

Kildaire Farms Homeowners

Association II, Inc.

Architectural

Standards and

Guidelines

Revised and Approved
April 14, 2022 by
KF Homeowners
Association II, Inc.
Board of Directors

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ABBREVIATIONS AND DEFINITIONS

ARC	Architectural Review Committee
Covenants	The governing documents for the community
ARC Standards & Guidelines	Guidelines that describe what types of improvements require approval and what types of improvements are allowed without obtaining approval
Easement	A non-possessory right to use and/or enter onto the real property of another without possessing it
Homeowner	Person who holds legal right of title
Improvement	Change or addition to land or real property
Plot Plan	Architecture or landscape plan drawings that show buildings, utility runs and equipment layout of an area, as well as the position of roads and other constructions of a project site drawn to scale
Site Map	A plot plan prepared by a civil engineer and used as a legal document
Setback	Distance from a curb, property line, or structure within which building is prohibited
Property Line	Where your property begins, and your neighbor's ends
Survey	A legal description of the property boundaries drawn by a licensed professional
WDPMC	The William Douglas Property Management Company is contracted by the Kildaire Farms Homeowners Association II Board of Directors to handle such items as dues collection, payment of bills, landscaping and other contracts, legal issues and other support at the direction of the Board

KFII SUBDIVISIONS

Beacon Cove*	Lakepoint Village*
Cheverly Forest	Lakeside at Chimney Rise
Chimney Rise*	Landings at Pine Creek*
The Enclaves	Matchpointe Village*
Fox Chase	New Kent Village*
Hanover Place*	Paxton*
Hanover West*	Riverwalk*
Harbour Towne	Royal Ridge
Kingsmill	Sterling

*Indicates a neighborhood that has an active sub association.

PURPOSE

The Architectural Review Committee (ARC) was established by the Board of Directors (BOD) under the authority of the Kildaire Farms Homeowners Association II, Inc. Protective Covenants to help maintain the quality of life in Kildaire Farms Homeowners Association II, Inc. by preserving property values and promoting the natural beauty of the community. We encourage each owner to maintain his/her property in a way that reflects pride in home and community. The Committee maintains the Guidelines to reflect changes in building materials, law, the maturing character of the neighborhood, and the potential effect proposed changes will make on the community. However, the ARC must abide by the principles stated in the Covenants. Homeowners are encouraged to read the Covenants and their Amendments, as well as their sub-association guidelines (if applicable) before modifying their structures or property or submitting an application to do so.

The Covenants require that homeowners submit written applications for all external property improvements in advance to the ARC. The ARC will review the request and forward a recommendation to the Board of Directors for final approval or denial. Approval is mandatory before work can begin. Homeowners who begin projects without approval are still required to apply. Such applications, even for completed projects, may be denied. If denied, the change must be removed at the homeowner's expense. Also, any changes that are not properly maintained will be subject to removal at the homeowner's expense.

To provide guidance to homeowners in the area of community standards, the ARC composed these Architectural Standards and Guidelines that have been approved by the Board of Directors. The guidelines describe what types of improvements require approval, what types of improvements are allowed in this community, and what attachments are required with the applications. The Kildaire Farms Homeowners Association II, Inc. Board of Directors realizes that construction techniques and materials evolve over time. Should a homeowner wish to make a change to their property that is not currently allowed or use a material not currently approved, they may request an exception from the ARC. Such a request would require approval by the ARC and the Board of Directors.

PROCEDURE

When planning a home improvement project, a homeowner should first refer to the applicable architectural guidelines. Every effort should be made not to disturb or adversely affect neighbors' property. The homeowner then fills out a "Request for Architectural Approval" form. A copy of this form is attached to this package. Copies are also available at the William Douglas office. Multiple projects can be submitted on the same form. The form, with any required attachments, should first be

submitted to the homeowner's subdivision association, if applicable, and then be submitted to William Douglas Property Management Co., 1033 Wade Avenue, Ste. 208, Raleigh, NC 27805 or by email to Casey Ferrara, KFII Property Manager at: cferrara@wmdouglas.com.

The ARC meets at 7:00 p.m. on the first Tuesday of each month, currently on Zoom (<http://kfii.org/zoom/arc>).

(Until a new meeting location is established please contact William Douglas Property Management Co. (WDPMC) at 919-459-1860 for meeting location) The **application must be submitted to**

William Douglas Property Management Co., 1033 Wade Avenue, Ste. 208, Raleigh, NC 27605 or by email to Casey Ferrara at: cferrara@wmdouglas.com.

Applications are reviewed at the following month's meeting.

Homeowners are cordially invited to attend the meetings to ask questions and observe the process. A requesting homeowner does not need to be present, but it is sometimes helpful to the ARC to have the homeowner's verbal explanation of the written request. If a neighboring homeowner wishes to dispute a request being made, they are invited to address their concerns to the ARC either in person or in writing. Anyone who wishes to address their concerns to the ARC committee concerning a request needs to contact WDPMC at 919-459-1860 The ARC meetings are virtual at this time, and you will be given a Zoom link.

The ARC will review all properly submitted requests and take recommended actions to the Kildaire Farms Homeowners Association II, Inc. Board of Directors for final approval or denial in one of the following ways:

1. Recommend Approval of the request as submitted.
2. Recommend Approval of the request subject to conditions (Conditions must be accepted in writing by the homeowner before the work can begin).
3. Recommend Disapproval of the request because it is not complete or has not been approved by the applicable sub association ARC.
4. Recommend Disapproval of the request.

The Board of Directors will make a decision on the request within 30 days of submission, which begins on the day and time that Casey Ferrara, Kildaire Farms Homeowners Association II, Inc. Property Manager receives the application. Within a week of the Board of Directors' meeting, WDPMC will inform the requesting homeowner in writing of the action taken on their request. Request approval is valid for a period of 1 year. If work has not begun within that time, the request must be

resubmitted and approved before any work can be started. The request and supporting documents then become property of the Kildaire Farms Homeowners Association II, Inc. and are retained in the property files.

