

June 12, 2020

Updated November 23, 2020

**PINEHURST TRACE ARCHITECTURAL COMMITTEE  
POLICIES AND PROCEDURES**

Approved by Pinehurst Trace Board of Directors

The authority of the Pinehurst Trace Architectural Committee (PTAC) is set forth in Section 5 of the Protective Covenants, Conditions and Restrictions (Covenants) for Pinehurst Trace Subdivision, Moore County, North Carolina, approved January 28, 2020.

This document will provide additional information supplemental to the information contained in the Covenants, specifically related to the PTAC and its responsibilities. Where a conflict exists between this document and the Covenants, the Covenants shall govern.

**RESPONSIBILITIES**

The PTAC is responsible for carrying out its duties on behalf of all members of the Pinehurst Trace Homeowner's Association (PTHA) for the benefit of the community.

The PTAC will conduct site reviews of the community periodically to ensure compliance with the Covenants and PTAC policies and procedures.

The PTAC will meet as necessary to conduct business and to review applications and respond in writing within 30 days of receipt, assuring that architectural criteria and design standards are met, and applying and interpreting architectural regulations per the Covenants and in compliance with PTAC Policies and Procedures and Construction Guidelines. The PTAC may establish fees for the application and review process as needed and amend or revise criteria as needed. The PTAC must inform members of the PTHA regarding any approved changes in criteria as they occur.

The PTAC will review application and design documents in advance for all construction (including new home construction and remodeling, alterations, additions, modifications and/or other changes to existing properties and landscaping, etc.). This includes, but is not limited to, construction of or changes to homes, landscaping and irrigation, exterior lighting, outdoor living areas, awnings, shutters, doors, windows, skylights, garages, garage doors, driveways, walkways, roofs, gutters, chimneys, porches, decks, patios, change in paint colors, etc. The PTAC will maintain copies of all application and design documents and related records.

None of the above construction or changes shall commence without the advance approval of the PTAC, and the Village of Pinehurst (VOP) when required.

## **OVERVIEW OF ADDITIONS, CONSTRUCTION, REMODEL GUIDELINES**

*A brief overview of some frequently requested items is provided below. For additional items and more detail, refer to the “Construction Guidelines” included at the end of this document.*

### **ACCESSORY STRUCTURES – Mechanical Equipment**

No accessory structures are permitted. A free-standing pergola is considered an accessory structure.

Mechanical equipment is not permitted on front elevations.

### **AWNINGS**

Awnings may be installed on the rear of the house only. Maximum extension shall not be greater than 36 inches. In the case of an expandable type awning, the closed awning shall not exceed 36 inches. Metal material shall not be used. Color shall be approved by the PTAC prior to installation of the awning.

### **CLUBHOUSE PARKING**

No parking is allowed at the clubhouse except while individuals are working for PTHA or attending meetings or events at the clubhouse. Overnight

parking is prohibited. If a parking exception is needed on a short-term, temporary basis, the vehicle owner must contact the PTHA Manager in advance for approval. PTHA is not liable for any theft or damages to property. Unauthorized vehicles may be towed at the owner's expense.

## **EXTERIOR LIGHTING**

All proposed exterior lighting shall be detailed on landscaping plans. No exterior lighting shall be permitted which would create a possible nuisance to adjoining property owners. All lighting must conform to VOP zoning regulations, and must be approved in advance by the PTAC.

## **FENCES**

A request for a fence must be presented to the PTAC in advance for approval. A to-scale drawing showing the location and type of fence to be installed must be presented. A permit must be obtained from the VOP. Fences on both interior and exterior lots are allowed only on the rear area of the house. Fences are not permitted on side or front yards.

Types and materials allowed: picket, post and rail, brick (compatible with existing structure) metal, and shadow box. Vinyl, metal or wood materials may be used. Vinyl fences may be tan or white. Metal fences may be black or brown. Wood fences may be natural, stained, or painted white. If wood fences are stained or painted at a later date, color approval by the PTAC is required in advance.

Interior lots: Maximum fence height is 4ft.

Exterior lots: For yards that back up to streets, the maximum fence height is 6ft. on the back, and 4ft. on the side.

