



**AMBERLY MASTER PROPERTY OWNERS  
ASSOCIATION ARCHITECTURAL GUIDELINES**

**“Amberly . . .  
. . . Enhancing life, preserving traditions.”**

**UPDATED MARCH 2014**



## TABLE OF CONTENTS

	Page
Architectural Standards Introduction & Disclaimer	3
Design Review Board Procedures for Alterations and Additions -	4
Architectural Standards	
Architecture	6
Setbacks and Build-to Lines	9
Porches and Stoops	9
Decks and Patios	10
Garages and Carports	11
Accessory Building	11
Exterior Colors	12
Fences	13
Driveways and Walkways	16
Lighting	17
Mailboxes	17
Play Equipment	17
Retaining and Screen Walls	18
Tree Removal	19
Awnings	19
Satellite Dish/Antenna Guidelines	19
Solar Collectors	21
Outdoor Fireplaces and Kitchens	21
Signage	21
HVAC and Electrical Equipment	21
Trash and Recycling	22
Port-A Johns	22
Landscaping General Requirements	22
Townhome Requirements	24
Lake and Trail View Lots Requirements	24
General and Construction Maintenance	25



## **Design Review Board Procedures**

### **Architectural Standards Introduction & Disclaimer**

The following Architectural Standards (Standards) embody what Amberly is and should continue to be in the future. These Standards shall be the primary vehicle for establishing and maintaining the architectural correctness and diversity for any and all residential development that is unique to Amberly. The Standards may be periodically updated as deemed necessary by the Design Review Board (DRB) as appointed by the Master Board of Directors.

Per the Master Declaration, architectural review may be delegated to the sub association for its own applications. Where this is the case, any references to submissions made to, or responses received by, the DRB may be understood to refer to the sub association with authority to review the application. However, at all times, the sub association must maintain these Master guidelines when reviewing all applications and all owners must make sure they are in compliance with these guidelines whether the DRB has delegated responsibility to a sub association. Delegation of architectural review and approval may be revoked by the Master Board of Directors at any time. For the status of your sub association's delegation, please refer to your sub association management company or search the register of deeds since all delegations are formally recorded with the register of deeds.

Architectural review – whether by the DRB, a committee appointed by a sub association, or both – is intended to review submissions based on general guidelines and overall harmony within the sub association and within Amberly in its entirety. The intent and role of the DRB or appointed committee does not necessarily include environmental, governmental, or other factors beyond the scope and jurisdiction of the DRB. Compliance with permits, licenses, codes, environmental or landscaping impact or best practices, etc. are the sole responsibility of the owner and applicant; the DRB or its appointed committee shall not be held responsible for the failure to obtain necessary evaluations, documentation, etc. to this effect.

Any decision of the DRB on a specific application or plan shall not constitute automatic approval and/or denial of future applications or plans similar in nature. Each application must be individually reviewed on its own merit.

**PLANS AND SPECIFICATIONS ARE NOT APPROVED FOR ENGINEERING OR STRUCTURAL DESIGN OR QUALITY OF MATERIALS; AND BY APPROVING SUCH PLANS AND SPECIFICATIONS NEITHER THE DRB, THE MEMBERS THEREOF, NOR THE ASSOCIATION ASSUMES LIABILITY OR RESPONSIBILITY THEREFOR, NOR FOR ANY DEFECT IN ANY STRUCTURE CONSTRUCTED FROM SUCH PLANS AND SPECIFICATIONS. NEITHER DECLARANT, THE ASSOCIATION, THE DRB, THE BOARD, NOR THE OFFICERS, DIRECTORS, MEMBERS, EMPLOYEES, AND AGENTS OF ANY OF THEM SHALL BE LIABLE IN DAMAGES TO ANYONE SUBMITTING PLANS AND SPECIFICATIONS TO ANY OF THEM FOR APPROVAL, OR TO ANY OWNER OF**



PROPERTY AFFECTED BY THESE RESTRICTIONS BY REASON OF MISTAKE IN JUDGMENT, NEGLIGENCE, OR NONFEASANCE ARISING OUT OF OR IN CONNECTION WITH THE APPROVAL OR DISAPPROVAL OR FAILURE TO APPROVE OR DISAPPROVE ANY SUCH PLANS OR SPECIFICATIONS. EVERY PERSON WHO SUBMITS PLANS OR SPECIFICATIONS AND EVERY OWNER AGREES THAT SUCH PERSON OR OWNER WILL NOT BRING ANY ACTION OR SUIT AGAINST DECLARANT, THE ASSOCIATION, THE DRB, THE BOARD, OR THE OFFICERS, DIRECTORS, MEMBERS, EMPLOYEES, AND AGENTS OF ANY OF THEM TO RECOVER ANY DAMAGES AND HEREBY RELEASES, REMISES, QUITCLAIMS, AND COVENANTS NOT TO SUE FOR ALL CLAIMS, DEMANDS, AND CAUSES OF ACTION ARISING OUT OF OR IN CONNECTION WITH ANY JUDGMENT, NEGLIGENCE, OR NONFEASANCE AND HEREBY WAIVES THE PROVISIONS OF ANY LAW WHICH PROVIDES THAT A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS, DEMANDS, AND CAUSES OF ACTION NOT KNOWN AT THE TIME THE RELEASE IS GIVEN.