If any homeowner disagrees with the Board of Directors' action concerning a request, they may appeal the decision to the Board of Directors. If a homeowner wishes to appeal, they should call WDMPC. and ask to be put on the agenda for the next Board of Director's meeting. An appeal can also be presented in writing.

Board Meetings are held VIRTUALLY every month on the **second** Thursday at 7:00 pm. (<https://kfii.org/zoom/bod>).

If you have any questions regarding any project you are planning and cannot find the specifics in this guideline, please feel free to call the WDMPC office at 919-459-1860 during the normal business hours:

Please remember that the ARC members are volunteers and are normally available only during the scheduled ARC meeting times.

Homeowners should be aware that the Town of Cary (See [Town of Cary Permits](#) page or call 919-469-4046 for permits) also has guidelines governing some of the same subjects covered in this document. Any Town of Cary guidelines that are more stringent than Kildaire Farms Homeowners Association II, Inc. guidelines take precedence over the Kildaire Farms Homeowners Association II, Inc. guidelines. Approval from Kildaire Farms Homeowners Association II, Inc. Board of Directors does not replace the need for securing any necessary Town of Cary, State, or Federal permits.

Likewise, some Kildaire Farms Homeowners Association II, Inc. subdivisions have sub associations, which require additional dues and may have more stringent architectural guidelines. Those neighborhoods with legal sub associations are Hanover Place, New Kent Village, Hanover West, Chimney Rise, Lakepoint Village, Matchpointe Village, Riverwalk, Paxton, and The Landings at Pine Creek.

Finally, any changes made to or near the waterfront of Kildaire Lake or near any creek are subject to state and/or federal restrictions. Homeowners are encouraged to contact the Kildaire Farms Homeowners Association II, Inc. Lakes and Streams Committee for guidance as to which agencies to contact for permits.

PROJECTS THAT DO NOT REQUIRE APPROVAL

Holiday decorations (refer to external lighting on page 13)
Minor landscaping (refer to landscaping on page 24)
Repainting the same color (refer to page 12)
Repairs to existing structures – when there is no change in color, texture or size of the materials. (i.e., Masonite to Hardy Plank refer to page 12)
Temporary yard signs (for sale, garage sale, and political campaign signs)
Tree removal, if the tree is less than 6 inches in diameter, as measured 4 feet from the ground, is diseased, or poses an imminent threat to persons or property. (refer to page 33)
Replacement of windows when upgrading to a vinyl or metal frame if the size, color and style of the window is the same as the window being replaced.
Replacement of a roof if you are using the same shingle color and upgrading from three-tab shingle to architectural shingles.
Repair of a roof when you are using the same shingle type and color of existing roof shingle. (Page 12)

ADDITIONS AND STRUCTURAL CHANGES TO HOMES, TOWNHOMES AND CONDOMINIUMS

Items Requiring Approval:

All external additions or structural changes to homes, townhomes, or condominiums must have Kildaire Farms Homeowners Association II, Inc. Board of Directors' approval before construction begins. This includes new rooms, porches, garages, carports, or attached structures of any kind. Also, any changes to chimneys, windows or doors, including the addition of storm windows, storm doors, and garage doors require approval, unless the color, type, and size are the same as those being replaced.

Information Required for Submittal:

1. A survey showing the location of the structure and distance to nearest property lines.
2. Elevation view(s) showing the planned appearance of the structure with dimensions.
3. Description of materials to be used in construction, including paint and shingle samples, if applicable. If paint and shingles are identical to the residence, no samples are required.
4. Architectural drawings, plans, photos, etc., if available.

Guidelines:

1. No addition may infringe upon the setbacks for the lot as listed in the covenants.
2. Additions should match the residence in color, style, and materials as much as possible.
3. Additions must be attached to house, cannot be placed in setback areas, and must match the color and materials of the house.

Note: Structures which are not an integral part of the main structure are considered detached structures. See Detached Structures guidelines.

ALTERATIONS TO THE LAKESHORE

Installation of rip rap (rocks), erosion control materials, bulwarks, and docks on the lakeshore may be done only with ARC/Board of Directors' approval and under the following conditions:

- Homeowners are responsible for compliance with local, state, and federal guidelines and ordinances governing the construction and maintenance of erosion control, bulwarks, and docks respecting riparian buffers and flood zones.
- Should not adversely obstruct or screen any adjacent property owner's view of any water features or common area greenways.
- Colors and material proposed need to be compatible with those of the neighborhood.
- Homeowners are responsible for removing docks when necessary for lake maintenance.

AWNINGS

Items Requiring Approval:

All awnings require approval.

Information Required in Submittal:

1. The awning may be fabric only.
2. The fabric should blend with the color of the residence.
3. Any wood support structure must be the same color as the residence or deck.
4. Awnings may be installed on the rear or sides of the residence only.
5. Awnings must be attached to the residence, not free standing.

CHANGES IN EXTERNAL COLOR OR MATERIAL

Items Requiring Approval:

All changes to external color or material require approval. Examples of changes and replacements covered in the category are:

- Paint
- Siding (must be approved prior to installation if it is a different color, texture, or size).
- Roof (you are not required to get approval if you are upgrading a roof to architectural singles if you are using the same color as the existing roof).
- Gutters
- Trim
- Shutters
- Door

Information Required in Submittal:

Include sample(s) of the paint, stain, and/or materials showing colors to be used, thickness of material, brand, and manufacturer's style or color number. Changes in material of siding, gutters, and roofing need to be compatible with those of the neighborhood.

DECKS

Items Requiring Approval:

All new decks require approval. Any appearance changes or addition requires approval. All under-deck enclosures require approval.

Information Required in Submittal:

1. Plot plan showing the location of the structure and distance to the nearest property lines.
2. Elevation view(s) showing the planned appearance of the structure with dimensions.
3. Description of the material(s) to be used in construction including stain or paint samples if applicable.

DECORATIONS, LAWN ORNAMENTS, PONDS, SIGNS, FLAGS

Items **NOT** Requiring Approval:

Temporary decorations, including holiday decorations and lighting, for sale or rent, garage sale, yard sale and political campaign signs do not require approval. Temporary signs and decorations should be removed in a timely manner. Signs must adhere to Town of Cary ordinances. Note: All political signs should be removed within 14 days after an election.