## **GARAGE**

For appearance and safety, garage doors should not be left open for extended periods of time. Open garage doors can present a cluttered or unattractive appearance in the neighborhood and when left open can provide an opportunity for theft of items or giving easy and unannounced access to a home. The Covenants state that open garage doors are

allowable when the garage is "in use". All residents are asked to be mindful and respectful of their neighbors with respect to the intent of this policy.

### **GARDEN STORAGE UNITS (SMALL)**

Small garden storage units for storing garden tools and supplies, cushions for patio furniture, grilling supplies, etc., must be placed in backyards, and do require advance approval of the PTAC. These are not considered outbuildings or temporary structures. Such units must be made of materials that can be subjected to the elements, such as vinyl.

Landscaping may be planted to make these units less obvious.

Vertical units must be placed against the back of the house and must not exceed 78" high, 52" wide and 32" deep.

Horizontal units must be placed at the back of the house and must not exceed 42" high, 55" wide and 40" deep.

### **PRIVACY SCREEN**

For privacy, appropriate shrubbery plantings are encouraged; however, a wood or vinyl shadow box screen – with a maximum 6ft. in height and 16ft. in length can be installed on the side and rear areas of the house. Wood screens may be natural, stained, or painted white. Vinyl screens may be tan or white. A permit from VOP is required, as well as advance approval by the PTAC.

### **TRASH, RECYCLE OR YARD DEBRIS CONTAINERS**

Updated November 23, 2020

Except on trash pickup days, approved trash, recycle or yard debris containers must be stored in the garage or other area approved by the Architectural Committee. Trash cans or other containers will not be left on the street or in view from the street. Storing these containers outside of the garage and placed on the side of the garage is allowable as long as appropriate shrubbery plantings are used, or an approved type of screen is installed on both the front and side of the containers, so that the containers are not visible from the street. Screen types may be 1) Shadow Box,

2) Trellis, or 3) Solid, or a Combination of Solid and Trellis. Vinyl Shadow Box screens may be 1) White or 2) Tan. Wood Shadow Box, Trellis, Solid, or a combination Solid and Trellis screens may be 1) Natural, 2) Stained a Natural Wood Brown, or 3) Painted (a) White, (b) Extra White, (c) Navajo White, (d) Sail Cloth, (e) Richmond Bisque or (f) Tan. Metal screens may be 1) Black or 2) Brown.

## **TREE REMOVAL**

When a homeowner is given permission by the Architectural Committee to remove trees, the homeowner is responsible for ensuring that the company performing the tree removal is insured, that all safety precautions are followed to protect people and surrounding property, and that the area is cleaned and all debris is removed promptly. The homeowner is responsible for any damage or cleanup.

## **ADDITIONS, CONSTRUCTION, REMODEL GUIDELINES**

### **Applicant's Responsibilities**

The PTAC and PTHA assumes no liability for Applicant's responsibilities which include, but are not limited to, the following:

- Performance or quality of work of any contractor or subcontractor
- Compliance with all laws, codes and ordinances of any governmental agency or body
- Determination of environmental restrictions, drainage and grading requirements and all surface and subsurface soil conditions
- Determination of structural, mechanical, electrical, and all other technical aspects of a proposed design that can only be determined by competent architects, engineers, contractors and other similar professionals
- Compliance with the Covenants and Bylaws of the PTHA
- Accuracy of all stakeouts and surveys

### **Remodeling/Changes**

Applications requesting remodeling, alterations, additions, modifications, improvements, and/or other changes to existing properties and

landscaping, etc., must consult with the PTAC in advance to determine the design documents required for approval. No work should commence without approval of the PTAC. This includes all exterior landscaping, home and site changes, including repainting of a home if another color is used other than the originally approved color.

### **Design Review Decisions**

Upon receipt of a properly completed application, the PTAC will review applicant's plans and specifications and render one of the following decisions:

- 1) Approved (with or without limiting conditions)
- 2) Not Approved (incomplete application/plans)
- 3) Not Approved

The PTAC will provide reasonable assistance with design review criteria to applicants whose plans and specifications have been disapproved.

### **Approval, Appeals and Variances**

If applications are approved (with or without comments), applicants must submit plans and specifications for review by the VOP. Comments regarding any specific application may be rendered to encourage changes that the PTAC deems desirable, but such "comments" are not binding upon applicants.