#### **DRB Procedures for Alterations and Additions**

1. After plans are initially approved, or after homeowners have closed on their property, the procedures of this section must be followed and completed for any alterations and additions.
2. The appropriate architectural application(s) must be submitted to the DRB for review of all exterior changes or additions to your residence or property. The list of changes, alterations or additions includes, but is certainly not limited to the following: Attached or Detached Garages, Any addition to an existing dwelling, Awnings, Decks/Front or side Entrance Porches, Dog Houses/Dog runs, Exterior color changes, Fencing, Landscaping projects, Patios, Retaining Walls, Screened Porches, Storage Sheds/Playhouses, Satellite TV Dish, etc.
3. Major and minor additions often have an impact on neighboring property. Plans must be well thought out to minimize any adverse impact. Applicants should consult with neighbors while making plans. The design must be compatible in scale, massing, character, materials, and color with the original house. New windows and doors should match, and be located to relate well with existing windows. If possible the roof pitch should match the original roof. If possible, the location of the addition should not have an adverse impact on neighboring properties or impair the neighbors' view. Changes in grade or drainage must not adversely affect adjacent property. Additions should be located to minimize the removal of trees and the destruction of natural areas. The DRB may require supplemental landscape treatment to compensate for the removal of vegetation, or to soften the addition visually.
4. All DRB submittals, proposals and questions shall be submitted to the DRB, care of the Homeowner Association management company, P.P.M., Inc. (Professional Property Management, Inc. of Raleigh), 6739 Falls of Neuse Road, Raleigh, NC 27615, 919-848-4911, Fax 919-870-7241. P.P.M., Inc. will thereafter coordinate with the DRB as required.



5. Submittals shall include the appropriate architectural application, Site Plan and Landscaping Plan (showing the location of the proposed alteration, addition, site improvement / landscaping, existing buildings, property lines, etc.), Floor Plans, Elevations (front, sides and rear), color proposals, any alternate / special details, photographs, etc. as required and notification of adjacent and nearby neighbors of such proposed site and building improvements if applicable. All submittals shall be one copy, 8-1/2" x 11", one-side only format. Concept drawings or preliminary plans may be submitted to the DRB for review, comment and approval to proceed before more detailed plans are completed.
6. The DRB will review applications on an as needed basis or as otherwise determined and approved by the DRB. The DRB will review each proposal and determine if the proposal is either approved, approved as noted (with exceptions to be completed for final approval and record), not approved or resubmit (requires additional information for final DRB approval prior to proceeding with permitting or construction).
7. No project permitting or construction may be started without formal DRB review and approval. DRB reviews and approvals are mainly concerned with aesthetic issues and it is the sole responsibility of the applicant (homeowner) to ensure complete compliance with all relevant building practices, codes, permits, ordinances, covenants, licensing requirements, safety requirements, etc.
8. Failure to comply with DRB requirements and approved plans and elevations, etc. may result in the required removal of any non-conforming construction, detailing, colors, etc. at the homeowners' / builders' expense.



## Architectural Standards

### ARCHITECTURE

1. Architectural diversity is very important to Amberly. Local and regional historically correct architectural styles such as Colonial Revival, Georgian, Craftsman, Victorian, etc. are strongly encouraged and required. These various traditional architectural styles help achieve the diversity and most importantly the classic older neighborhood features which is the highest priority at Amberly.
2. Architectural correctness is required as much as possible with all architectural applications.
3. Diverse roof styles, building massing and materials are emphasized. Appropriate roof overhangs, detailing, etc. are required on each specific style of architecture. Simple detailing is required predominately on most of the Colonial Revival, Georgian and Federal styles. Properly more ornately detailed roof overhangs and trim are required on the more classical architectural styles. Craftsman style architecture requires wide overhangs with roof brackets constructed of 4" x 4" wood members minimum, simple detailing, etc. and other detailing as approved by the DRB. Large "Bungalow" style dormers and smaller dormers (i.e. shed, gable, hipped, etc.) are encouraged and are required on some 1 and 1-1/2 story houses.
4. Simplicity and style compatibility in exterior trim will be emphasized. Continuous horizontal trim at the base of siding and above window / door heads is a primary element in Craftsman, Prairie and Victorian style architecture. This style also includes simple square edged exterior trim including wide window and door trim. Continuous horizontal trim at the base of siding is also prominent in some classical style architecture.
5. Textured finish materials such as shakes or a different width siding may be emphasized at gable ends of roofs and around dormers. The emphasis also applies to trim detailing at gable ends and dormers.
6. Various muntin configurations should be used in windows per the architectural style (i.e. 12 over 12, 9 over 9, 6 over 6, no muntins upper and lower sashes, 2 over 1, 4 over 1, 6 over 1, etc., prairie style muntins, etc.). Various shaped windows are also encouraged per the architectural style (i.e. cottage style windows, special shape windows such as rounds, ovals, etc.). Various special window configurations are encouraged (i.e. triple window including one 6 over 1 center window with 4 over 1 side windows). Half glass, 3/4 glass, 1/3 glass, etc. doors (with various muntin configurations matching the window muntins) and doors with side lights with appropriate styled door hardware and lighting also contribute to the overall architecture character.



