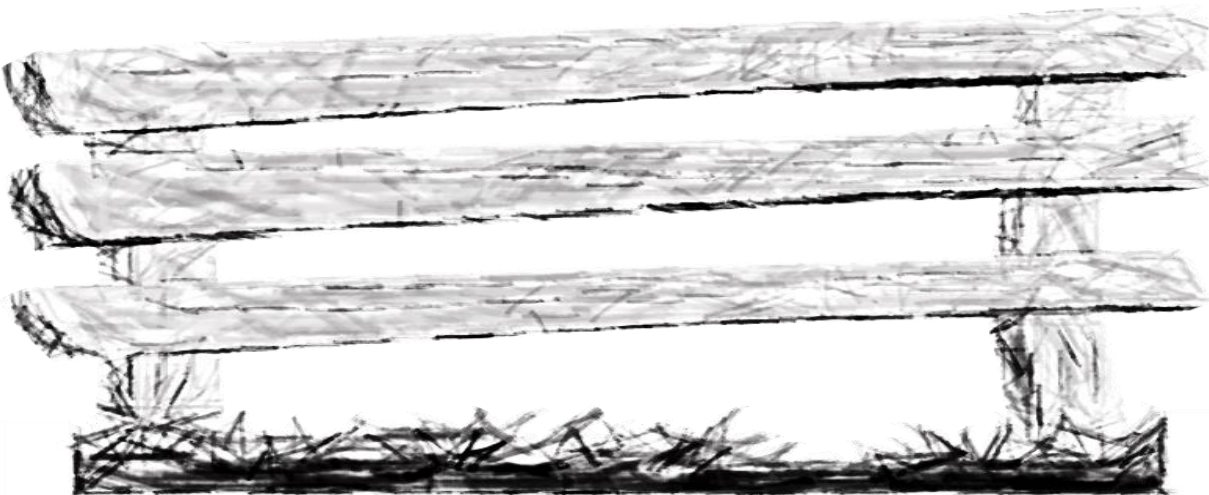


ARCHITECTURAL GUIDELINES
AS PREPARED BY THE
ARCHITECTURAL CONTROL COMMITTEE
OF THE
BLACK HORSE RUN
PROPERTY OWNERS' ASSOCIATION
RALEIGH, INC.

This updated, revised and reissued Architectural Guidelines was authorized by BHR Board Resolution August of 2002. (Digitized on 10/15/2015, DER)

Reviewed by Architectural Control Committee: November 2017

Note: This document replaces any previously issued version of BHR Architectural Guidelines. All current and future applications for approval will be governed by this document, but it does not affect previous COMMITTEE approvals.



TO: PROSPECTIVE PROPERTY/HOME OWNER

FROM: BLACK HORSE RUN ARCHITECTURAL CONTROL COMMITTEE

Welcome to Black Horse Run. Attached is a package consisting of Black Horse Run Architectural Control Committee's Architectural Guidelines and a Check list for your use in preparing a complete submittal of your house plans for our approval.

The Architectural Control Committee hereinafter referred to as COMMITTEE usually meets on an as needed basis. Please submit your complete package for new ~~homes including a \$150.00 filing fee~~ at least (30) days prior to needing approval. The filing fee is only required on new homes. There is no fee for submitting plans for additions to your property; you just need to follow the instructions for submitting plans. All Property Owners' Dues must be current before submittal of plans.

All Plans must be submitted in duplicate through the business office. A received stamp with date submitted, will be applied to your submittal. You will receive a reply within thirty (30) days of the date received.

If you are purchasing a lot, it is advisable to make purchase of the lot contingent upon approval of your house plans by the COMMITTEE. If you already own the lot, do not begin construction without approval of your plans by the COMMITTEE. This includes clearing of the lot.

Black Horse Run Subdivision, hereinafter referred to as BHR, is an excellent family community with many amenities, in a prime geographical location. We are sure you will enjoy life in BHR.