Items Requiring Approval:

Lawn ornaments that significantly alter the appearance of the lawn, including fishponds, free standing flagpoles, or similar additions require approval.

Information Required in Submittal for permanent decorative items:

1. Picture or description of the item, including material, color, and function.
2. Plot plan showing the location of the item and distance to nearest property lines.

Guidelines:

Every effort shall be made not to disturb or adversely affect neighbors especially with the installation of lights and noisy devices.

DETACHED STRUCTURES

Items Requiring Approval:

Detached items allowed with Approval are Garages, Gazebos, Archways, Arbors, Greenhouses, and Pergolas (See page 33 for Storage Sheds).

Information Required in Submittal

1. Plans should clearly show the type of construction, including floor plans, elevations, and materials.
2. Plot plan showing the location of the structure and distance to nearest property lines and residence.
3. Description of materials should include paint and shingle samples if applicable. If paint and shingles are to be identical to the residence, no samples are required.

Guidelines:

1. Must not exceed 15 feet in height.
2. Must aesthetically match, as much as possible, the existing house in materials, (including the roof), color, and trim.
3. No structure may infringe on the setbacks for the lot as listed in the covenants.
4. All detached structures must always be properly maintained in a safe and attractive condition. Any repairs or replacement must be performed within 30 days.

Additional Guidelines for the installation of Gazebos and Arbors only:

Gazebos are free standing roofed structures, usually open on the sides. Arbors are shelters formed of or covered with vines or branches.

1. May be stained, left natural (not painted) or painted to match the house.
2. No portion of the structure can be located closer to the street than the front lines of the dwelling, nor can it encroach into any set back. Please refer to your neighborhood sub association's "Declaration of Covenants" for setback information.

Additional Guidelines for Greenhouses:

Must be constructed using rigid panels only.

DRIVEWAYS AND PARKING PADS

Items Requiring Approval:

All parking pads or changes to driveways require approval.

Information Required in Submittal:

1. Survey showing the location and dimensions of the driveway or parking pad and distance to nearest property lines.
2. Description of material(s) to be used in construction.
3. Location and width of curb cut.

Guidelines:

1. No new asphalt or gravel pads are permitted.
2. New driveways and/or parking pads must meet the minimum standard of two parking spaces on the property.

EXTERNAL LIGHTING

Seasonal Lighting does not require approval though the General Guidelines below must be followed.

Any other lighting installed on the exterior of any property requires approval. This includes, but is not limited to, wall mounted lights, eave mounted flood lights, free standing pole lights, ornamental sidewalk and driveway lights, landscaping accent lights, ground mounted “up lights” and security lighting.

Information Required in Submittal:

1. Plot plan showing the approximate location of lights.
2. Elevation plan showing the mounting height of lights.
3. Specification sheets on the fixtures, including type and wattage for lamps.
4. On the plot plan, show the approximate area to be illuminated by the fixture. If it is a directional type fixture, show the direction in which the fixture is pointed.

Guidelines:

1. All exterior lighting must meet the Town of Cary’s Lighting Standards.
2. Exterior lighting cannot produce a glare on any public street or right-of-way.
3. Exterior lighting cannot produce lighting levels that exceed one (1) foot-candle of illumination at their property line.
4. No lighting can be installed in any street right-of-way.
5. No lighting can be installed on any natural or common area property.
6. No lighting can be installed within (10) feet of any property line.
7. No lighting can be installed in any setback.
8. No lighting can be installed in any utility easement.
9. Lighting may not be installed in a manner that might be considered a safety hazard. (i.e., adequate head clearance, no sharp tops or projections).
10. Exterior lighting should not be installed in a manner that could be considered as a “nuisance” to any adjacent property owners.

FENCES

Town of Cary Fence Standards

All fences must meet the Town of Cary fence and landscaping standards including any sub- association guidelines.

Items Requiring Approval:

All fences require the approval of the Kildaire Farms Homeowners Association II, Inc. and must be submitted to the Architectural Review Committee (ARC) for review and recommendation to the Kildaire Farms Homeowners Association II, Inc. Board of Directors.

YARD FENCES

Information Required in Submittal:

1. Purpose and description of fence style, height, and dimensions of gate.
2. A survey prepared and sealed by an engineer or registered land surveyor showing the location of fence and gate(s) and distance to nearest property lines.
3. Description of materials to be used in construction, including stain sample, if applicable.

Setbacks:

All fences must meet the setback requirements of the Town of Cary, Kildaire Farms Homeowners Association II, Inc. and any sub association setback requirements.

Utility Easements/Rights-of-way:

Property owners are cautioned that building a fence that infringes on easement or right-of- way may result in destruction or removal of the fence. Such installations are done entirely at the risk of the property owner.

Prohibited Items:

1. The only metal fence allowed is a black decorative aluminum fence. No other metal, wire, chain, pipe, railroad ties, stone, brick or concrete fences are allowed.
2. Painting of yard fences is strictly prohibited.
3. Fences are not allowed to obstruct any common area greenways, pedestrian walkways or natural drainage areas.
4. Fences are not allowed to unduly obstruct any adjacent property owner's

view of any lakes common area features.

5. Except for split rail or decorative fences, no fence should extend beyond the front corners of the dwelling. Split rail fences are limited to 1/3 of the front lot.

Maintenance Requirements:

1. All fences must always be properly maintained in a safe and attractive condition. Any repairs or replacement of any sections of any damaged fences or improperly maintained aesthetic features of a fence must be performed within 30 days.
2. Gates should be provided to allow access to all sections of the property for maintenance purposes.

Color:

1. Wooden yard fences can be either natural or stained.
2. If the fence is to be stained, the manufacturer's information and actual stain samples must be submitted.