7. Shutters are not allowed on Craftsman and other inappropriate architectural styles. Shutters are allowed and required on other styles of architecture where appropriate and as approved by the ARB on a case-by-case basis. However, shutters are strongly suggested only allowed on single windows and shall be sized appropriately to the size of the window. Shutters on windows other than single width windows will be reviewed and approved on a case by case basis and shall be sized appropriately to the size of the window as approved by the DRB. Shutters will not be allowed on triple windows, Palladian style windows, etc. Appropriate shutter hardware is also required for the appearance of an operable shutter.
8. Brick (stone, shake, etc.) veneer “wallpaper” is not allowed. Such veneers should return around corners to rear of house or around to a major element. Such veneers on entire house or minimum of three sides is strongly encouraged. Where such veneers are used on corner lots and lots adjacent public / high visibility areas, such veneers are required to wrap sides back to and including the rear elevation due to the high visibility on such lots.
9. Vinyl siding and trim are not allowed. Aluminum siding and trim, concrete masonry block units and prefabricated metal buildings and similar siding materials are also not allowed. Uncommon exterior materials and details are typically not acceptable and will be reviewed and approved on a case-by-case basis.
10. Framed chimneys are not allowed. Masonry chimneys are encouraged. Direct vented units are allowed, however, they must be integrated into the architecture (i.e. gable or shed roofs over fireplace boxes). Exposed spark arrestors are not allowed.
11. Synthetic stone, natural stone and hard coat and synthetic stuccos are allowed.
12. All exterior siding shall be finished, painted, stained or otherwise protected from the elements of nature.
13. Flat roofs are not permitted except as appropriate for the specific architectural style (such as porches, stoops, etc.) and will only be reviewed and approved on a case by case basis.
14. Typical roof overhangs shall be 1'-0" minimum. Wider overhangs (2'-0" and wider) are strongly recommended and in some cases may be required on Craftsman style and other similar style appropriate architecture.
15. Roof top mechanical equipment must be so located to reduce or eliminate its visibility from streets, sidewalks or adjacent properties. Any roof-mounted equipment that changes the exterior of the roof must be approved by the DRB. In short, roof top mounted equipment generally is not acceptable. All roof penetrations (i.e. plumbing vents, exhaust, flashing, etc.) shall be painted to match adjacent roof color.



16. Windows shall be double paned insulated glass. True divided lites are encouraged. Wood, aluminum clad, vinyl clad or solid vinyl type windows are allowed. GBG (grid between glass) windows are allowed however the selection of the trim color shall be compatible with the white GBG.
17. Entrance doors shall be compatible with the architectural design. Leaded glass, beveled glass, stained glass, etc. is also strongly encouraged on Colonial Revival and Queen Anne style houses. Craftsman style doors with upper glazed panels and sidelites are strongly encouraged on Craftsman style houses. Door material shall be solid wood, fiberglass or metal insulated exterior. Screen doors are allowed and shall be compatible with the design and color of the house.
18. No screened or greenhouse type enclosures shall be permitted on the front of the house. Patio or pool enclosures are permitted as reviewed and approved by the DRB on a case by case basis. All detailing shall be consistent with the main house (i.e. match siding, trim and roof detailing, match colors, etc.). Exterior attached or detached enclosures which obstruct the view of natural and public areas by adjacent properties are not allowed.
19. No window or wall air conditioning units will be allowed on elevations visible from the street or adjacent properties and is subject to DRB approval on a case by case basis.
20. Flagpoles are allowed only as approved by the DRB on a case by case basis. Flagpoles are limited to one per house and are preferred to be attached to a building.
21. Clotheslines are not allowed. All other outdoor structures, if not addressed above, must be approved by the DRB on a case by case basis prior to installation.



## SETBACKS AND BUILD-TO LINES

1. Setbacks and Build-to lines are as follows or as otherwise noted on the recorded plats:
2. Peninsula  
Front: 18' with parking, 8' without parking  
Rear: 15', 18' for garages located on alleys for parking space.  
Side: 5' minimum with no aggregate. However, 15' minimum required between houses, therefore establish 7.5' side yard setbacks as DRB standard.  
Corner Side: 8'  
Buffer: 10'  
Buffer adjacent the Corps Property: 25' adjacent to the undisturbed buffer
3. Village Center  
Front: 18' with parking, 8' without parking  
Rear: 8', 5' if two car garage, 18' if one car garage, 16' between attached multi-family buildings  
Side: 6' minimum with no aggregate  
Corner Side: 8'  
Buffer: 10'  
Buffer adjacent the Corps Property: 25' adjacent to the undisturbed buffer
4. NOTE: Accessory buildings and detached garages are the same as the primary structure setbacks. Additional setback and build-to line requirements may be directed by the DRB if impacting an adjacent lot in a negative manner.

## PORCHES AND STOOPS

1. Porches shall be a minimum of 7'-0" deep (8'-0" strongly recommended depending on house size and detailing) clear floor space between the face of the house and the outside face of the porch column and / or handrail (whichever is most critical). The intention here is to provide ample space for furnishings (swing, glider, chairs, etc.) and circulation. Porch space and covered entry stoops that are used for circulation and entry only may be smaller (4'-0" deep minimum suggested) and will be reviewed on a case by case basis.
2. Houses with porches on corner lots are strongly recommended to have the porches wrap the house corner (facing the intersection) at least 8'-0" around the side elevation or if no porch exists on the front elevation, as an alternative an additional rear entry stoop, porch, screened porch, etc. is recommended for added detailing. It is suggested that additional doors be located on the wrapped porch where appropriate (i.e. private door from a living, dining or bedroom area).



3. All porches, decks and stair risers must be enclosed. Lattice used under the front porch or rear porches and decks on corner lots must be a horizontal pattern (not diagonal). Lattice shall be wood and painted or stained to match the trim color. Vinyl lattice is allowed however must have the appearance of wood lattice. Diagonal lattice may be used under rear porches and decks if not visible from street. Lattice must be framed between structural members and trimmed out in wood. Lattice may be held off ground approximately 6" to prevent staining from soil.
4. All exposed vertical wood trim, risers, stringers, etc. must be painted to match the trim color.
5. All rear decks and porches visible from a street on corner lots must be finished to match the front porch detailing (handrails, horizontal lattice, etc.) and colors. Lattice may be held off ground approximately 6" to prevent staining from soil. Lattice is not required on porches where the finished floor level is less than 4'-0" above finished grade and if additional landscape screening is provided for a solid screen to provide a visual barrier below the deck or porch. Evergreen shrubs are required for decks over 4'-0" above grade.
6. Various porch column and handrail detailing is strongly encouraged (i.e. brick piers with concrete cap and tapered wood columns, tapered round columns, triple and double square columns at corners and major elements such as steps, etc.) and in some highly visible locations and conditions (i.e. corner lots) may be required by the DRB.
7. Exposed vertical pickets attached directly to deck framing is not allowed. Horizontal trim is required to cover such conditions.
8. Metal porch roofs are encouraged and shall be consistent with the house's design detailing.