BLACK HORSE RUN ARCHITECTURAL CONTROL COMMITTEE CHECK LIST

1. ~~Non-refundable filing fee of \$150.00.~~
2. Plot Plan: Must show the following:
 - a. Setback to front of house from property line.
 - b. Side yard setbacks.
 - c. Rear setback.
 - d. Driveway, sidewalks and easements.
 - e. Home must be drawn to scale on the plan.
 - f. Metes and bounds dimensions of lot.
3. Specifications:
 - a. Use form equivalent to: FHA Form 2005, or VA form 26-1852 entitled "Description of Materials.
 - b. Be sure all information is completed on this form.
 - c. Name of Contractors Firm and phone number.
 - d. Applicant's name, address and phone number.
4. Plans: Be sure to include:
 - a. Front, all sides and rear elevations.
 - b. Basement plan and elevation, if applicable.
 - c. Foundation plan.
 - d. Delineate all areas not to be heated.
 - e. Be sure to show decks, patios, front porches, etc.
5. Basic requirements:
 - a. Brick or stone veneer for all exposed foundations; no exposed block or stucco.
 - b. Driveways - concrete driveway apron as a minimum. See page 10 for more details.
 - c. No aluminum siding, fascia, or barge-board.
 - d. Minimum heated livable area of house to be not less than 1800 square feet.

ARCHITECTURAL GUIDELINES

I. INTRODUCTION:

Individuals, companies, institutions, and other parties acquiring property, by deed, in the BHR Subdivision automatically become members of the BHR Property Owner's Association - Raleigh, Inc., hereinafter referred to as the Association and are subject to the Covenants, Bylaws, restrictions, and rules currently of record and as improved by future modification.

The BHR Subdivision is comprised of 251 single-family residential home sites, plus common properties. Each residential site carries one vote in the affairs of the Association which is governed by a Board of Directors selected annually by the membership at large. Each Association member (per site) pays a quarterly assessment which is used to maintain and to provide streetlights, security service, operate, and improve the common amenities provided the membership.

II. ARCHITECTURAL CONTROL:

The COMMITTEE of the Association, as required by the Bylaws and as provided in the Declaration of Covenants, is appointed by the governing Board of Directors. It is charged with the responsibility of approving all new alterations to property located within the BHR Subdivision. The COMMITTEE is dedicated to maintaining and improving the appearance of the Subdivision as well as increasing individual property values throughout the development.

COVENANT PROVISIONS:

In reaching an approval decision, the COMMITTEE must consider the following related factors as defined in the DECLARATION OF COVENANTS, RESERVATIONS AND RESTRICTIONS applying to individual lots as recorded in the Wake County Registry, Book 2197, Page 555:

"quality of workmanship and materials, harmony of external design with existing structures, location with respect to topography and finished grade elevation, and size of house the ground floor area of the main residential structure shall not be less than 1800 square feet of heated area for a one-story dwelling; nor less than 1200 square feet of ground floor heated area for a dwelling of more than one story; in no event shall there be less than a total of 1800 square feet of heated in multi-story structure."

Note: The phrase - 'not less than 1800 square feet' should not be misinterpreted as an absolute acceptable minimum. Each proposed residence must insure harmony with existing residences as to architectural size, market value, etc.

COVENANT PURPOSE:

The purpose of the aforementioned covenant provisions is to afford protection to resident and non-resident owners of property in the development against injury, whether taking the form of diminished property values or otherwise, that would result from the construction of a residence or other improvement that is unsightly, in singularly bad taste, discordantly at variance with neighborhood homes and architectural appearance, or otherwise offensive to the proposed or developed standards of the neighborhood.

The aspect of protection from diminished property values, and therefore increased value, is especially important to a homeowner because of the large financial investment a home represents. The existence of the COMMITTEE was, and is, a key factor in most individual's decision to build in BHR.

Prior to purchasing a lot for residential purposes you should familiarize yourself with the complete DECLARATION OF COVENANTS AND RESTRICTIONS applying to both common properties and individual lots. These covenants and restrictions are made available at the BHR Clubhouse Office.

III. SUBMITTING PLAN FOR APPROVAL

What to Provide to COMMITTEE:

House Plan - a readable set of final house plans detailing foundation, floor (s), and all elevations.

Specifications - a complete set of specifications addressing all materials, allowances, etc.

Plot Plan - surveyors plot plan showing the proposed home site on the lot with intended setback, side-lot dimensions.

~~Filing Fee - the filing fee is \$150.00~~

It is the COMMITTEES policy that all submitted materials be kept on file for BHR records whether or not approval is granted. An affirmative approval is considered valid for a period of six (6) months. That is, plans approved, but not started within six (6) months of written approval, must be resubmitted.

When to Submit Plans to COMMITTEE for Approval: The COMMITTEE usually meets on an as needed basis.

Preliminary reviews and/or discussion with individual COMMITTEE members should not be misconstrued as a final COMMITTEE position relative to approval.

