



EAGLECHASE HOMEOWNERS ASSOCIATION ARCHITECTURAL COMMITTEE GUIDELINES

PURPOSE

The sole purpose of any homeowner's association is to maintain property values in a neighborhood through ensuring conformity to style, function, and appearance of the neighborhood. To attain its goal of conformity, rules are established. It is the interpretation of such rules that creates conflict. The Eaglechase Homeowners Association has a set of rules already established in its covenants, and all homeowners residing within Eaglechase are bound by them.

The Board of Directors does not wish to adhere so strictly to the covenants that residents feel them to be the "neighborhood police." Nor does the Board wish to disregard the protection afforded by the covenants. Therefore, the following guidelines have been approved by the Board for use in enforcing the covenants.

AREAS OF ENFORCEMENT

I. PARKING (Article XII)

"Adequate off-street parking shall be provided by the owner of each lot for the parking of automobiles owned by such owner, and owners of lots shall not be permitted to park their automobiles on the streets in the development. Owners of lots shall not be permitted to park boats, trailers, campers, and all other similar property on the streets in the development, and such property shall be parked in a garage or screened area."

Although parking on the street is prohibited, the Board feels that strict adherence to Article XII would prove to be a hardship on homeowners. Therefore, only such parking that is deemed to restrict the natural flow of traffic, or pose a potential safety hazard shall be banned. For example: If a car is parked in such a way that the street is severely constricted, (like in a cul-de-sac, adjacent to a traffic island, or directly opposite other parked vehicles where only one vehicle can proceed safely), it poses a potential safety hazard. If a work vehicle, such as a large truck, is continually parked on the street, its appearance and size make it a nuisance. Each case is evaluated on its own merits. Just because there is a complaint does not mean that there is always a violation.

Enforcement of this restriction shall be in the form of a \$10 fine for each occurrence. **No one will actively search for violations.** Instead, the Board will investigate complaints and issue tickets if a parking violation is found to exist.

Boats, trailers, campers, etc., as defined in Article XII, must be parked in a garage or screened. By screening we do not mean that a special building must be constructed just for a boat. A screen can be a lattice, section of fence, or plantings that would make the boat blend into the background effectively. Remember that fences and trellaces over 10 feet in length must be approved by the Architecture Committee. Fines for failing to comply with the covenants will also be \$10 per occurrence.

II. NUISANCE BEHAVIOR (Article VIII)

"No part of the said property shall be used for business, manufacturing, commercial or professional purposes. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood."

"No trade materials or inventories may be stored or regularly parked on the premises." Primarily, the covenants prohibit the use of the home as a place of business when such a business would generate visiting clients. However, other activity can be construed as noxious or offensive activity as well. Essentially, any ongoing activity that is loud and/or offensive may be considered a nuisance. Also, any yard that is neglected in such a way that a reasonable person would find it objectionable would be considered a nuisance. This includes failure to mow grass on a regular basis, and accumulating piles of yard waste for prolonged periods of time. Again, enforcement would be on a case-by-case basis as complaints are brought to the Board. The Board will investigate such complaints and may fine offenders \$25 for each occurrence.

III. STRUCTURES (Articles II, III, V, IX, and X)

All structures, including, but not limited to, fences, dog pens, decks, and sheds, must be approved in writing by the Architecture Committee prior to construction. The Committee requires that the homeowner provide a site plan for the property as well as a copy of the construction plans and materials at least two weeks prior to beginning construction. In the event that a person who rents a home wishes to construct some structure, then written permission from the owner must also be provided.

Only certain types of structures are allowed. Only the small 24" or less satellite dishes are allowed, however, it is highly recommended that they be placed in the back. Utility buildings, fences, and decks are allowed provided that prior written approval is granted by the Architecture Committee. The Committee will follow certain guidelines in making its approval in each case. Such approval extends to the location, style, design, materials and timeliness of the construction. **By no means does approval by the Architecture Committee relieve the builder or owner from his/her responsibility of getting any building permits required by the city, county, or state.**

Any "building or structure for storage or other appropriate residential uses, not in excess of 250- square feet in area" must be located at least 70 feet from the front of the property, or from the right-of-way of each street if it is a corner property.

No building shall be located closer than 30 feet to the front of a lot. For corner lots, the dwelling must be at least 30 feet from one street, and at least 20 feet from the other street. No building may be built closer than 10 feet from an interior lot line, except that a 5 foot side yard is allowed for a garage or other permitted accessory building located at least 100 feet from the minimum building set-back line. No fence, wall, hedge, or mass planting shall be permitted to extend beyond the minimum building set-back line, except by approval from the Architecture Committee.

FENCES

No enclosure shall be permitted to extend into the front yard of the property, with the setback line beginning approximately at the midpoint of the side of the house. According to city code, enclosures can be constructed directly on the property line, however, a 1 to 2 foot setback is recommended to allow the property owner to properly care for the lawn on both sides of the fence. If the fence intrudes onto a neighbor's property, then the neighbor can legally claim ownership of that fence.

Construction activity should be performed during reasonable (daylight) hours so as not to disturb the neighbors. All fence construction should be completed within 30 days from inception, and all construction debris must be contained and disposed properly throughout the construction process. Fence materials, design, styles, and heights must be consistent on all sides, and if painted, must match the color of the house trim painting. Chain link fences and stockade fences are allowed, any fence that is at least 42 inches high and visible from the right of way must have plants installed. Such plants will eventually conceal at least 3/4 of the fence from the street view within 3 years of the fence construction.

- Chain link fences must be rust proof and blend with the surrounding area (by being colored either dark green or dark brown)
- Stockade fences must be constructed so that the posts and cross beams are not visible from the outside.

A building permit is required by the City of Raleigh when constructing a fence. For fences above 6 feet in height, the city requires that the builder request a variance from the Raleigh Board of Adjustment. For information regarding building permits, call the Raleigh permit office at 890-3040 or 890-3749.

DOG PENS

All dog pen enclosures must be set-back at least 10 feet from the property line, and screened with plantings in the same manner as other fences. In addition, homeowners are required to properly clean and maintain dog pens to ensure that dogs are properly contained within the pen and that the pen is not a nuisance. A fine of at least \$25 shall be ordered for failure to properly maintain the dog pens.

DECKS

- All posts must be secured in the ground
- If the deck is painted, then the paint must match the colors used in painting the exterior of the house.
- Decks must be setback at least 10 feet from the property line. If needed, a variance of 1 foot can be granted by the Architecture Committee.

The City of Raleigh requires a building permit when building a deck. For information on building permits, call 890-3040 or 890-3749.

SHEDS

If the shed is to be smaller than 12' X 12' then only a building permit is required. However, if the shed is to be larger than 12' X 12' then a zoning permit is also required. To obtain a zoning permit, call 890-3749. The City of Raleigh requires that you provide them with a copy of the survey or site plan for your property (that details property lines), and that shows where the proposed shed will be. The plans must also show the distance from the shed to each property line.

- The shed must be setback at least 10 feet from the back and side property lines, and if painted, must be the same color as the exterior of the house.

It is the intent of the Board to maintain a peaceful and pleasant environment in which to live. The guidelines set forth in the Covenants and as outlined above are meant to help us all to achieve this goal. Homeowners are encouraged to follow these guidelines and to discuss any concerns with the Board.