## **DECKS AND PATIOS**

1. Where grades allow, patios will be required in lieu of decks. See additional notes concerning visible and other decks in the previous porch section. Patios are required on all lots that back onto any main road as determined by the DRB.
2. Size of patio should be consistent with the size of the house and yard. All patios will be reviewed with respect to their visual impact on adjacent property.
3. Brick pavers, brick edges, textured concrete, detailed / patterned concrete control and expansion joints, curvilinear shapes and edges, etc. surfaces and materials are encouraged at all sidewalks and patios.



## **GARAGES AND CARPORTS**

1. Elevations must be designed to subordinate garages to the house to the greatest extent possible.
2. Front-load projecting garages are not allowed. Front-load garages shall not project in front of the main house, front façade or porch. Front-load garages shall be set back a minimum of 2'-0" from the front edge of the house (porch or covered stoop). It is strongly recommended that all front-load garages be set back a minimum of 5'-0" or more from the main body of the house.
3. All front-load garages and all other garages facing the street on corner lots shall have two single-car width doors in lieu of one double width door. Single-car width doors will be required on side-load garages where the garage has high visibility from the street, on corner lots and will also be reviewed on a case-by-case basis. Single-width garage doors shall be a minimum of 9'-0" wide. Three-car front-load garages are not allowed. Three-car side-load garages facing a street on a corner lot is allowed, however are required to have single width garage doors and additional architectural detailing (i.e. roof / trellis / columns at garage doors) as required by the DRB. Front load garages set back a minimum of 2'-0" or more from the front main face of the house (as determined and approved by the DRB) are allowed to have one double width garage doors including glass in upper panels and if they appear as two separate doors (i.e. carriage type door appearance). Detached and rear-load garages are allowed.
4. Garages shall be located opposite the main direction of vehicular traffic where possible.
5. Glass (or other decorative treatment as approved by the DRB) in upper garage door panels is required on all front-load and corner lot garages, Craftsman and other similar style houses and strongly encouraged on all others (i.e. internal side load garages and alley loaded garages).
6. Garages shall be designed and constructed properly for sufficient space for storage of vehicles and comfortable circulation around vehicles into the house. Steps, mechanical equipment, storage shelving, etc. shall not prohibit vehicle storage and circulation.
7. All detached garages, carports and storage buildings shall be finished to match the main house detailing and colors.

## **ACCESSORY BUILDINGS**

1. All storage buildings, playhouses, etc. (accessory buildings) type structures shall be constructed and finished to match the main house detailing, trim, roof slopes / overhangs, colors, etc.



2. Accessory buildings shall be attached to house on the smaller lots as determined by the DRB. Detached accessory buildings will only be allowed as approved by the DRB on a case by case basis. Accessory buildings shall be proportioned per the site and house and shall not be larger than 10'-0" x 8'-0" except as approved by the DRB on a case by case basis.
3. Accessory buildings shall not restrict the visibility of adjacent homeowners' views to public spaces, parks, etc. and will be reviewed on a case by case basis.
4. Additional landscape screening may also be required around all accessory buildings based on the impact on adjacent homeowners' houses, views, etc. and all landscaping shall be completed no more than 90 days after completion of such structures.
5. Accessory buildings are not allowed on lots adjacent public areas including but not limited to water features, park areas, etc. and will be reviewed and approved on a case by case basis.
6. All structures greater than 24" in height, including gazebos, arbors, trellises, children's playhouses and similar small buildings such as garden potting sheds, are permitted only within the rear building setback no nearer to the street fronting such lot than the rear building corner of the main building. They shall be of the same materials and detailing as the home, and shall be screened with plantings so that they are not visible from the street or other public way.

## **EXTERIOR COLORS**

1. Except when a house is being painted to match the existing color for routine exterior maintenance, an application is required prior to painting house. In case of conflict with existing homes, another color choice may be required for DRB review and approval.
2. Color schemes will be considered on a case-by-case basis. Color chip samples (minimum 2" square in size) shall be submitted with application for DRB review and approval.
3. Various exterior colors are encouraged on the same house (i.e. siding, siding in gable ends, dormers, doors, shutters, window sashes, etc.) as approved by the DRB and appropriate with the architecture.
4. Brick colors should be in the red / brown range. Other brick colors will be reviewed and approved on a case-by-case basis. Painted brick is also acceptable.
5. Garage doors shall be painted to match the trim, siding or accent color as directed and approved by the DRB to minimize the impact of the garage doors on the streetscape.
6. Fences in side and rear yards shall be finished per the required and allowed fencing standards in the "Fences" section of these Standards.



7. When replacing a roof with material different from existing, an application is required. Asphalt shingles and metal roof materials are allowed and the color and texture shall be consistent with the house's design and detailing.
8. All roof mounted equipment and penetrations (i.e. plumbing vents, HVAC vents, ridge vents, skylights, attic fans, etc.) shall be painted or finished to match the roof color. Any roof mounted equipment that changes the exterior of the roof must be approved by the DRB.
9. Gutters and downspouts shall be painted to match the color of the adjacent trim, wall, column, etc. color.
10. Accent colors on doors, window sashes, upper gable ends and dormers, etc. are strongly encouraged as approved by the DRB and appropriate with the architecture.
11. No same or similar color will be allowed and approved within 3 houses each side of street unless approved by the DRB. Houses of the same or similar design and elevation shall not have the same color scheme within Amberly unless approved by the DRB.
12. Accent colors indicate colors for shutters, doors, accent trim, window sashes, muntins, shakes, etc.
13. White and off-white trim colors are approved on all noted color schemes.

