

The ARCHITECTURAL REVIEW PROCESS

**COLUMBIA PLACE
CHAPEL HILL, NC**

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Architectural Review Application

This document sets forth guidelines and procedures for making an application for approval for changes to the exterior of your home and front yard landscaping.

Approved by Columbia Place Homeowners' Association Board of Directors
August 11, 2004.

I. Introduction:

Columbia Place is a planned unit development. This means that the original tract of property was designed and approved as a self-contained, deed restricted community having its own covenants and order of rule under which all property owners would live and abide and which would provide for the maintenance and upkeep of the Common Areas, as well as the exterior maintenance of the original structure of each unit, and improvements thereon. Restrictions were established so that aesthetics, appearance, and congruity could be defined and written guidelines could be created (this booklet). Current guidelines are based on the Covenants, Town of Chapel Hill codes, and on established precedence and design features approved by the Architectural Control Committee (ACC) to maintain harmony and congruity of the neighborhood design. Each homeowner will then have some degree of assurance that the actions of all members of the community will be directed so as not to adversely impact their enjoyment or property values.

The architectural standards and use restrictions are for the purpose of protecting the value and desirability of the real property located in Columbia Place. Article Six: Architectural Control (page 12) of the Declaration of Covenants, Conditions and Restrictions for Columbia Place allows for the creation of the Architectural Control Committee (ACC). "... no building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made, until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representatives appointed by the Board." (Note: Historically the Columbia Place Homeowners' Association Board of Directors has served as the Architectural Control Committee.)

Article Eight: Exterior Maintenance, Section 3 (page 16) requires that "all plantings in the Lot's front yard shall be subject to the same conditions as set forth herein and must be approved in writing by the Architectural Control Committee, unless said plantings are annuals and/or perennial flowers. The owner of a Lot may plant harmonious trees, shrubs, vegetable or flower gardens and grass in the Lot's rear yard space; provided that such plantings and voluntary Owner maintenance does not hinder the Association in performing its maintenance tasks."

A planned unit development is essentially a mini town with a Board of Directors serving as the Town Council. The Board President can be thought of as the Mayor, the Property Manager as the Town Manager, and homeowners as the town citizens. This establishes a self-ruled community where the homeowners look after their home and ultimately their investment in that property by active participation in the governance of the community and on committees advising its elected leaders.

II. Architectural Guidelines:

The following guidelines are expected to be changed from time to time and are not inclusive of all architectural standards which may be adopted by the Columbia Place Homeowners' Association. All architectural changes must comply with Town of Chapel Hill ordinances and codes including easements for R-3 zoning. Homeowners are responsible for obtaining all necessary building permits.

Additions:

All additions require ACC review and approval. Architectural changes must comply with all Town of Chapel Hill codes. Homeowners are responsible for obtaining all necessary building permits. More information can be obtained by calling the Chapel Hill Zoning Office at 968-2728. Please note that addition requests may involve multiple review processes.

Include the following items when submitting an application:

- Preliminary drawings (to scale) which show relationships to existing structures, landscaping and lot lines for all proposed improvements. These drawings should include a 'site plan' and an elevation plan, along with any additional information which could help the ACC to visualize the project. Indicate how the external design of the addition will be in harmony with surrounding structures and the topography. A 'site plan' is a top down map and can be drawn on a copy of the Lot survey. An elevation plan should show front, rear, and side views.
- Siding must be consistent in type and color with that on the 33 buildings within Columbia Place.
- Roof materials must be consistent with that on the 33 buildings within Columbia Place.
- Exterior walls on the proposed addition should be parallel to those currently existing on the building.

Antennas:

- No exposed or exterior radio or television transmission or receiving antennas shall be erected, placed or maintained on any part of a Lot or upon a structure without review and approval of the Board of Directors as to location, style, type, and composition. (Article Ten: Use Restrictions, Section 7, page 19)

Decks, Patios, Porches or Detached Structures:

- Modifications of or addition to decks, patios, porches or detached structures require ACC review and approval. Include site and elevation plans which show relationships to existing structures, landscaping, and lot lines for all proposed improvements.
- Specify material, design and color finish, if applicable.