The COMMITTEE wants to be and can be very helpful to anyone wishing to start planning a home for the BHR community. The COMMITTEE would be happy to offer advice on house plans, building materials, and specifications relating to building a home.

The COMMITTEE encourages you to submit your plans early in the planning of your residence for a cursory review prior to making any financial investment. However, alterations to the plan submitted for cursory review may prompt the COMMITTEE to alter its decision at the time of final approval.

IV. ARCHITECTURAL CONTROL GUIDELINES:

BHR is currently the site selection for many fine homes; including only a few that are of the absolute minimum (1800 square feet) size. In maintaining harmony of external design with existing structures and maintaining and/or increasing property values in BHR, the COMMITTEE will only approve the exceptional minimum size home. Specifically, the COMMITTEE looks at the existing homes in the immediate area of the planned home in determining an acceptable minimum.

Submitted plans are to be in keeping with existing residences in the community -- resort, beach style, summer cottage and log cabins are not considered appropriate for BHR. BHR is in a rural setting, i.e. contemporary style housing with radically different architecture will not be considered in harmony with either the community or existing residence.

The following are viewed as inappropriate for BHR and would result in disapproval:

- Exact duplicate homes which may appear as tract homes.
- Exposed concrete or other type of block.
- Extremely long homes without breaks presenting a "barracks look".
- Unreasonable ratio of width or length to height of home or home segment. - Design or size of home drastically different from adjacent or nearby homes that cause or result in devaluation of existing home(s). - A floor plan having less than three "real" bedrooms and two full baths. - Plans submitted which would be considered "right house on wrong lot", - Length of front elevation less than 60 feet.

The following relative factors will be considered in determining whether a submitted plan has harmony of external design with existing structures (considering the general area):

- Overall size of home.
- Length of front elevation.
- Architecture (with respect to site, area).
- Whether the plan has an attached garage (garages are preferred in determining adequate storage).
- Market value with respect to the general area and specific planned residence location.

V. ARCHITECTURAL GUIDELINES FOR STRUCTURES OTHER THAN RESIDENCES:

No structure, fence, or wall shall be erected, placed or altered on any tract until the construction plans, specifications, and plot plan showing the location of said structure, fence, or wall has been approved by the COMMITTEE. The following are examples of Guidelines being used currently by the COMMITTEE:

FENCES:

The scope of the fence policy statement in the BHR DECLARATION OF COVENANTS, RESERVATIONS AND RESTRICTIONS, is intended to apply to all residential lots. The following paragraphs simply make that statement in a more direct fashion:

The COMMITTEE has adopted the following policy regarding fences on individual lots within BHR. There are two exceptions to this general policy:

1. This policy does not apply to the property known as "Common Properties", which are defined as the properties" ... to be devoted to and intended for the common use and enjoyment of the owners, subject to the fee schedules and operating rules by the Association.", and ...designated in said deed as Common Properties."
2. This general policy does not apply to the entrance structures currently existing or as modified by the Association on State Road 1831 and State Road 1842.

The COMMITTEE, as a general philosophy, discourages the placement of fences on individual lots preferring instead to maintain the "open" and large unsegmented lot affect that currently exists in BHR. However, realizing that individuals may desire to provide a confined area for pets or children, the following guidelines concerning fences are set forth:

Fence Material - commercially purchased material such as wood, brick, or stone, and masonry designed for fencing will be considered appropriate.

Style - any erected fence should be in keeping with the architecture of the house. Paint, stain, and custom design are encourage to achieve this affect

Placement - The following guidelines apply to placement of fences.

Fences are restricted to "back yard" placement and must not make contact with the house except at the rear of the house as viewed from the street in front of the house. (The front of the house is that side specified as front on the original plans for the house that were approved by the COMMITTEE to build the house).

Fences cannot be more than six (6) feet in height. Without the express written consent of the adjacent lot owner, fences cannot be placed any closer than six (6) inches to any side lot boundary, and the more attractive side of the fence must face the adjacent lot owner.

The COMMITTEE strongly recommends that a lot survey be done to verify placement of the fence.

Fences may not be placed on or across any riding trail easements, but they may be placed up to the edge of the riding easements. Fences may be placed on or across other easements if the easement does not prohibit it.

Fences enclosing the total lot or placed in front of the residence will not be permitted. However, "low level" flower and plant bed supporting fences will be considered appropriate for the front of residences. These fences should not exceed three feet in height.

Front corner (depicting lot boundary) or driveway segment fences returning to the ground will be considered appropriate. These type fences should not exceed (4) feet from corner of four (4) feet for driveway segments in height and should extend more than ten (10) feet in length for any one segment.