## **FENCES**

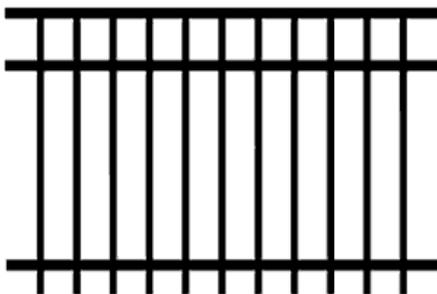
1. Fencing can detract from the open character of the Amberly property and may have both a visual and a physical impact on adjoining property. Fencing shall be a visual extension of the house and should relate to the materials, colors, and architectural style of the house. Careful consideration must be given to the fencing concept and execution. Landscaping should also be considered as an alternate to hardscape privacy fencing. An "open" type fencing is preferred. All fence details and locations must be reviewed and approved by the DRB. See acceptable fence types and details at the end of this section.
2. All fences visible from streets (front, side and rear yards) may be required to have additional landscape screening as directed by the DRB.
3. Front-yard fences are not allowed. Note that front yard fences are allowed in the Village Square community and shall be a maximum of 36" in height and open picket design as approved by the DRB on a case by case basis.
4. Fences shall not align with or project in front of the front edge of house and shall be set back a minimum of 10'-0" from the front face of the house or align with a major element or the rear of house. Fences in side yards of corner lots shall not project any closer to street



than the face of the house or a major element (i.e. porch, deck, etc.) or as approved by the DRB on a case-by-case basis.

5. Fences located adjacent alleys shall be located a minimum of 4'-0" from paved surface of alley (depending on the final paving location) and a minimum of 2'-0" from property line as required for safety of alley use and for plantings, landscaping, etc. between fence and property line / alley. Fences on lots located on alleys with easements shall also be located outside of such easements. Fencing and landscaping shall never extend over property lines.
6. Fencing finished on only one side must be constructed with the finished side facing out.
7. Pool enclosures, related to children's safety or other reasons, shall be subject to consideration by the DRB on an individual basis and shall meet all applicable codes.
8. Property owners are cautioned that building a fence that infringes on easements, buffers, or access of right-of-ways may result in destruction or removal of fence at the homeowners' expense. It is the homeowner's total responsibility to verify all fence locations to be within each individual's property lines and does not extend into any common areas or easements, buffers, etc. without written approval from the required authorities.
9. Existing topography and landscaping shall not be disturbed for the construction of a fence except with the approval of the DRB. New fencing shall not impede storm water flow. Wherever possible, fences should be located so that trees do not have to be removed.
10. Photographs and details of the only DRB approved fences (with the exception of the Village Square and Peninsula which are noted below and the Peninsula Estates which are noted in a separate set of Architectural Standards) are as follows:

The following fence style is acceptable for all single family detached back yards: Black aluminum, 5-1/4" spacing, 4'-0" height standard, 5'-0" height is acceptable in yards not adjacent to neighborhood streets.





For back yards of 50'-0" in width or less, the following fence styles are also acceptable: White vinyl, 1" spaced slats, 4'-0" height standard (5'-0" height is acceptable in yards not adjacent to neighborhood streets). White vinyl shadow box design, 6'-0" height standard. Privacy fencing (vinyl or painted / stained wood) up to 6' in height will be reviewed and approved on a case by case basis and such fencing shall have the upper 1'-0" section constructed of open lattice (diagonal or square), pickets or other open type infill.

Townhomes may or may not be allowed to have fences and are subject to other considerations within each sub association. They may be allowed to install a partition separating back yards/patios. The following partition material is acceptable: White vinyl, shadow box design, 6' height is the standard, partition use only.

11. Village Square and Peninsula fencing: Photographs and details of the DRB approved fences include but are not totally limited to the following. Note the fencing examples as noted shall not exceed 5'-0" in height. Privacy fencing up to 6'-0" in height will be reviewed and approved on a case by case basis and such fencing shall have the upper 1'-0" section constructed of open lattice (diagonal or square), pickets or other open type infill. Fence materials include metal, brick and wood and will be reviewed and approved by the DRB on a case by case basis. Note that all wood fencing shall be either painted (to match trim color or approved accent colors coordinated with the house color) or stained as approved by the DRB. The typical black aluminum fencing as noted earlier is also acceptable and approved.



## **DRIVEWAYS AND WALKWAYS**

1. Divided driveways are encouraged to give visual relief to longer driveways. The dimensions for the divided drive shall be 2'-6" wide concrete on each side of a 2'-6" wide sod strip for a total width of 7'-6". Divided drives should begin and end allowing required turning radius to avoid driving on center sod strip. Brick pavers, textured concrete, stone, etc. are encouraged as an alternative infill in the sod strip area.
2. Parking will not be permitted on areas where the community's drainage flow may be interrupted.
3. Driveways and vehicle parking pads shall be paved with a hard surface material such as concrete, exposed aggregate in concrete, concrete pavers or brick pavers. Any type of pad other than naturally colored concrete shall be reviewed and approved by the DRB on a case by case basis. Asphalt driveways are not permitted. The aggregate base, thickness, reinforcement, etc. should comply with good construction practices. Close attention must be paid to driveway, garage, carport, etc. placement, setbacks and encroachment onto buffer areas, association owned common property and neighboring lots.
4. Additional driveways will not be permitted for parking purposes except in front of the garage or as approved by the DRB.
5. Parking and storage of trailers, camping trailers, boats, recreational vehicles, etc. will not be allowed on site unless screened totally from view from the street (i.e. landscaping, fences, garage storage, additional storage building, etc.).
6. Boats, trailers, recreational vehicles, all-terrain vehicles or other recreational equipment shall not be stored outside of a garage on any lot or property within Amberly unless a storage area has been designated or set aside for such a purpose. Residents are required to store such equipment or vehicles at commercial storage areas off site. Canoes and kayaks must be stored in a garage or off site.
7. Walkways (minimum of 36" in width) are required to extend from the front door to the street sidewalk in a perpendicular fashion. This may be waived on lots that require the house be set back a substantial distance from the street and where existing trees prohibit. Where the grade and length allow, steps in the walkway to street are encouraged. Stringers, brick-paver detailing, textured concrete, etc. are also encouraged on all walkway steps. Walks shall be constructed of poured-in-place concrete, brick pavers, concrete pavers or stone. Patterns or alternate paving surfaces may be used if they are in keeping with the materials of the principal structure and design detailing. Any material other than naturally colored concrete shall be reviewed and approved by the DRB on a case by case basis.



