

Architectural Standards for Design and Construction for Holden Beach West

Holden Beach West Property Owners Association Board Approved

October 23, 2014 by the HBWPOA Board of Directors

As per the Covenants, Restrictions and Conditions of Holden Beach West Subdivision as recorded in the public records of Brunswick County, beginning with Book 410, Page 914, and as amended in Book 0751, Page 0561-0567, Book 0744, Page 0036=0038, Book 0744, Pages 1000-1003, and Book 1129, Pages 0702-0704, the following will apply to all new construction, renovation or expansion of any and all structures to be placed upon lots within the Holden Beach West Subdivision:

ONE

No dwelling, fence or other structure shall be erected, placed or altered on any lot in the Holden Beach West Subdivision until the proposed building plans, specifications, elevations, exterior color or finish, plot plan (showing the proposed location of such building or structure, drives and parking areas) and construction schedule shall be submitted to and approved in writing by Holden Beach West Property Owners, Inc. (hereafter known as the HBWPOA) No alterations in the exterior appearance of any building or structure shall be made without like approval by the HBWPOA. One (1) copy of all plans and related data shall be furnished the HBWPOA for its records.

TWO

That the maximum balance of view, and privacy and breeze will be available to each building located within the development and to assure that all structures will be located with regard to the topography of each individual lot, taking into consideration the height of the dunes and similar considerations, HBWPOA Architectural Committee reserves to itself the right to control and solely to decide the precise site and location of any building or other structure upon all lots within this development.

Since the establishment of standard inflexible building setback lines for location of buildings or structures on lots tends to force construction of said structures both directly behind and directly to the side of other homes with detrimental effects on privacy, view of the ocean, preservation of dunes, no specific setback lines are established by these Restrictions. In order to assure, however, that the foregoing considerations are given maximum effect, the HBWPOA's Committee reserves the right to control and approve absolutely the site and location of any house, building, dwelling or other structure upon any lot.

Generally, however, in the HBWPOA's* right to control, the following guides for building lines shall be used as a minimum standard:

(a) On Ocean Front lots no building or structure shall be located within one hundred (100) feet of the mean high water line of the Atlantic Ocean in back of said lot, or within twenty-five (25) feet of the street right-of-way in front of said lot, and within twelve (12) feet of the sides of the said lot.

(b) On all other lots other than Ocean Front lots no building or structure shall be located within fifty (50) feet of the mean high water line of Boones Channel on the back of said lot, within twenty-five (25) feet of the street right-of-way in front of said lot, and within twelve (12) feet of the sides of said lot.

THREE

Construction within the development shall be governed by the following general minimum requirements:

(a) All buildings shall be constructed a minimum of Fourteen (14) feet above Mean Sea Level: except, however, garages and storage buildings, approved as set out above, may be on ground level.

(b) All Ocean front dwellings on Ocean front lots shall have a minimum of one thousand four hundred (1400) square feet of enclosed, heated living area, exclusive of garages, boat sheds, terraces, decks and open porches.

(c) All dwellings other than Ocean front dwellings on Ocean front lots shall have a minimum of one thousand two hundred (1200) square feet of living area, exclusive of garages, terraces, decks and open porches.

(d) Notwithstanding undue hardship, the exterior of all approved buildings within the subdivision shall have been completed within six months after construction shall have been commenced, and failure to complete the exterior of such buildings within the six months period shall operate as a forfeiture of the permit granted, at the option of Holden Beach Realty Co., Inc.*, or its successors, and thereupon the said Company* shall have the right and privilege to go upon the premises with such labor and material as are necessary, and complete the same, and such shall operate as a primary lien against the structure and the lot upon which it is located.

(e) No temporary structures, such as trailers, tents, or mobile homes, shall be placed on any lot within this development, provided, however, that in the course of construction of the building as set out above, the contractor or builder may have shelters or storage sheds to protect the lumber and building supplies used in the course of the construction and for no other purpose, and all such shelters or storage sheds shall be removed from the premises within ten days after completion of the building.