Materials:

1. All fences must be treated wood, composite wood, plastic or black decorative aluminum fence only.
2. If wood; cedar, redwood, or treated pine lumber must be used.
3. If plastic; the following additional guidelines apply:
 - (a) Material must have through-body color pigment.
 - (b) All materials should meet the equivalent structural strength of a comparable wood material.
 - (c) Materials should be virtually maintenance free.
 - (d) Sizes of material should generally be the same as wood fence standards.
 - (e) Installation methods should be equivalent to wood fence installation standards.
4. If metal; the following guidelines apply:
 - (a) Must be black decorative aluminum with baked enamel or powder coated finish only.
5. Lattice style fences must have lattice thickness of ¼" or greater.
6. Lattice style may be pre-manufactured plastic or composite. Color must be prefinished – NOT painted.

Height:

1. Fences may be from 3-6 feet high measured from the ground to the top of

- the posts, excluding finials.
2. The maximum height allowed is to be determined based on the environment and application. A uniform height is to be maintained parallel to the ground line.

Construction:

1. All hardware is to be galvanized except for the hinges and latches.
2. All posts must be set in concrete.
3. The finished side of all fence styles must face adjoining lots.
4. Finials less than 6" high will be allowed on all fences.
5. If a proposed fence will abut an adjacent existing fence that is visible to the surrounding homeowners and many existing fences in a sub-association are of a particular style, consideration should be given for a fence that will blend with the existing style as much as possible.

PRIVACY SCREENS

Privacy screens are generally defined as any above-grade structure built specifically for screening purposes such as patio and does not totally enclose a specific area.

All privacy screens require approval.

Information Required in Submittal:

1. Brief narrative as to the purpose of the screen.
2. Plot plan showing the approximate location of the screen.
3. Elevation view showing the type and size of the screen.
4. Sample of material.
5. Finish information for the screen. (i.e., color sample, natural, stained, painted, etc.)
6. If located near an existing privacy screen or fence, the screen should match as closely as possible, the style, material and theme of the adjacent fencing.
7. Should not adversely affect or alter proper drainage.

Guidelines:

1. Should generally conform to all applicable fence guidelines.
2. Should generally not exceed twenty (20) feet in length.
3. Should not be located within ten (10) feet of any property line except condos, townhouses, apartments, etc. which may have privacy screens as part of their architectural design.

4. Should not be located on or block access to any easement.
5. Should not adversely screen any adjacent property owner's view of any water features or common area greenways.

Materials:

Screen materials must conform to the applicable Material Standards listed in the Yard Fence guidelines, unless provided for in this section.

GARDEN PLOT FENCES

Some gardens, such as vegetable gardens, may require a low-profile fence-like enclosure surrounding the plot to keep out destructive pests such as rabbits, geese, etc. Such garden fences must comply with the above guidelines and any Sub-Association rules or covenants. Additionally, these fences:

1. Should totally enclose a plot.
2. Can butt up against another structure such as an adjoining fence or wall.
3. Should not exceed an installed height of 24" from the ground.
4. Should not violate any setback guidelines or public rights-of-way.
5. Should not affect adjacent property owner's views.
6. Should be both functional (keep out rabbits, etc.) as well as aesthetically pleasing.

Materials:

1. Garden fences should be virtually maintenance free.
2. Fences must be lattice or slat style construction usually of treated wood, "through-body" colored plastic, or decorative 16-gauge or greater vinyl coated wire (green, white, black or dark brown).
3. Construction is not permitted using galvanized or welded wire, poultry fencing, wire or plastic sheet or netting, railroad ties, pipes, brick, concrete, stone or similar materials.

ORNAMENTAL FENCES

Items Requiring Approval:

Permanent Ornamental fences require approval.

Information Required in Submittal:

1. Picture or description of the item, including material, color, and purpose or

function.

2. Plot plan showing the location of the item(s) and distance to nearest property lines.

Guidelines:

Every effort shall be made not to disturb or adversely affect neighbors. Permanent ornamental or decorative fences are permitted with the following restrictions. Should be included in an overall landscaping plan, if applicable. Should not function as a fence (enclose an area).

1. Should not exceed thirty-six inches (36") in height from the ground.
2. Can be brick, fieldstone, wrought iron, or any approved fence material.
3. Should not function as a retaining or structural wall.

FUEL OR STORAGE TANKS

Items Requiring Approval:

All above-ground fuel and storage tanks require approval.

Information Required in Submittal:

1. Description of the type or style of tank to be installed.
2. Plot plan showing the location of the structure and distance to the nearest property lines.
3. Elevation view(s) showing the planned appearance of the structure with dimensions.
4. Description of the shielding to be provided.

Guidelines:

1. Tanks must be located at least 10 feet from all property lines, unless enclosed by an approved fence.
2. Tanks should be in the least conspicuous place possible, either in the rear or most obscure side of the residence, but not beyond the front corners of the dwelling.
3. Tanks must be screened from neighbors' view and/or camouflaged. Any plants used for screening should be of the evergreen variety.

PET FACILITIES (HOUSES, RUNS, PENS, ETC.)

Items Requiring Approval:

All structures to shelter, confine, or provide exercise space for household pets.

Information Required in Submittal:

1. Plot plan showing the location of the structure and distance to nearest property lines.
2. Elevation view(s) showing the planned appearance of the structure with dimensions.
3. Description of material(s) to be used in construction.
4. Description of the shielding to be provided.

Guidelines:

1. If the yard is not fenced in, any permanent free-standing pet facility must be located at least 10 ft. from all property lines and must be placed where it is least objectionable to the neighbor's view.
2. Pet facilities for livestock and domesticated farm animals are prohibited.
3. Permanent pet facilities are to conform to the fence guidelines.
4. Temporary pet facilities may be any commercially available type but must comply with items 1-3 (above) and will be granted for a period of three (3) months, which may be renewed with approval.
5. Owners should clean up animal waste so that it does not damage grass, annoy neighbors with odor, or eventually wash into the lake, waterways or public right of ways.

LANDSCAPING CHANGES

Items **NOT** Requiring Approval:

Landscaping of a minor nature such as naturalizing an area of the yard and/or adding trees, shrubs and flowers need not be submitted for approval providing they do not impact neighboring properties.