## **LIGHTING**

1. The use of up-lighting for landscaping is encouraged whenever possible and shall be low intensity.
2. A sconce light mounted to the front of the dwelling or a carriage-style post-mounted fixture is required.
3. Lighting shall be architecturally compatible with the style of the house. Lighting shall not be allowed in the right of way or in easements and shall not be installed in such a manner that it shines directly onto an adjacent property or causes the light source to be directly visible from the road.
4. Spotlights are prohibited.

## **MAILBOXES**

1. Standard mailboxes and post designs are required. Exact replacements do not require approval, but any differentiations in design require approval prior to installation. Many of the original installations were done by Rodney Custom Cut Signs, Inc. Those seeking replacements or specifications may choose to contact them at (919) 362-9669, or any other vendor of their choice for repair or replacement.

## **PLAY EQUIPMENT**

1. Play equipment shall be placed in rear yards and shall be completely screened from view with landscaping so that it is not visible from the street or any amenities including trails, lakes, etc. Consideration should be given to lot size, equipment size, material, design, amount of visual screening, and relationship to neighboring property. Play structures shall be a maximum of 10' in height. Equipment constructed from natural materials is encouraged. Painted metal play equipment, not including wearing surfaces (e.g. slides, sliding poles, and climbing rungs) shall be painted dark green or brown to blend with natural areas.
2. Tree houses are generally discouraged because of their visibility from neighboring property and are reviewed on a case by case basis. Detailing shall be consistent with the house's design, detailing and colors.
3. Playhouses must be placed in rear yards and must be in scale with the size of the yard and existing buildings. The playhouse must be painted to blend with the natural open space or with the colors of the house if the house is located nearby. Playhouses, as well as play equipment, should be totally screened by natural vegetation or additional landscaping as noted in item 1 above.



4. Skateboard, bike, and other type ramps and noisy activities and equipment are not allowed. Sport courts (i.e. basketball, tennis, etc.) are not allowed.
5. Above-ground swimming pools will not be approved. In-ground swimming pools are allowed and will be reviewed and approved on a case by case basis prior to beginning construction and as proportioned to the lot size, house location, rear yard and shall be located within the building setbacks. In general below ground pools are only allowed on 80' wide or wider lots. Pools shall comply with all local, state, etc. safety codes and requirements.
6. All basketball goals require architectural approval. Mobile or permanent basketball goals are allowed in rear yards or beside driveways, but must be located a minimum of 10'-0" from adjacent property lines. Houses located on interior alley lots may have basketball goals mounted on the house above the garage doors and shall meet the requirements for the backboard construction as noted below. Mobile basketball goals are not to be placed in the street; they must remain in an upright position unless being stored out of sight (i.e., in a garage). Poles shall be black or dark green and the backboard shall be of a clear material. Light fixtures are not allowed to be mounted on the basketball goals or located on house specifically for the basketball purpose. Owners are asked to be considerate of their neighbors with regard to the hours of play. All basketball goal details, location, etc. will be reviewed and approved on a case-by-case and lot-by-lot basis. Violations of these requirements shall result in the possible removal of the basketball goal by the Amberly HOA and / or fines levied against the homeowner. Basketball goals may also be subject to the individual Amberly sub association requirements.

## **RETAINING AND SCREEN WALLS**

1. Retaining walls shall be as unobtrusive as possible and built to the minimum height needed to serve their function.
2. Materials may be brick, natural stone, square corner timbers, or concrete, depending on location and contextual relationship. Generally, rounded landscape timbers will not be approved due to their lack of stability when used to retain earth and their poor appearance.
3. The ends of the walls should be tapered into the ground rather than abruptly ending in space. If the height of the wall would require a railing to comply with county building codes, the applicant should consider stepping the wall in a terracing effect.
4. Mechanical equipment should be concealed and located so as not to have an adverse effect on the use of adjacent property.
5. Landscaping will usually be required to soften the visual impact of retaining walls, screen walls, and other exposed structures.



6. All garbage and recycle containment and receptacles shall be located inside house or garage or screened from street or public space view.

### **TREE REMOVAL**

1. Please protect and preserve all existing trees and landscaping. Tree removal requires specific approval in most cases, so please submit a request for tree removal. In some cases, replacement may be required. In emergency situations where time is of the essence, please contact your community's ARC, the DRB or management company as soon as reasonably possible along with documentation of the emergency.

### **AWNINGS**

1. Awnings may be appropriate for rear or side-yard patios and decks, or even exposed rear entrances and will be reviewed and approved on a case by case basis. Awnings must be consistent with the architectural style and scale of the house. The color of the fabric must be compatible with the existing house colors. Any exposed frames must be painted to match the trim or the dominant color of the house.