PET ENCLOSURES:

In keeping with the Wake County Leash Law for Control of Pets, the Association encourages all homeowners to control their household pets and not let them run free.

A homeowner can choose one of the following methods to restrain a household pet to the boundaries of their own rear yard:

Option 1:

If a homeowner has, or plans to build a COMMITTEE - approved fence, then a thin wire-mesh may be attached on the inside of the fence, this thin wire-mesh may not exceed the height of the fence. Chain link is not considered "thin wire-mesh".

Option 2:

In cases where the size of the household pet requires a stronger enclosure, the COMMITTEE will approve a chain-link fence. It may be up to eight (8) feet wide up to twenty (20) feet long, and up to six (6) feet high. It must be restricted to "back yard" placement. It may make contact with the house. It cannot be closer than twenty (20) feet to any lot line. It must be obscured from view from the road by existing buildings or vegetation that will not lose its foliage in the winter months or by a wooden stockade or baffle type (also called patio-type) fence. The intent is to make the chain-link fence "disappear" when viewed from the road or roads that border the property.

Option 3:

"Invisible fencing" is available through several companies in this area and is very effective in containing most pets.

VEGETABLE GARDENS:

The Association recognizes that vegetable gardens provide an economic source of fresh produce, and for many homeowners a pleasurable way to spend their time out-of-doors. We also realize that rabbits and other wildlife enjoy the bounty of the homeowner's labor, and must be kept out of the garden.

The COMMITTEE Guidelines currently permit "low level" (not to exceed three (3) feet in height) flower and plant bed supporting fences for both the front and rear of residences, constructed from approved materials, i.e., wood, brick, stone, or masonry. Vegetable gardens, which can only be planted in rear yards, may have a fence of similar material and height. However, in some cases this material may not be appropriate for "working" a vegetable garden (roto-tilling, etc.). Therefore:

Vegetable gardens, which may only be planted in rear yards, may be enclosed by a thin wire-mesh fence commercially available for this purpose. The fence may not exceed three (3) feet in height. Chain-link is not considered "thin wire-mesh".

Approval - a plot plan depicting the location of fence or fences should be submitted along with a drawing or sketch depicting the style and a list detailing the material to be used in the construction of said fence.

Maintenance - careful consideration should be given to the style and material used in erecting any fence. Fences in disarray or in need of maintenance (paint, stain, repair, etc.) will not be tolerated and may be cause for action against you by the COMMITTEE or any other appropriate authority of BHR Property Owners' Association.

RETAINING WALLS:

All retaining walls are to be aesthetically appealing and in keeping with the architecture of the dwelling. The materials to be used must be approved prior to construction of the wall. Split tires, tire rims, etc., will not be approved. Appropriate rock, brick, and wooden walls may be approved.

STABLES AND BARNES:

Stables and barns will be evaluated on an individual basis and must be in keeping with the dwelling or with other stables and barns in the development. They must be aesthetically appealing. For example, a shelter with four posts and a corrugated metal roof will not be approved even on a temporary basis.

LANDSCAPING:

Landscaping is encouraged to improve the beauty of the development. The choice of lawns, flower gardens, natural areas, or a combination of these used to beautify the property is a matter of personal taste. However, a well-groomed piece of property--natural, formal, or informal - will add to the value of everyone's property and encourage development. Vegetable garden variety plants, shrubs, and trees should be placed out of 'curb view'.

The COMMITTEE wished to encourage:

- Natural as "man-designed" and not as mother-nature planned.
- Relatively straight or slightly curved driveways such that fire-fighting equipment may have ready access.
- Proper attention to driveway entrance such that culverts (ditches) are eliminated through proper planning design, landscaping, etc.

DRIVEWAYS:

The COMMITTEE has adopted a policy of paved concrete driveways as the preferred standard. Finished driveways of material other than concrete will be evaluated on an individual basis. As of this update to the Guidelines, all driveways with subdivision streets will have a twenty (20) foot concrete apron as a minimum unless driveways are completely finished of an approved material other than concrete. Crush and run or gravel is not considered an approved material for the purpose of aprons. When aprons are installed, they will be 15 to 18 feet but not less than 15 feet wide at the point of interfacing to the street and reduced to a point 10 to 12 feet, but not less than 10 feet wide at a distance of 10 feet from the street while meeting standards of strength and depth as generally accepted by the construction industry.