Items Requiring Approval:

Landscaping that is structural, or changes the contour of the land, is adjacent to property lines, or obstructs a neighbor's view, requires approval. Landscaping timbers, railroad ties, etc. used for curbing require approval.

Information Required in Submittal:

1. Description of the type, quantity and size of plants and trees.
2. Plot plan showing the location of the plants or trees and the distance to the nearest property lines.
3. Changes to the drainage/runoff on the property should be illustrated with submittal.

Guidelines:

1. No plantings are permitted near the lake which will significantly obstruct the view of the lake or cause a sight hazard or be in a pedestrian easement.
2. Any wood materials used should be of the treated type.
3. Borders or curbing made of treated landscape timbers (timbers with two flat and two round sides); treated milled and treated railroad ties are permitted. Borders made of natural untreated woods are not permitted.
4. Rock borders will be considered, as appropriate to the surrounding context.
5. No plantings are permitted on common property.

HEDGE MAINTENANCE

1. Hedges must be kept trimmed not to exceed 6 feet high.
2. Hedges must be trimmed so as not extend beyond the property lines.

PATIOS

Items Requiring Approval:

All Patios require approval.

Information Required in Submittal:

1. Plot plans showing the location of the structure and the distance to the nearest property lines.
2. Elevation view(s) showing the planned appearance of the structure with dimensions, if above grade.
3. Description of material(s) to be used in construction.

PLAY FACILITIES: (Swing Sets, Playhouses, Jungle Gyms, Trampolines, etc.)

Items Requiring Approval:

All swing sets, playhouses, jungle gyms, trampolines, etc. require approval.

Information Required in Submittal:

1. Description of the type or style of play facility to be installed.
2. Plot plan showing the location of the structure and distance to nearest property lines.
3. Elevation view(s) showing the planned appearance of the structure with dimensions.
4. Description of material(s) to be used in construction, if applicable.

Guidelines:

1. Play facilities must be located at least 10 feet from all property lines, unless enclosed by a fence.
2. They should be in the least conspicuous place possible, either in the rear of the residence or on the most obscure side of the residence.
3. All play facilities must always be properly maintained in a safe and attractive condition. Any repairs or replacement must be performed within 30 days.

RETAINING WALLS AND DRAINAGE CHANGES

Items Requiring Approval:

All retaining walls, storm drains, or significant drainage changes require approval.

Information Required in Submittal:

1. Plot plan showing the location of the structure and distance to nearest property lines.
2. Elevation view(s) showing the planned appearance of the structure with dimensions.
3. Description of materials to be used in construction.
4. Contour changes to be made.

Guidelines:

1. Approved materials include, but are not limited to, brick stone, railroad ties, wood, and architectural block. Any wood materials used should be of the treated type.
2. Retaining walls may be stained, but not painted.
3. Contour changes cannot:
 - a) Significantly alter the natural drainage.
 - b) Be in a Town of Cary storm drainage easement or a Kildaire Farms Homeowners Association II, Inc. Common Area.
 - c) Divert water to adjacent property
 - d) Discharge directly into Kildaire Farms Homeowners Association II, Inc. Lake.
 - e) Create an erosion problem.

SATELLITE DISHES AND RADIO/TV ANTENNAS

All exterior radio/TV antennas require architectural approval. Satellite dishes require approval under certain conditions.

I. Information Required in Submittal (when required):

1. Description of the type or style of antenna or dish to be installed.
2. Plot plan showing the location and distance to nearest property line.
3. Elevation view(s) showing the planned appearance of the structure with dimensions.
4. Description of the shielding to be provided.

II. Situations addressed in the Telecommunications Act of 1996:

1. A “dish” antenna that is one meter (39.37 inches) or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite.
2. An antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming services via MMDS (wireless cable) or to receive or transmit fixed wireless signals other than via satellite.
3. An antenna that is designed to receive local television broadcast signals. Masts higher than 12 feet above the roofline may be subject to local permitting requirements or may be subject to architectural control as permitted by the ACT. The Covenants for Kildaire Farms Homeowners Association II, Inc. cannot impair a viewer’s ability to install, maintain, or use a video antenna. The Covenants impair if (a) they unreasonably delay or prevent the use of, (b) unreasonably increase the cost of, or (c) preclude a viewer from receiving an acceptable quality signal from one of these antennas.

The Act does not prohibit legitimate safety restrictions, provided the restriction is no more burdensome than necessary to accomplish the safety purpose. For Kildaire Farms Homeowners Association II, Inc., the safety requirements are:

The antenna shall be mounted in such a manner and location such that if it becomes detached, the antenna and associated wiring cannot come in contact with a power line.

1. No antenna shall violate Fire Codes, including (but not limited to) prevent egress from a building or constituting a tripping hazard.
2. The antenna location shall be such that, if unintentional detachment occurs, no part of the antenna or associated wiring will extend beyond

the “EXCLUSIVE USE AREA” OF THE HOMEOWNER. Antennas in townhomes or condominiums, “exclusive use area” does NOT include common areas owned by the association.

It is recommended that antennas that both receive and transmit signals be installed by professional personnel to maximize effectiveness and minimize the possibility that the antenna will be placed in a location that is likely to expose subscribers or other persons to the transmitted signal at close proximity and for an extended length of time Kildaire Farms Homeowners Association II, Inc. does not require professional installation for receive-only antennas, such as one-way DBS satellite dishes. However, Kildaire Farms Homeowners Association II, Inc. requires professional installation for transmitting antenna as covered by The Act, based on the safety exception to the rules.

- III. If your satellite dish or antenna is covered by section III (Telecommunications Act of 1996) of this guideline, the following procedure should be followed:
1. Submit your request for installation of dish or antenna.
 2. Wait for approval if you can, but if your dish or antenna is covered by the Telecommunication Act of 1996, you have the right to install your dish or antenna without “unreasonable delays” under many situations.
 3. Install your dish or antenna using the guidelines below as our recommendation.
 4. If the dish or antenna is not installed in accordance with the guidelines below, and the guidelines could have been adhered to without an unreasonable increase in cost or a preclusion from receiving an acceptable quality signal, or if a safety or infringement provision is violated, the Association has the right to require removal or reinstallation at homeowner’s expense.