### **SATELLITE DISH/ANTENNA GUIDELINES**

1. In accordance with the Telecommunications Act of 2009, antennas and satellite dishes not larger than one meter (39.37 inches) in diameter designed to receive video programming and/or to receive/transmit data services (including Internet access) are permitted as a matter-of-right.
2. Dishes/Antennas Permitted:
  - 1) Satellite dishes designed to receive direct broadcast satellite service, including direct-to home satellite service, or to receive or transmit fixed wireless signals via satellite which are one meter (39.37 inches) or less in diameter (e.g., Dish, DirecTV).
  - 2) Antennas that are one meter or less in diameter or diagonal measurement and are designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite
  - 3) Antennas designed to receive local television broadcast signals.
3. Quantity: The Telecommunications Act of 2009 permits the installation of more than one antenna or dish if required to receive the desired service(s).



4. Location: All dishes/antennas must be placed within the boundaries of the homeowner's property and cannot encroach into private common area. Recommended placement of the satellite dishes/antennas is described below (in order of preference). However, if a particular placement prevents reception of an acceptable quality signal or imposes unreasonable installation expense or delays installation, alternate placements are permitted.
  1. Ground mounted directly behind and within 10-feet of the house.
  2. Roof mounted behind the central peak on the back side (rear yard) of the roof and not higher than the peak of the roof
  3. Wall mounted on the house side wall on the back half of the house
  4. Roof mounted at the side of the housePlease note that antenna masts higher than 12 feet above the roofline may be subject to local permitting requirements.
5. Color: Satellite dish /antenna colors should remain as purchased. Preferred colors are black, gray, tan and other neutral tones. Where other color options exist, they should complement the color of the house to which the dish/antenna is attached, e.g., roof or siding color. Other than the brand name, commercial advertising on the dish is prohibited.
6. Screening: Landscape plantings are recommended to screen a dish from view if it is placed in a visible location on the ground.
7. Prohibited: The Telecommunications Act does not cover the following antennas:
  - 1) Stick antennas to receive a distant over-the-air television signal
  - 2) Antennas used for AM/FM radio, amateur (ham) radio, Citizen's Band radio (CB) or Digital Audio Radio Services (DARS)
8. Submission: In accordance with FCC Regulations, **no** submission is required for the installation of a dish/antenna which meets the specifications of the Telecommunications Act of 1996.
9. Recommendation: All dishes/antennas should be installed by professional installers to maximize effectiveness and minimize potential safety issues to subscribers, their families, or others.
10. Townhome Installation: If a satellite dish is installed on the roof of a townhome and the Association would normally perform roof maintenance, the homeowner can/ will be responsible for any roof damage caused during the course of installation and/ or in the event of roof damage incurred as a result of the satellite dish (i.e., roof damage from forcible removal due to wind, inclement weather, etc.).



## **SOLAR COLLECTORS**

1. All solar collectors require DRB approval. A drawing showing location of the unit on the roof must be submitted to the DRB. Solar collectors shall be located as inconspicuously as possible. Whenever possible, collectors should be placed on the rear of the home or on the side that has the least public exposure. Collectors should be attached only to the roof (flat to the roof), not free standing or ground mounted. Every effort must be taken to camouflage the plumbing and supports for the collectors and may require completely encasing the collectors. All metal parts should be painted to match the roof color. There should 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. No topping or removal of trees on association common areas and/or greenways shall be allowed.

## **OUTDOOR FIREPLACES AND KITCHENS**

1. Outdoor fireplaces and outdoor kitchens may be allowed on a case by case basis. Open fire pits and wood-burning fireplaces will not be allowed. Fixed outdoor grills or cooking areas shall be subject to the approval of the DRB. They shall be gas-operated and connected to the dwelling's gas line. Only propane tanks attached to gas grills shall be allowed on individual properties. Outdoor kitchens not associated with a swimming pool shall be constructed contiguous to the dwelling and be of architecturally compatible materials and of an equal or better quality than the exterior of the dwelling. An outdoor kitchen may be allowed as part of a separate pool building but the building must be constructed of the same materials as the dwelling and be architecturally compatible.

## **SIGNAGE**

1. No signs, banners, billboards or similar placards shall be erected on any lot with the following exceptions; one (1) professionally lettered "For Sale" sign located on a developed residential lot shall not exceed forty-two (42) inches in height, and any "For Sale" sign located on any other lot shall not exceed thirty (30) inches in height. Small, discreetly located alarm warning signs and signs required by law are also permitted. The developer and assigns are exempt from this guideline.

## **HVAC AND ELECTRICAL EQUIPMENT**

1. All air conditioning units, heating equipment, gas meters, electrical meters and cabinets, telecommunications facilities and similar items shall be screened completely from all community streets, walks, trails, and recreation facilities.



## **TRASH AND RECYCLING**

1. Trash and recycling containers shall be stored within individual homes or within approved trash enclosures. Enclosures for houses and patio homes shall be architecturally compatible with the house and completely screen the trash can from the street. Trash containers and recycling areas for multi-family buildings shall be located for convenient access to residents and shall be completely surrounded by an opaque masonry wall or combination masonry and fence/siding - whichever is most complimentary of the architecture of the buildings. The area shall be gated with durable metal gates and the height shall be sufficient to enclose any dumpster or container located within.

## **PORT-A-JOHNS**

1. In certain projects, the provision of port-a-johns may be required per local ordinances and must be placed outside the street and utility rights-of-way in order to permit the timely placement of utilities. At no time shall it violate health and sanitation practices, and shall be removed immediately upon completion of the approved project.