If applications are approved (subject to limiting conditions), applicants must make changes prior to submitting plans and specifications for final PTAC approval. Limiting conditions are binding upon applicants. If applicants are not approved due to incomplete plans or failure to provide sufficient details in the application, the application must be resubmitted as instructed for final review and approval. In the event applications are not approved by the PTAC for design or aesthetic reasons, an explanation of the reasons is provided in writing to the applicant.

Appeals: If an application is not approved, or if the approval is subject to limiting conditions which the applicant feels are unfair, the applicant may request a meeting with the PTAC to justify their position. After the meeting, the PTAC will review the matter and notify the applicant, in writing, of their

final decision within ten days of the meeting. If the applicant is still not satisfied, they may appeal to the Board of Directors.

Variances: All requests for variances from the requirements in the PTAC Policies and Procedures shall be made in writing. Any variance shall be considered unique and does not constitute precedent for future consideration.

These standards shall be in addition to those of the VOP. Where a conflict exists between standards, the more stringent standards shall govern.

### **New Construction**

After a lot has been purchased and prior to application for a Building Permit from the VOP Planning and Inspection Department, the builder will submit two sets of Site Plan Packets and Building Permit packets to the PTAC. This would include a site plan, showing how the house will be situated on the lot and how water will be drained from the lot. Elevations of the floor above the ground shall also be noted on the plans. The finish grade shall be a minimum of 2" below the level of the floors, and grading shall be done in such a manner as to ensure water drains away from the house and neighboring houses.

The PTAC will retain one set of plans and return the other set to the VOP Planning and Inspection Department with its approval, approval with conditions, or disapproval, and reasons for such.

### **Building Permit & Tree Removal**

Following the approval of the PTAC, the application shall be submitted for approval by the VOP. Upon their approval, a building permit can be obtained. No clearing of any lot for construction shall commence without a building permit and the PTAC must have conducted a site inspection for location of the house and tree removal.

### **Dwelling Size Standards**

All residences shall conform to the R-8 zoning standards unless a variance has been applied for and granted by the VOP.

### **Clearing, Grading, Draining**

No site improvements, construction or clearing of lots may begin until plans are approved, the building corners staked, trees to be removed are marked for the PTAC inspection, and a building permit is received and posted on the site.

Trees: No tree larger than 6” in diameter as measured at grade, regardless of variety, can be removed at any time before, during or after construction without inspection and approval by the PTAC.

Cut and/or fill shall be replanted with plant materials that blend with native vegetation. Cut and/or fill areas shall be designed to blend with and complement the natural topography of the site.

Applicant shall be responsible for grading and surface drainage, so that surface runoff does not adversely affect adjoining properties or roadways. Applicant shall provide stepped terraces, diversion swales, silt fences with straw bale support, or other forms of erosion control devices to control erosion during construction.

### **Construction Site Requirements**

1. All job sites shall be kept in a clean and orderly condition. No materials or equipment shall be stored or placed in the right-of-way areas or drainage swale.
2. Erosion control measures shall be installed as necessary to control erosion or runoff on adjoining properties and streets. All erosion or sediment caused by construction activities shall be cleaned immediately and/or removed, and preventative measures taken to avoid a recurrence. Failure to do so at the request of the PTAC or appropriate inspections office could result in suspension of construction activity.



3. No signage is permitted on any job site unless required by law or approved by the VOP and the PTAC. No sub-contractor signs are permitted on the construction site.
4. Construction hours are limited to those allowed by the VOP regulations. No exterior or noisy construction is permitted on Sundays.
5. All builders are required to keep on record with the PTAC a 24-hour emergency phone number.
6. No alcoholic beverages or illegal drugs are permitted on job sites.
7. The playing of music that is loud enough to be heard beyond the site is prohibited.
8. Any agents, subcontractors and employees of builder who violate construction site requirements or PTAC rules may be removed and prevented access to Pinehurst Trace.
9. All supplies should be kept stacked.
10. All builders are required to use dumpsters for collecting scraps of building materials; dumpsters must be emptied when the debris accumulates to a visible height of one foot above the sides.
11. Contractors are responsible for maintaining sites litter free. Violations will be treated as a serious manner by the PTAC.
12. No construction vehicles may be parked overnight anywhere within Pinehurst Trace. Exceptions can be made for small tractors being used for final grading. No vehicles shall be parked outside the property lines of the work site.
13. On-site building materials should be limited to those required for remaining construction at that site. Surplus supplies should not be retained on-site after completion of that phase. At no time shall a building site be used as a storage site for vehicles or equipment not being used at that time in current construction activities.
14. No open burning is permitted at any time. During cold weather seasons, controlled burning in a suitable barrel is permitted for warmth, provided there are workers on the site at the time of burning. Any fire of this type must be fully extinguished before leaving the site unattended.
15. Contractors will be responsible for the repair of any damage to development property or equipment occurring during construction.