Guidelines:

1. No dish with a diameter greater than 1 meter (39 inches) is permitted.
2. Antennas or dishes shall be installed to be as inconspicuous as possible either in the rear of the home or on the side that has the least public exposure. Antennas and dishes shall not be mounted within 10 feet of the side or rear property lines or within any buffer or defined setback, whichever is greater.
3. Any antenna or dish shall be located at least 30 feet from a street right-of-way.
4. Any antenna or dish that is to be installed at ground level must be screened

so that it is not visible from any street. Ground-mounted installations shall be located either in the rear of the home, or on the side, extending no more than 10 feet forward from the rear corner of the building.

5. An antenna or dish may be located on the roof of a home provided it is not on the portion of the roof facing the street, and the highest point of the structure is no higher than the peak of the room on which it is mounted. Under no circumstances shall the structure be visible from any street, unless allowed by Section 207 of the Telecommunications Act of 1996 (hereafter referred to as The Act.) A dish should match the color of the shingles on which it is located.
6. An antenna or dish may be mounted on the back or side of a home, but cannot be mounted on the front, unless this would impair reception of signals protected under The Act. If mounted on the side of a building, it cannot be located more than 10 feet forward from the rear corner of the building. The structure must be mounted at least 10 feet off the ground and shall not protrude from the wall more than 3 feet. The dish color must be matched to the primary color of the building.
7. No antenna or dish installation shall constitute a hazard to any homeowner or other person, by exposure to RF Energy exceeding FCC guidelines, obstructing passage across property, restricting emergency egress from a building, or by extending beyond the homeowner's exclusive area of use in case of unintentional detachment of the antenna or dish from its mounting structure.
8. All wiring from antenna or dish installations should be buried underground or concealed in some way.

*If tree removal is required, see guidelines for tree preservation.

SOLAR COLLECTORS

Items Requiring Approval:

All solar collectors for heating water and solar panels for generating electricity require approval. Please check with Town of Cary, state, and federal guidelines before submitting a request to the ARC.

Information Required in Submittal:

1. Description of the type of solar collector to be installed.
2. Drawing showing the location of the unit on the roof with dimensions.
3. Plot plan showing the location of the solar collectors.

Guidelines:

1. Solar collectors should be attached only to the roof, not free standing or ground mounted.
2. Solar collectors should be installed to be as inconspicuous as possible.
3. Every effort must be taken to camouflage the plumbing and supports for the collectors. This camouflaging may require completely encasing the collectors. The ideal installation is one that is laid flat on the roof. All metal parts should be painted to match the roof coloring. There must be a minimum exposure of the piping that runs down the side of the house.

SPORTS FACILITIES (BASKETBALL GOALS, TENNIS, AND VOLLEYBALL COURTS, ETC.)

Items Requiring Approval:

Basketball goals, tennis courts, and volleyball courts require approval.

Information Required in Submittal:

1. Plot plan showing the location and dimensions of the structure and distance to nearest property lines.
2. Description of the material(s) to be used in construction, if applicable.

Guidelines:

1. Basketball goals should not be located on a street or right of way.
2. Basketball goals should not be placed on grass.

STORAGE SHEDS

Items Requiring Approval:

Storage Sheds require architectural approval.

Information Required in Submittal:

1. Materials to be used.
2. Plot plans showing the location of the Shed or outbuilding and the distance to the property lines.
3. A description and architectural plans of the building.

Guidelines:

1. Must not exceed 12 feet in height.
2. Should aesthetically match the existing house in materials, (including the roof), color, and trim. Non-matching colors and material proposed need to be compatible with those of the neighborhood.
3. No structure may infringe on the setbacks for the lot as listed in the covenants, nor can it be located closer to the street than the front lines of the dwelling, nor can it be closer than 10 feet from any property line, unless enclosed by an approved fence.
4. All sheds must always be properly maintained in a safe and attractive condition. Any repairs or replacement must be performed within 30 days.
5. The shed must be placed so that it cannot be seen from streets or greenways, or it will require appropriate screening.
6. The shed should not obstruct neighbor's views of greenways or lakes.
7. If your subdivision has a sub-association, you must obtain their permission to build a detached structure before submitting an application to the ARC.

SWIMMING POOLS, HOT TUBS, WHIRLPOOLS, JACUZZIS, ETC.

Items Requiring Approval:

All swimming pools require approval. Hot tubs, outdoor whirlpools, outdoor Jacuzzis, and associated privacy screens require architectural approval.

Information Required in Submittal:

1. Description of the type or style of the pool or hot tub to be installed.
2. Plot plan showing the location of the structure and distance to nearest property lines.
3. Elevation view(s) showing the planned appearance of the structure with dimensions.
4. Privacy screen material.

Guidelines:

1. Above ground pools with a side height greater than 28 inches are not permitted.
2. Pools must be enclosed by an approved fence.

TREE PRESERVATION

Trees are an important ecological resource. They beautify our community, improve the air we breathe, provide shade and shelter for animal life, promote ground stability and storm water storage, as well as increase the attractiveness and value of your homes and community.

The Town of Cary and the Kildaire Farms Homeowners Association II, Inc. actively promote the wise conservation of the urban forest canopy as a whole. This means all of us have a role to accept. When you consider removing a tree for reasons other than emergency or documented hazards, we recommend:

- Have your landscape evaluated by a Certified Arborist, not just a “tree removal professional.” You can always get additional quotes after an educated and objective review.
- The potential replacement of removed trees with appropriately-sized native plant species; shade, wildlife value, privacy screening, etc. can be enhanced.

Items Requiring Approval:

Removal of all live trees 6 inches or greater in diameter (or 18 inches in circumference or greater) as measured 4 feet from the ground shall require ARC approval.

1. Reason(s) for tree removal.
2. Plot plans showing the location of the tree(s) to be removed and distance to nearest property lines.
3. A description of the remaining trees, and their location on the plot plan.
4. A photograph of the area including trees to be removed.
5. All trees removed should be marked with ribbon or paint so that the ARC can easily located them on the site.