FOUR

1. There shall be NO pools located beyond the front of the front corner of any structure.
2. No structure shall be approved if it blocks or obstructs the Ocean or Marsh view of adjoining dwellings, except with express approval of the Committee. Approval given to one lot does not obligate the Committee to grant such approval to another lot.
3. All dwellings shall provide a minimum of one parking space for each bedroom, and all parking must be outside of the paved street and the right of way.
4. The Committee shall have the authority to reject a plan based solely on aesthetic considerations.
5. If any dwelling shall be damaged or destroyed in whole, or in part, plans shall be submitted to the Committee for the reconstruction of the damaged or destroyed portion of said dwelling. The submission shall be considered as new construction.

The term 'Committee' means the body of person (s) appointed by the Holden Beach West POA Board of Directors to approve and monitor construction within the subdivision.

EACH SUBMITTAL MUST INCLUDE THE FOLLOWING:

1. Site Plan- Drawing/sketch (drawn to scale) showing location of the proposed project in relation to the existing home, property lines, building setback requirements, and/or bulkhead. (See Attached Example)
2. List of materials to be used, such as, plants, yard art, etc.
3. Time line for completion of project.
4. A non-refundable professional review fee not to exceed \$500.

The Builder will furnish for review by the Architectural Review Committee the following:

THIS COMPLETED FORM WITH ONE (1) COMPLETE SET OF DRAWINGS.

PLEASE NOTE: Submittal must be complete in order to be reviewed. Each sheet of plans should be labeled in the lower right hand corner as to lot number, date, and sheet number. All drawings must be in original type. No hand written modifications will be accepted. One set of drawings will be retained by the HBW ARC. The other set of drawings will be returned to the builder.

1. DRAWINGS REQUIRED Scale: Based on Industry Standards.

Hand written notes reflecting changes to the original drawings are not acceptable.

1. Site Plan- must indicate setbacks 4. Second Floor Plan

2. Foundation/Basement plan 5. Elevations- with finish grade indicated

3. First Floor Plan 6. Landscape Plan- including retaining walls, names, sizes, and locations of plantings, etc. (this is just a preliminary plan)

2. ADDITIONAL DOCUMENTS REQUIRED

1. A Topographical Survey (REQUIRED)

2. Plan for proper erosion/drainage control

3. HOUSE PLANS AND ELEVATIONS

4. FLOOR PLANS-Total Square Footage to include square footage of each level of heated area and porches.

The HBWPOA ARC standards are in addition to those of the Town of Holden Beach. All Zoning regulations of the Town must be complied with. In those instances where a discrepancy occurs between the two, the standard to be followed is the one which is most restrictive.

157.005 *Jurisdiction*

The provisions of this chapter shall apply to all structure, land, water, and air within the jurisdiction of the Town

Taken From: *THB Zoning Code #157.060*

Lot Coverage: Lot coverage of the main dwelling shall not exceed 30% of the platted lot. All impervious structures outside of main structure shall not exceed 30% of buildable land less area of the main structure. Open decks are not considered in the 30% lot coverage of the main structure, but they must meet all setback requirements. Gravel, sand and grassed areas are considered pervious.

Driveways and parking spaces located in the front and rear yard setbacks shall be gravel, grass, or an approved pervious product.

No dwelling shall exceed a maximum height of 35 feet measured from ground level to the highest point of the structure.

157.080 *Fences*

Fences shall be exempt from the yard and building setback requirements...

151.15 *Permits*

Permits shall not be required for maintenance, minor interior alterations where there is no interference with the construction of the building nor shall permits be required for alterations in or repairs or additions to buildings which do not involve any change in their structural parts...