This includes, but is not limited to, such things as disturbed easements on adjacent/across the street areas caused by vehicle parking, street and/or curb damage, and live vegetation/tree damage.

16. Firearms are not permitted on the property. Local authorities will be summoned for violators.

### **Exterior Materials and Colors**

The following materials are permitted:

- Walls – Brick, Vinyl Siding Accents
- Trim – Aluminum
- Soffit – Vinyl
- Fascia – Aluminum
- Windows and Shutters – Vinyl
- Doors – Fiberglass, Metal, Wood
- Garage Door – Aluminum/door jambs prepped with aluminum

Exterior colors must comply with current standards. The PTAC reserves the right and authority to reject a house plan on color selections or combinations alone, even though the architectural design of the house is Acceptable and would be approved on its own merits.

### **Roof Pitch, Materials, Skylights, Gutters**

Pitch: Primary roofs should slope at a minimum of 7/12 pitch. Flat roofs and butterfly roofs are not acceptable and will not be approved.

Materials: Currently only asphalt-fiberglass shingles are approved. Other synthetics, which are developed, are subject to review based upon the merits of the material at that time.

Skylights/Solar Tubes: Permitted with trim color to conform to roof color.

Gutters: Metal. Roofs with a large surface area should have gutters and downspouts large enough to accommodate the increased volume of runoff.

## **Chimneys**

All wood-burning fireplaces and all ventable gas fireplaces must be vented. Chimney material must consist of the primary building materials of the house. All chimneys must be of proportionate size to the overall house size/design.

## **Garages, Driveways, Walks**

Driveways and walkways must be concrete. No carports or driveway slabs are permitted. Detached garages or other structures are not permitted. Open breezeways to garages (dwelling attached to garage with roof structure) are permitted. Garage doors must be installed and used.

## **Shutters**

All shutters must be included with all plans for review by the PTAC. Vinyl shutters are permitted. Shutter color must be approved by the PTAC.

## **Landscape and Irrigation Requirements**

Regulations of the VOP must be followed for landscaping requirements. The following information is provided to aid in designing a landscape plan.

- A landscape plan must be submitted for review at the time the house plans are submitted for new construction. No compliance certificate will be issued for occupancy by the VOP without complete installation of the approved landscape plan.
- After approval of a landscape plan and before completion of the house, changes to the approved landscape plan may be submitted to account for unexpected site appearances, provided such a revised plan is not of a lesser overall quality than was originally approved.
- All lot owners will be held responsible for adequately ensuring the protection of all trees not removed for construction.
- Plants indigenous to the area should be utilized. Layered plantings shall be used around all elevations. Plant sizes shall be proportionate to wall/foundation exposure. Mechanical equipment shall be screened with appropriate size planting.
- The PTAC strongly recommends the installation of lawn areas to complement the overall landscape design plan and to be compatible

with adjoining properties. Centipede lawns are the accepted standard.

- An irrigation system shall be installed to cover all lawn areas, trees, shrubs and other plantings.

Irrigation and landscaping must be complete and operational before it can be accepted for landscape maintenance by the PTHA.

### **Construction Changes**

All construction must be completed in accordance with the Application and Design Documents as approved. Any exterior changes to the property must receive prior approval of the PTAC. Revised plans must be submitted for approval by the PTAC and then submitted to the VOP for their approval.

### **Construction Inspections**

Periodic inspections may be made by the PTAC while construction is in progress to determine compliance with the approved Design Documents. The PTAC is empowered to enforce policy as set forth in the Covenants and in the PTAC Policies and Procedures and Construction Guidelines to insure compliance.

