

THE VILLAGE AT MOTTS LANDING

ARCHITECTURAL CONTROL GUIDELINES

July 20, 2021

The objective of the Declarant (as to new construction only), Board of Directors (BOD) and the Architectural Control Committee (ARC) is to maintain the condition, continuity, curb appeal, character and integrity of The Village at Motts Landing (Motts) community. To that end, use restrictions and architectural controls are set forth in the recorded Declaration of Covenants, Conditions & Restrictions. In essence, the Architectural Review process is the tool for the Declarant (as to new construction only) or the ARC to use to review proposed owner requests to add or remove features to a Lot.

It is, therefore, important for all lot owners be aware that failure to receive approval prior to making any addition to or change in or alteration to any lot within the Village at Motts Landing Homeowners Association may subject them to enforcement measures to the fullest extent permitted under the North Carolina General Statutes including fines and or reinstatement of the lot to the condition that existed prior to the addition, change or alteration having been made. Failure to complete projects as approved is also subject to the same enforcement measures.

Refusal or approval of any plans, applications, location or specifications may be based upon numerous grounds including, but not limited to, purely aesthetic and environmental considerations, and the continuity of architectural design character throughout the community.

An element that was previously approved and installed on a property (prior to the date of this document) based on documented prior approval will be “grandfathered”. The owner has the right to maintain such an element in its original condition but may not change or replace it with any variation without ARC approval.

The following is a brief summary of some of the criteria used in reaching architectural decisions on some of the more common requests. However, this listing is not meant to limit or supersede any of the provisions set forth in the amended Declaration. Homeowners are advised to read the Declaration document posted on the Motts Landing HOA official website, www.cepcoco-nc.com. The Architectural Review Committee has the authority to approve or reject any requested changes to the exterior of a house or on an owner’s property. The Committee will issue approvals and denials evenly and consistently across all requests.

1. All homes in the community are to be a minimum of 2000 square feet of enclosed heated dwelling area. Only homes of brick construction will be approved. The home, including driveways, patios and all impervious materials must not exceed the designated impervious surface specified for the Lot.

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2. Houses are to have the same color roof shingles and exterior trim as others in the section in which they are constructed.
3. Driveways are to be exposed aggregate or brushed concrete consistent with those in the section in which they are constructed.
 - 3a. *Guidance:* No edging of any type is permitted along any driveway or walkway that abuts a lawn.
 - 3b. *Guidance:* Marker lights or reflectors along driveways are not permitted. Ground lights (not reflectors) are permitted along the front door walkway but style and placement must be approved by the Architectural Review Committee.
4. Only an official US flag and/or an official North Carolina flag no greater than 4'x6' may be displayed on the front or street-facing side of the house. These must be displayed only on a free-standing flagpole or on a house-mounted pole.
5. All wall art, placards, signs, or ornamentation that is to be displayed on the exterior of the house or lot a request must be submitted to and approved by the ARC prior to being displayed.
 - 5a. *Guidance:* Requests to place statues, sculptures, fountains, birdbaths, decorative garden flags, and any other non-natural elements along the front of a house or in the front yard or in a street-facing side yard on a corner lot shall not be approved. Statues will not be approved in any side yard. The only exception is that a small US flag and/or a small North Carolina flag may be displayed in place of a garden flag.
 - 5b. *Guidance:* For ARC purposes regarding items referred to in Paragraph 5, the HOA considers a side yard to be defined as the yard areas on both sides of the home running from the front corners of the house along its side walls to its back corners. For a corner lot, on the street side, that side yard extends out to the inner edge of a sidewalk if present or otherwise to the inner edge of the curbing and extends past the back corner of the house to the rear property line.
 - 5c. *Guidance:* Approval to install solar-powered lawn lights must be submitted as an ARC Request. The request must include pictures and specs for the lights plus a drawing showing exact proposed placement.
 - 5d. *Guidance:* Homeowners may request approval to place up to six flower pots with

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plants at or near the entrance to the dwelling or in flower beds adjacent to the house. An Architectural Review Request must be submitted describing the number, sizes and colors of the pots along with a photo of the pots.

5e. *Guidance:* An ARC request is not needed for traditional porch furniture placed on the front porch of the home. An ARC request is required to be approved before any other items are placed on a front porch

6. An ARC request is not required for changes to shrubs and flowers in existing beds subject to Guideline 10.

7. An ARC request is not required to replenish brick chips with the same color originally installed on the property nor is an ARC request required to install brown mulch or pine straw in beds. An ARC request is required for any other type or color of bed material.

8. An ARC request is required for the installation of any type of bed edging. Owners must not install any bed edging prior to receiving official written approval.

8a. *Guidance:* The Architectural Review Committee will normally consider extruded concrete edging of the color, size and profile as had previously been defined by the Board of Directors in an earlier guideline.

9. An ARC request is not required to repaint exterior trim and doors in the same color as originally applied to the house. An ARC request is required for any changes to trim color, door color, or door style.

10. No dwelling, wall or other structure, including fences or pools shall be erected or maintained upon any lot, nor shall any exterior change or modification be made to any lot until the plans and specifications showing the nature, kind, shape, height, colors and location is submitted to and approved in writing by the Architectural Review Committee.

11. An ARC request is required for removal of any tree. ARC requests for approval to remove trees from owner properties may be approved if the trees are within 40 feet of the house as well as trees, at any distance from the house, that are assessed by the owner to be an imminent threat to the roof or building structure of the house and are not in a wooded green space area. No trees or any vegetation in designated wetland areas or HOA common areas may be removed, trimmed, or otherwise disturbed.

12. Outside spot or flood lighting (motion detection controlled, timer controlled or switch controlled) may be approved only in the back of the house and aimed so as not to intrude on neighborhood streets, backyards, or into adjacent houses.

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IMPERVIOUS SURFACE ALLOWANCE

Each home site constructed in Motts Village has a square foot total calculated into its construction that is comprised of the house and driveway footprint and any other hardscape added as a horizontal surface. The information recorded on every ARC application is necessary to determine if the requested site modification maintains the allowable BUA (Built-Up Upon Area) for each home site. If the allowable impervious surface is exceeded, the homeowners request will be denied. The owner may alter the requested project to meet the BUA allowance and submit a new request for the project.

It is important to understand that the capacity of each pond is allocated to all lots served by that pond as an allowable square footage of impervious surface per lot. If an owner installs impervious surfaces in excess of the amount allowed for their lot, they are in effect denying their neighbors the right to fully use the impervious surface allowance for their lots.

The built upon area (BUA) and impervious area for the community must be balanced with the capacity of the retention ponds to manage flooding and control storm water runoff from building roofs, walkways, driveways, patios, and streets.

Each lot has a maximum BUA that is calculated by the design engineer into the pond design and size. Building more hard surfaces increases runoff and could cause the pond capacity to be exceeded. The retention pond construction, calculations and maintenance are regulated by the North Carolina Department of Environmental Quality via a separate Storm Water Permit issued to the HOA for each retention pond. Each permit specifies the amount of impervious surface allowable for a particular retention pond.