151.15 *Maintenance*

The recurrent day-to-day, periodic, or scheduled work upon the constituent nonstructural parts of a building required to preserve or restore the building to such condition that it may be effectively used for its intended purpose. Includes work undertaken to prevent damage to a building which otherwise would be more costly to restore. Example: Painting and re-roofing without change in size.

Sub-Contractors List

Date:

Builder: Telephone:

Owner: Telephone:

Lot #: Permit #:

Please list below the sub-contractors that will be used on the job site listed above

Person or Company Name Type of Work

As the General Contractor you are responsible for the actions of each of your sub-contractors and their employees while they are within the private community of Holden Beach West. Speeding Infractions and littering within the community will not be tolerated. Two (2) reported infractions of a sub-contractor will be grounds to ban the sub-contractor from entrance to Oyster Harbour HOA.

Printed name of Builder/Owner: _____

DESIGN REVIEW CHECKLIST

SITE PLAN:

- Drainage Plan.
- Property lines, setback lines, wetland limits and easements with dimensions shown.
- All streets adjacent to lot with street names.
- Any existing utility structures on lot or in adjacent right of ways.
- Any areas to be graded with drainage indicated by arrows that show flow directions.
- Exterior of Home:
 - Outline of house foundation walls, HVAC screen, decks, porches, terraces, patios, steps, and roof overhang.
 - Finished floor elevation of first floor and garage slab.
 - Drives and walks with dimensions and materials indicated.
 - Proposed garden walls, retaining walls, fences, screens, etc. with dimensions and materials indicated.
 - Pools and/or spas.
 - Location and description of any other accessory use (playground equipment, dog runs, gazebos, shed, etc.)

• **BUILDING and ELEVATIONS:**

- Square Footage: _____ Percent of lot coverage _____ %
- Heated Living Area _____ SF
- Covered Porches (screened) _____ SF
- Building Footprint _____ SF
- Total Impervious Coverage _____ SF
- Decks, Walks, Drives _____ SF
- Total Square Footage _____ SF
- Siding material (brick sample and mortar colors, if applicable) Signature of Builder/Owner: _____

ARCHITECTURAL REVIEW APPROVAL FORM

Date: Lot Number: _____

Owner: Builder: _____

Physical Address: NC License: _____

Telephone: Telephone: _____

1. Does this plan meet established square footage guidelines? Yes No

2. Does this plan meet established setback requirements? Yes No

3. Is this home compatible with other homes in the community? Yes No

4. If variance requested, is variance approved? Yes No

Architectural Review Committee Representative Comments and/or Suggestions:

ARC SITE OBSERVER: _____

ARC Representative _____

SITE VISITED BY: DATE: _____

ARC Representative _____

Appearance/Setbacks Date: _____

ARC Representative _____

Landscape Date: _____

ARC Representative _____

Drainage/Erosion Date: _____

ARC Representative _____

ARC REVIEWS ACCEPTED: DATE: _____

ARC Chairman _____

ARCHITECTURAL REVIEW APPROVAL FORM

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ARC Representative _____

Drainage/Erosion Date: _____

ARC Representative _____

ARC REVIEWS ACCEPTED: DATE: _____

ARC Chairman _____

FINAL INSPECTION APPROVAL REPORT

Lot Number: _____ Date: _____

Street Address: _____

Owner's Name: _____

Owner's Address: _____

Contractor's Name: _____

Inspection Report:

1. All Construction signs removed ____ ____
2. Temporary power disconnected ____ ____
3. Porto-potty removed ____ ____
4. Surrounding lots clean and free of debris ____ ____
5. Excess building materials removed or hidden ____ ____
6. Roadway clean of construction dirt ____ ____
7. Any roadway cuts repaired satisfactorily ____ ____
8. Roadway shoulders repaired and/or seeded ____ ____
9. Drive connection to street completed as approved ____ ____
10. All drainage to and from site stabilized ____ ____
11. Construction completed as approved ____ ____
12. Landscape completed as approved ____ ____

ARC Observer: _____ Date: _____