color:

Either natural or stained. The ARC must approve any paint colors.

Location:

Fences must be located in the rear yard and must not proceed further forward than the rear corners of the house. Fences are not permitted to extend to the side or front yard. Property owners are cautioned that building a fence that infringes on easements or access right of ways may result in destruction or removal of the fence.

EXTERIOR PAINTING

All exterior painting or staining of your home must have approval from the Architectural Review Committee (ARC). These guidelines apply to those painting or staining their home a new color(s), as well as those painting or staining their home the existing color(s).

- Submit an Application with color samples and paint/stain identification numbers.
- Siding - Paint/stain a 3' by 3' section of the siding, for review by the ARC. The painted/stained section may be in an inconspicuous location.
- All other exterior areas - Paint/stain a 3' linear section of the trim, porch railing, shutters, gutters, mail box or deck board, for review by the ARC. The painted/stained section may be in an inconspicuous location.

Periodic touchup/maintenance painting does not require approval of the ARC.

Colors that are not considered harmonious with the style of the neighborhood will not be approved. In all cases, homes should not have more than three (3) paint colors on the exterior of the home.

Brick will remain unpainted except to match existing painted brick house color.

SIGNS

Except as listed below, no sign of any kind shall be displayed to the public view on any lot or house.

1. Any sign required by the Town of Cary.
2. A single real estate sign (which includes For Sale by Owner signs) of not more than six square feet.
3. Signs of not more than six square feet expressing support of, or opposition to, a political candidate or other issue which will appear on the ballot of a primary, general or special election, provided that such political signs shall not be placed on a lot earlier than sixty days before such election and shall be removed within two days after such election.
4. Temporary signs spreading good news
5. Small signs indicating the existence of a home security system, maximum 144 square inches.

LANDSCAPING

Landscaping of a minor nature such as naturalization of an area of the yard or adding low growing shrubs and bedding flowers need not be submitted for approval provided they do not encroach upon neighboring properties.

After initial construction, no tree having a trunk diameter exceeding six (6) inches at a height of four feet above the ground level shall be removed without the ARC and/or the Board's prior express written approval. Exceptions are made if the tree is dead or diseased or poses an imminent threat or danger to person or property.

Other types of landscaping that are structural, or change the contour of the land, or are adjacent to a property line, or obstruct a neighbor's view, will require ARC approval. Any planting in hedge or row form in front or side yards that will act as a fence require ARC approval.

Vegetable gardens must be kept in rear yard and do not require approval.

All plantings must be maintained. There should be now overgrown grass or weeds, and all dead trees and shrubbery should be removed.

Changes to the topography of your lot could cause flooding or improper drainage into a neighbor's yard. Grading changes must be approved prior to being started. Neither the Board nor the ARC accepts liability for any damage caused by such grading action, whether approved by the ARC or not.