Driveways:

- Any change in the material or the location of a driveway requires ACC review and approval.
- Driveways should be constructed of concrete.

Exterior Paint Colors:

- Repainting any part of your unit's exterior in the same color as last applied or restaining the deck with the same stain color does not require ACC review and approval.

Fences:

All fence construction requires ACC review and approval.

- Fences shall be set back a minimum of twenty-four (24) feet from any street curb and eight (8) feet from any portion of the side line of an adjoining Lot. (Note: distances may change based on Town of Chapel Hill R-3 zoning setback line requirements.)
- No wire or chain link should be used.
- Top line of fences should be parallel with the house foundation lines, but may be stepped down vertically to accommodate changes in topography.
- Pickets must be vertically plumb.

Hardscaping:

All construction or modification of walls, walkways and detached or free standing decks require ACC review and approval.

Landscaping:

The Columbia Place Homeowners' Association encourages homeowners to landscape their property, while maintaining the natural feel of the neighborhood. Landscaping can add a personal touch to your home and increase your property value.

- Per Article Eight: Exterior Maintenance, Section 3 (page 16), planting of bushes and trees in the front yard requires ACC review and approval. Planting of annuals and perennial flowers does not require ACC review. Harmonious plantings in the unit's rear yard does not require ACC review, though you are asked to consider any impact to your neighbors, as you plan you landscape changes, as well as the need to permit the Association to perform its maintenance tasks. Owner is responsible for maintenance of those plantings.
- **All** trees located on a lot (front, back or side) over 4 inches in diameter at a height of 24 inches above the surface of the land and **all** redbud, dogwood and beech trees of every size require written approval from the ACC to remove. (Article Ten: Use Restrictions, Section 9, page 19)
- No plantings or gardening shall be done upon or in the Common Areas except as approved by the ACC. (Article Ten: Use Restrictions, Section 6, page 19)
- Dead and diseased trees shall be cut and removed from any lot by the Columbia Place Homeowners' Association.

III. Procedure and Application Instructions:

This section identifies the process for requesting architectural review for your planned project.

1. Prior to any alteration, addition or improvement covered by the Columbia Place Homeowners' Association Covenants, the homeowner requests an Architectural Review Application (ARA) form from the Property Manager or may download the form from the Association website at www.columbiaplace.org.
2. Homeowner completes ARA form and returns via US Mail to the Property Manager.
3. Property Manager determines if all necessary documents and information is included:
 - a. Yes - Property Manager dates the ARA form, notifies requester that request documents are complete and forwards copies of the request to the ACC members (e.g., Board of Directors acts as ACC). The form must be date stamped by the first Wednesday of the month to be reviewed by the ACC during the same month. The ACC meets the second or third week of each month.
 - b. No - Property Manager asks homeowner to resubmit ARA form with necessary documents and information.
4. ACC reviews ARA form at next meeting and notifies Property Manager of decision in a timely fashion to permit notification to the resident no later than 30 days after the date on the ARA.
5. Property Manager sends letter and calls homeowner with ACC decision.
6. For applications which are approved, homeowner proceeds with construction and/or landscaping in accordance with ACC approval guidance.
7. If an application is not approved, the homeowner may resubmit a modified application that considers the ACC suggestions. The 30 day process starts again with the resubmission.

Enforcement:

“The Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of the Declaration of Covenants, Conditions, and Restrictions. Failure by the Association or any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.” (Article Twelve: General Provisions, Section 1, page 20).

Interpretation of this paragraph of the Covenants is the following:

Any homeowner or the Association acting as the representative for the homeowners can pursue legal action to ensure adherence to the covenants.