ROADSIDE LANDSCAPING:

It is required that the area, a minimum of 20 feet wide from the edge of the existing road pavement along the entire length of the lot, be seeded or sodded using materials normally and generally accepted for front lawns. This roadside area landscaping is required in addition to the normal landscaping performed around homes when constructed.

OUTDOOR SWIMMING POOL REGULATIONS:

All outdoor swimming pools having a depth greater than 18 inches shall be completely surrounded by a fence or wall. The fence must conform to the rules described elsewhere for type of materials, etc. and must be approved by the COMMITTEE before construction. Shrubbery or trees may not be used as the fence; however, they may be added to camouflage the fence if desired. The house may be used as part of the fence.

All gates or doors through such fence or wall shall have self-closing and self-latching devices for keeping the gate or door closed at all times when not in use. This does not apply to a door leading to the pool area from the house if the house is used as part of the fence.

All swimming pools and fences must comply with county regulations.

VINYL SIDING:

The Black Horse Run Architectural Control Committee met on Wednesday May 20, 1998, to discuss the requirements for the approval of vinyl siding in the development. The Committee is in agreement that the approval of vinyl siding must be on a case by case situation. The information required by the Committee in order to grant approval is as follows:

1. Type of materials of present construction of dwelling.
2. Name of Product and name of insulation board.
3. Product specifications; thickness, butt height, finish (dull or shiny), siding color, trim color.
4. Name of Contractor, Contractor's License Number and minimum of two references.
5. Type of warranty provided.

VI. SUMMARY OF MAJOR PROPERTY RESTRICTIONS:

1. Final building plans are to be approved by the COMMITTEE.
2. The main dwelling must have a minimum of 1,800 square feet of heated finished living area for the total structure and not less than 1,200 square feet of ground floor area in a multi-floor building. Garages, porches, decks, patios, etc. do not count as part of this 1,800 square feet or 1,200 feet. Generally the two upper levels of a tri-level home will be combined to meet this 1,200 feet requirement. Refer to Section II, III, Pages 3 and 7 of these Guidelines on the minimum square foot requirements.
3. Set-Back Lines:
 - a. House and Garage:
 - Must be at least 75 feet from the front property line.
 - Rear property line:
 - No construction closer than 30 feet from rear property line.
 - Side property line for interior lot:
 - Must have a 20 foot offset from side property lines.
 - Side property line for corner lot:
 - Must have a 40 foot offset for roadside property line and 20 foot offset for interior property line.
 - b. Stable:
 - Must be not more than 60 feet from rear property line or closer than 5 feet to bridle trail or the rear property line offset.
4. Fences:
 - The location of fence and type of fence are to be approved by the COMMITTEE.
 - Refer to Section V of Guidelines concerning fence approval. Fences must be kept in an aesthetically appealing condition.
5. **No temporary residences will be permitted.**
6. Home Stables:
 - The design and location of stables are to be approved by the COMMITTEE and may be built on the individual property prior to building the residence.
7. Easements:
 - Utility -- 20 feet along each property line. Horse Trails 20 to 40 feet along lot boundaries as applicable.

VII. HELPFUL HINTS AND SUGGESTIONS:

1. Call the Wake County Planning Department.
2. Call Wake County Board of Health and ask for a representative, who will give you instructions for obtaining septic tank and drain field permits.
3. You will need a lot survey for a current Plot Plan showing location of home with line set back measurements.
4. Submit your architectural plans to the COMMITTEE. It may be beneficial to have your preliminary plans reviewed. Approval by the COMMITTEE will require a readable set of house plans, a set of specifications, and the Surveyor's Plot Plan
5. Heating /Air Conditioning units as well as electrical meters should be placed to rear of the residence whenever possible.
6. Cable TV is available in Black Horse Run
7. BHR is situated in a rural area and serviced by Rural Postal Delivery. Consider a custom-designed mailbox to add to the beauty and uniqueness of your new home.
8. Check with your utilities service company concerning the location of your power lines. You may be able to save some excess footage charges by proper placement of meters.
9. Be sure to allow for ample storage space and parking pads for items such as campers, boats, tractors, lawn mowers, etc. These items must be confined to your own property and out-of-sight from the Street.
10. Check with COMMITTEE concerning the availability of underground electric power for your lot.
11. A 3-foot wide back door rather than a 2-foot 8-inch wide door can be a definite advantage when replacing/adding large appliances in and out of your home.
12. Include your variable light switch locations now rather than buying them at a later date at additional expense.

Happy Planning