## **LANDSCAPING**

### **GENERAL REQUIREMENTS**

1. The following minimum landscaping and site development requirements shall apply. The DRB may require additional landscaping to create adequate screening and privacy from the street and adjacent lots. In order to insure that the visual qualities of the community are maintained, all changes to the exterior portions of a lot including new construction, architectural renovations, installation of ancillary structures, changes to major plantings such as street plantings and entrances, all irrigation and sod, and all other landscape site work must be reviewed and approved by the DRB.
2. Generally, site plans have been designed to comply with three major principles: preserve natural drainage patterns, create or maintain a natural-looking topography, and retain existing vegetation as much as possible. Any changes to site grading or drainage shall maintain a natural appearance with smooth transitions between grades and graceful contours. Professional engineering reports may be required, and any changes shall comply with any Town / City or other ordinances and requirements or best practices.
3. Plant beds shall be laid out to flow according to their original layout – whether curvilinear or straight lines – and plantings shall be massed in groupings whenever possible. Within a neighborhood, repeated use of a select plant palette is desirable. All bed layouts and planting plans must be submitted and approved by the DRB.
4. All plantings, including lawns, may be selected for their adaptability to drought conditions.



5. Corner side yards of any dwelling type must meet the requirements laid out for front yards. Any HVAC units or other utilities shall be fully screened from the street with fencing or plantings. All layouts for side/ corner lot plantings shall be submitted to the DRB for review prior to installation. The layout must indicate the location of aboveground utilities and mechanical units.
6. Lots 60' in width across the street frontage are expected to have at least one shade tree and one ornamental tree in the front yard.
7. Gardens are allowed so long as they are located within the rear yard of the lot no closer to the street frontage than the rear corner of the dwelling. They must be adequately screened from view from any public way. It is recommended that they be part of the overall design of the rear yard area. All gardens must be submitted to the DRB indicating location and method of containment and screening.



## **TOWNHOMES REQUIREMENTS**

**NOTE: You should refer to your sub-association legal documents to determine sub-association HOA maintenance coverage versus owner responsibility, and any specific neighborhood requirements.**

1. A minimum plant quantity shall be required for each lot, however in order to meet the requirements laid out under “General Requirements” of the Individual Lot Landscape Standards no actual numbers of plants are recommended due to the varying lot sizes and conditions.
2. Installed plants shall meet a minimum plant size of 3 gallon for shrubs, 4” caliper for street and front yard shade trees, 8’ height for ornamental trees, 7-8’ height for evergreen trees, and 2.25” pot for groundcovers. Plants should be selected for their adaptability to the local soils and should be drought tolerant unless an irrigation system is installed. It is recommended that the lawn type of choice be a warm season grass such as a Bermuda hybrid, Zoysia, or Centipede.
3. Privacy screens may be installed in the side yard between townhouse units. They shall match the exterior detailing of the building, and shall be constructed and finished in the same materials and colors. They shall extend a maximum of 12 feet from the rear face of the building. The maximum height shall be 6’.

## **LAKE AND TRAIL VIEW LOTS REQUIREMENTS**

1. Homeowners adjacent to these features have a special obligation to the Amberly community to preserve their appearance for all residents. While they should be able to enjoy the views, they must share in the obligation to provide the Amberly residents with pleasant views.
2. Dwellings abutting the lakes and trails shall be partially screened so that views toward them from any point shall be filtered so that the view is obscured by vegetation. New plantings or retained vegetation used to accomplish this shall be arranged to screen homes a minimum of 30% of the lot width, 30% of the width of a townhouse, or 50% of the width of a multi-family building. At least 60% of the new plantings used to create this screening shall be evergreen trees and shrubs and shall be planted in sufficient numbers and sizes to meet these requirements within three years of occupancy. They shall be arranged to create a natural appearing forest edge, utilizing an appropriate mixture of shade, evergreen and understory trees.



## GENERAL AND CONSTRUCTION MAINTENANCE

1. Weekly (preferably) and immediately after construction/project is completed, debris or trash of any kind shall be removed from any lot, or on sidewalks or streets contiguous thereto and no excess building material, storage shed or trash shall remain on such a lot, sidewalk or street. It is hereby made the duty of the homeowner, to remove or cause to be removed any and all of the above debris within 72 hours of notification by the Amberly Master Property Owners Association (POA). Failure to comply with the request will cause removal of the debris by action of the Amberly Master POA and all related costs will be charged to the homeowner; it is the owner's responsibility to ensure that their contractors follow these guidelines.
2. During construction, all streets shall be kept clean of mud and trash and all broken curb or paving shall be promptly repaired. Homeowners are responsible for making certain that contractors/ vendors comply with this requirement.
3. It is the primary responsibility of each homeowner to maintain his property in a way that it does not detract from the overall beauty of Amberly. Following is a list of areas that should be reviewed on a regular basis to ensure that your home is in good repair:
  - a. Shrubbery, trees, and lawns
  - b. Driveways and sidewalks
  - c. Decks
  - d. Fences
  - e. Play equipment
  - f. Roofing
  - g. Wood
  - h. Paint and stain
  - i. Garbage can storage
  - j. Area between the curb and sidewalk
4. If at any time the DRB or the Amberly Master POA is made aware of a property that has deteriorated to the point that it is affecting the aesthetics of Amberly, representatives of the Association will make a site inspection. Based on the severity of the deterioration, the homeowner will be given a specified length of time to make the necessary repairs. If after that time, the repairs have still not been made, the Association may be forced to take more strenuous action and all related costs will be charged to the homeowner.
5. There are many changes and additions that property owners can make to their property. The ones described in these Standards are the most common. If the project is not included in the Standards, refer to the one that is closest in concept to the project and use it as a guide for preparing an application to the DRB.
6. Most of all, in all that is proposed, consider the neighbors and neighborhood to provide the best aesthetic and quality project possible.