### **Completion of Home, Final Inspection and Certificate of Occupancy**

The owner or owner's agent shall notify the PTAC upon completion of the home. All exterior construction, landscaping and final site work, including cleaning the lot of all construction debris, must be completed. The final code inspections will be conducted by the appropriate departments and once approved, a Certificate of Occupancy is issued by the Village Inspection Department. The Certificate of Occupancy must be issued before the home and lot is accepted for exterior maintenance by the PTHA. The PTAC will also notify PTHA so they can issue a Certificate that they accept the home for maintenance and repair under the Covenants' conditions and other guidelines and restrictions (Maintenance and Repair Guide, etc.) of the Association.

## EXHIBIT A

### **Pinehurst Trace Homeowners Association (PTHA) Solar Panel Policy**

The installation of solar panels is permitted on homes in Pinehurst Trace, with the following provisions and limiting conditions which may be amended by PTHA from time to time provided this policy and any amendments hereto shall be in compliance with all Federal, State and Local laws and regulations related to the installation and maintenance of solar panels on homes within Pinehurst Trace:

Prior to installation of solar panels, the homeowner must contact the PTHA Manager to review the age of the home's roof, and the scheduled year for roof replacement. The homeowner must also receive approval from the Pinehurst Trace Architectural Committee (PTAC) and sign the appropriate documents as noted in this policy.

1) Permits and Requirements:

- Obtain any/all Municipal, County and/or Duke Energy permits.
- The installation company must be insured, licensed and bonded.

2) Compliance with the Village of Pinehurst's Development Ordinance - General Regulations - Solar Panels:

Section 9.1 General Standards  
Section 9.14.5(C) Exterior Building Materials and Color

3) Solar Panel Placement:

Solar panels are permissible only on the sides or back of the home's roof. They are not permitted on the front portion of the roof.

4) Trees:

- Trees may not be capriciously cut down in order to accommodate the installation of and/or to enhance the productivity of the solar panels.
- Any tree removal must be pre-approved by the PTAC.

5) Homeowner Must Sign the Waiver and Release:

Prior to the installation of solar panels, the homeowner acknowledges the following, by signing the Homeowner's Waiver and Release:

- Homeowner's obligation, presently and in the future, for paying for the removal and reinstallation of any/all solar panels that might be needed in order for the PTHA to perform maintenance, repair or replacement of roof shingles, roofing materials (N.C.G.S. §22B-20)

## EXHIBIT A

### PTHA Solar Panel Policy

- During installation of the solar panels, the homeowner/installer is held responsible for any damage to any roof shingle(s), roofing material(s) underneath the installation and any/all roof shingles, or roofing materials, surrounding the installation.
  - The homeowner understands that PTHA will bill the homeowner for any additional expenses necessary for roof maintenance and/or repair or replacement, caused by the installation, repair, or removal of solar panels.
  - The homeowner holds harmless the PTHA for any accidental damage that might result to the solar panels or solar panel area as a result of the PTHA crew performing maintenance, repair and/or replacement of the roof shingles or roofing materials.
  - The homeowner acknowledges responsibility related to the automatic transfer of a Homeowner's Waiver and Release to a new home buyer. It is the home seller's sole responsibility, prior to the sale of a home with a solar panel Wavier, to communicate and explain to the potential home buyer that all the Waiver's rights, responsibilities and liabilities will automatically be transferred to the new buyer.
- 6) Site Requirements: As per the PTAC Policies and Procedures – Additions, Construction, Remodel Guidelines – Construction Site Requirements; including but not limited to the following:
- All job sites shall be kept in a clean and orderly condition.
  - No signage is permitted on any job site unless required by law or approved by the Village of Pinehurst and the PTAC.
  - No alcoholic beverages or illegal drugs are permitted on job sites.
  - The playing of music that is loud enough to be heard beyond the site is prohibited.
  - Contractors are responsible for maintaining sites litter free.
  - No construction vehicles may be parked overnight anywhere within Pinehurst Trace.

Approved by PTHA Board 8/21/2020

**PINEHURST TRACE ARCHITECTURAL COMMITTEE  
POLICIES AND PROCEDURES**

**FLAG POLE POLICY**

(Approved by the PTHA Board on 10/1/2020)

A request for a flag pole must be presented to the PTAC in advance for approval. A (to-scale) drawing showing the planned location of the flag pole is required. One (1) flag pole per lot is allowed and flag poles may not exceed 20 feet in height. If a resident adds any lighting then a VOP electrical permit is required.