Guidelines:

1. When removed, the tree should be cut as close to the ground as possible.
2. Removal of stump is at the discretion of the property owner.
3. No topping or removal of trees on homeowner association common areas is permitted.
4. Clear-cutting of multiple trees is never allowed without approval.
5. As tree removals can create interruptions within a neighborhood from sound to street congestion, homeowners are strongly encouraged to inform neighbors in the vicinity of the anticipated removal date, time, and impact.

Tree removals that do not require approval, but require informing KFII:

Diseased or dead trees or trees that are causing damage to a house, driveway,

sidewalk, or walls do not require ARC approval but do require informing our Kildaire Farms Homeowners Association II, Inc. Manager, Casey Ferrara at cferrara@wmdouglas.com

Prior to removing the tree, the homeowner must submit via email:

1. Information explaining why the tree(s) needs removal.
2. The number of trees to be removed.
3. Pre-removal photograph(s) indicating the removal.

Provide a hard copy explaining the danger posed by the tree for Kildaire Farms Homeowners Association II, Inc. records. The sender should keep a copy of the letter

Emergency Tree Removal: Submitting a tree removal ARC request is the first step towards having a tree removed unless it presents an immediate danger to a property and or persons.

1. By email or phone: If a tree is dangerous, for example, to passers-by or children playing in the area because it is touching an electrical line, it needs to be removed quickly. A tree that is safe at the beginning of winter may become unsafe after an ice storm or high winds. The person who wants the tree removed must first contact, by phone or email, our Property Manager, Casey Ferrara at cferrara@wmdouglas.com to tell him where the dangerous tree is located and what the danger is.
2. After informing by email or phone: After informing our Property Manager, Casey Ferrara at cferrara@wmdouglas.com by phone or email of the reason to remove a tree immediately, the owner must then submit via email all the facts explaining why the tree requires immediate removal, the number of trees removed, and a pre-removal photograph(s) clearly depicting the immediacy. Preferably a letter from an arborist would be included. This will provide a hard copy for Kildaire Farms Homeowners Association II, Inc. records explaining the danger posed by the tree. The sender should keep a copy of the letter.

VEGETABLE GARDEN PLOTS

Items Requiring Approval:

All vegetable gardens require approval.

Information Required in Submittal:

Plot plan showing the location and dimensions of the garden and distance to nearest property lines.

Guidelines:

1. Vegetable garden plots must be located a minimum of 10 feet from nearest property lines, unless enclosed by a fence.
2. They should be in the least conspicuous place possible, either in the rear or on the most obscure side of the residence and may not extend beyond the front corners of the dwelling.
3. Maintenance of the garden plot is required. Excess debris must be removed at the end of the gardening season and the plot returned to a natural state. This includes dead vegetation as well as stakes and other minor structural additions required for growing season. Inactive garden plots must also be returned to a natural state.
4. Garden plots cannot cause erosion or sediment flow into a drainage area.

APPENDIX A – INSTRUCTIONS FOR APPLICATION

The Kildaire Farms Homeowners Association II, Inc. Architectural Committee meetings are held on Zoom on the first Tuesday of each month, at 7:00 pm. To get the meeting link, please contact WDPMC at 919-459-1860 or email cferrara@wmdouglas.com.

INSTRUCTIONS FOR COMPLETING THE APPLICATION

The Request for Architectural Approval form should contain a complete written description of the proposed improvement and any of the following information that is applicable.

1. A copy of the lot survey prepared and sealed by an engineer or Registered Land Surveyor (for changes to structures and for fences) or a plot plan showing the location of the improvement and distance to the nearest property lines.
2. Pictures, drawings, or blueprints showing different views with dimensions.
3. Samples or descriptions of paint and materials to be used in construction.
4. A description of any screening to be provided.

All neighbors having common lot lines with your property, and all property owners who would reasonably view the improvement to your property, must sign a full and completed form and be provided a paper or electronic copy of the form by the applicant. This is not a request for their approval, but only an acknowledgement that they have been informed of the proposed improvement. Incomplete requests will be disapproved and returned to the homeowner. Names and email addresses of neighbors are available from WDPMC.

Since each request will be evaluated against all the guidelines that pertain to the request, please ensure that you consider all the guidelines that apply.

1. The project description should be a narrative of the proposed change or addition to your property, site materials and color(s) to be used, similarity to existing structures, and potential effect on neighbors, as appropriate. Use a separate sheet of paper if necessary.
2. Please attach drawings, paint and materials samples, landscaping plans, and/or photos as appropriate for the project – as defined in the ARC Guidelines.
3. Include a plot plan drawn on a certified copy of your lot, and elevations(s) and/or “side view(s)” or a survey as necessary to fully describe your

project, or a site map prepared by a civil engineer.

4. Your neighbors have a right to comment and present their views about your requested improvements. Signatures from all property owners who would reasonably view the improvement from their property must be obtained. This signature does not signify their approval, only their acknowledgement that they are aware of the proposed change. Neighbors must receive copies of the application and be informed of when the request is likely to be considered by the ARC. Any request made from a subdivision which has an active sub-association must get the approval of that sub-association before the request can be acted upon by the Kildaire Farms Homeowners Association II, Inc. ARC.
- Any improvements recommended for approval by the ARC must also comply with the Town of Cary standards and may need a permit and inspection from the town of Cary.
 - Requests for modification on or near the shoreline of Kildaire Lake or local creeks may require Town of Cary, state, or federal permits.
 - All requests approved by the Kildaire Farms Homeowner Association II, Inc. Board of Directors must be completed within 12 months of the approval or the approval becomes null and void.
 - Should the Architectural Committee recommend denial of your request, you may appeal their decision by appearing in person at the Kildaire Farms Homeowners Association II, Inc. Board of Directors Zoom meeting held on the second Thursday of each month.
 - Requests must be submitted by the homeowner of record.
 - If a change is made in the plans after the proposal has been submitted, or even approved, a modification must be signed by the neighbors and sent to the ARC.

ADDITIONAL NOTES

Items covered in this guideline are for Kildaire Farms Homeowners Association II, Inc. residents in general. Some items may not be permissible in a subdivision based on their covenants.

The main entrance to a house that sits on a corner lot, will be defined as the front of the house.

If you have a question regarding any project you are planning and cannot find the specifics in this guideline, please contact WDPMC before beginning your project.

Projects which require Board of Directors approval include, but are not limited to, the items shown in these guidelines. On the items that do not require approval, the Kildaire Farms Homeowners Association II, Inc. Board of Directors reserves the right to request a homeowner to remove an item if surrounding homeowners complain and if, upon inspection, the Kildaire Farms Homeowners Association II, Inc. Board of Directors considers the item to be unsightly or a nuisance.

Submit application to:

William Douglas Property Management
1033 Wade Avenue, Ste. 208, Raleigh, NC 27605
Phone: 919-459-1860
Fax: 919-459-1861
Email: cferrara@wmdouglas.com

Architectural Committee Meetings:

Held every month on the First (1st) Tuesday of the month at 7:00 pm, currently with Zoom. If you wish to attend this meeting contact WDPMC or use the link below to join the meeting.

<http://kfii.org/zoom/arc>

Board of Directors Meetings:

Held every month by Zoom on the Second (2nd) Thursday of the month at 7:00 pm until further notice.

<https://kfii.org/zoom/bod>

APPENDIX B – REQUEST FOR ARCHITECTURAL APPROVAL FORM

Kildaire Farms Homeowner Association II, Inc.
 William Douglas Property Management Co.
 1033 Wade Avenue, Ste. 208, Raleigh, NC 27605
 Email: cferrara@wmdouglas.com
 Fax (919) 459-1860

Request	No.
_____	_____
Date	Received

 REQUEST DATE

 PROPERTY OWNER'S NAME PHONE NUMBER EMAIL ADDRESS

 PROPERTY ADDRESS LOT#/SUBDIVISION NAME

 PROPERTY OWNER'S SIGNATURE ESTIMATED COMPLETION DATE

PROJECT DESCRIPTION: (Use Separate Page if Necessary)

I (we) hereby agree to replace and/or repair, at my (our) sole expense, any damages to Association common areas as well as other homeowners residences, (i.e.) grass, walking areas, trees, buildings, roads, etc.) as a result of making approved modifications_____ (initial).

Prior to the transfer of ownership of subject property, I agree to inform the new owner of any maintenance requirements._____ (initial).

By signing this application, I (We) understand that I (We) may be contacted by a member of the Architectural Review Committee in order to conduct a site visit. _____ (initial).

Note: Kildaire Farms Homeowners Association II, Inc. ARC meetings are held at 7:00 pm the first Tuesday of each month, in person or virtually. Contact our Property Manager Casey Ferrara WMDPM at 919-459-1860 or email cferrara@wmdouglas.com for a link.

My (our) signature below, acknowledges that I (we) understand that this request will not be considered complete until all conditions described in my (our) subassociation's guidelines and Kildaire Farms Homeowners Association II, Inc. Architectural Guidelines have been met. The homeowner(s) additionally acknowledge that it is the sole responsibility of the homeowner(s) to obtain any required federal, and/or state, and/or local permits required for this project if it is approved by the Kildaire Farms Homeowners Association II, Inc. Board of Directors.

Property Owner's Signature(s) _____ Date_____

REQUEST FOR ARCHITECTURAL APPROVAL (pg. 2)

When this request is reviewed, your neighbors have the right to comment and present views about your requested improvements. Please obtain signatures from all property owners having common lot lines with your property, and all property owners who would reasonably view the improvement from their property.

NEIGHBORS' ACKNOWLEDGEMENT:

I acknowledge that the requesting property owner has shown (me/us) the details of the proposed improvement described on this form and that (my/our) signature represents only (my/our) awareness of the request. I understand that (I/we) may make verbal or written comments directly to the Kildaire Farms Homeowners Association II Architectural Review Committee at the monthly meeting by attending the zoom meeting at link <https://kfii.org/zoom/arc>

Neighbor #1	Signature	Address	Date
_____	_____	_____	_____

I have been provided with the ARC link & information by the submitter.

Neighbor #2	Signature	Address	Date
_____	_____	_____	_____

I have been provided with the ARC link & information by the submitter.

Neighbor #3	Signature	Address	Date
_____	_____	_____	_____

I have been provided with the ARC link & information by the submitter.

Neighbor #4	Signature	Address	Date
_____	_____	_____	_____

I have been provided with the ARC link & information by the submitter.

Submit pages 1 and 2 along with any attachments, supplemental data, or required items.

APPENDIX C – SUBMISSION CHECKLIST

Your improvements are important to you and as a committee we want to process your request as quickly as possible; incomplete requests delay the process. Be sure to review the following check list of items that may be required for approval of your submission. If you have a question regarding any of these items, contact William Douglas Property Management Company before submitting your request to be sure you have included what is required.

General Items that must be submitted:

- Both Pages of the Application Form completed
- Sub association Approval (where required)
- Complete descriptions of the project
- Neighbors' Signatures
- Contact information

Specific Project Requirements (refer to the guideline for your submission):

- A copy of the lot survey or plot plan
- Drawings
- Pictures
- Blueprints
- Paint/Stain Samples
- Material Samples (singles, siding, etc.)
- Distance from property lines in feet
- Elevation view

GOVERNING AGENCY LINKS

Town of Cary Inspections and Permits:

<https://cferrara.townofcary.org/services-publications/residential-permits-inspections>

DENR – Division of Water Resources:

<https://deq.nc.gov/about/divisions/water-resources>

North Carolina Division of Environmental Quality; Energy, Mineral and Land Resources

<https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources>

Homeowners should check the DENR site for Environmental Assistance:

<https://deq.nc.gov/about/divisions/environmental-assistance-and-customer-service>

Town of Cary Storm Water Management: <https://cferrara.townofcary.org/services-publications/water-sewer/stormwater-management>