



# GRANDE PINES PROPERTY OWNERS' ASSOCIATION

## Architectural Review Board Policies and Procedures



Revised Dec 2017

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## 1.1 Introduction

### 1.1 *Objective of the Policies and Procedures*

The property owner's association of Grande Pines is committed to excellence, reflecting a strong determination and desire to create a superior living environment in a private residential / equestrian community. These Policies and Procedures are intended to facilitate creating a community concept with careful attention to the natural attributes of Grande Pines, combined with an emphasis on high standards of architectural design, construction, landscaping and aesthetic appearance.

### 1.2 *Relationship to Legal Documents*

These Policies and Procedures supplement the Grande Pines Declaration of Covenants, Conditions and Restrictions (CC&R's) and are intended to complement them. Should a conflict arise, the CC&R's shall prevail. These Policies and Procedures supersede all previously published Architectural Review Board (ARB) policies and procedures.

## 2.0 Organization and Responsibilities

### *2.1 Mission and Function*

The ARB is a standing committee of the Grande Pines Property Owners Association (GPPOA) and, as such, carries out its responsibility on behalf of all property owners at Grande Pines to establish an aesthetically pleasing environment for the protection of property values.

The mandate of the ARB is to encourage design excellence, and to preserve and enhance the existing natural features of Grande Pines. The success of this planned community depends on the compatibility of architecture, streetscapes and landscaping with the adjacent natural areas, amenities and development.

Implementation of the Policies and Procedures will be carried out in a fair and reasonable manner through design standards and uniform application review procedures. Each application is evaluated on its own merits with reasonable flexibility for design, function and creativity. The ARB has the right to reject any site plan, building design, landscaping plan or specifications that are not compatible with the policies set forth herein. Some decisions of the ARB may be based on purely aesthetic considerations.

### *2.2 Authority*

The authority of the ARB is vested by the GPPOA Board, and is set forth in the GPPOA CC&R's and encompasses every building site and existing structure. The ARB is responsible for carrying out its duties on behalf of all members of the GPPOA for the benefit of the entire community. The ARB has the right to establish, with the approval of the GPPOA Board of Directors, criteria for the construction or modification of homes, as well as landscaping and drainage modifications.

### *2.3 Membership*

The ARB shall consist of not fewer than three and not more than five individuals appointed by the Board of Directors of the GPPOA. ARB members shall serve at the pleasure of the GPPOA Board of Directors. The members shall be property owners in good standing of Grande Pines. A majority vote of ARB members shall constitute a decision for approval or denial of an application. The ARB, in conjunction with the GPPOA Board may appoint non-voting technical advisors with professional experience in architecture, construction, landscaping and development.

### *2.4 Meetings*

The normal schedule for ARB meetings will be the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month, exclusive of holidays. Plans for review must be submitted to the home of the ARB chairmen at least six (6) working days prior (two Fridays prior) to scheduled meetings. Resubmissions of revised plans and other issues to be brought before the ARB need only be submitted three (3) working days prior (the Wednesday prior) to a meeting to be considered.

## 2.5 *Scope of Responsibilities*

The ARB, on behalf of the GPPOA has the following responsibilities:

1. Review and evaluate all construction design and landscaping applications for compliance with the ARB Policies and Procedures prior to approval.
2. Notify adjacent homeowners and those directly across the street of construction / landscaping plans and applications received for review by the ARB.
3. Assure compatible architectural designs and harmonious relationship with adjacent sites, streets and amenities.
4. Require high standards of design and aesthetics.
5. Contact applicants whose plans and specifications have been disapproved and provide reasonable assistance and recommendations.
6. Monitor and enforce compliance with the ARB Policies and Procedures.
7. Assure that owners properly maintain their properties.
8. Evaluate current ARB Policies and Procedures and recommend changes to the GPPOA Board.
9. Revise and update the design guidelines as well as the performance and quality standards to reflect our community's current and future needs.
10. Inform GPPOA members regarding ARB activities through the GPPOA Office Staff.
11. Perform any other duties assigned by the GPPOA Board of Directors.

## 2.6 *Enforcement of Powers*

A structure or an improvement that is placed on a home site without ARB approval is considered to be non-conforming and as such a violation of these Policies and Procedures. The ARB has the authority to require that the structure or improvement be brought into compliance at the owner's expense. Should the owner fail to comply, the ARB may proceed as provided in Attachment 1,

“Grande Pines ARB Rules and Enforcement Procedures.” The ARB is empowered to enforce its policies as set forth in the CC&R's and this document by any action, including legal recourse, to insure compliance.

## 2.7 *Limitation of Liability*

The basis for the review and approval of any application pursuant to these Policies and Procedures is limited to aesthetic considerations and the satisfaction of the requirements set forth in the Declaration. No approval of the plans by the ARB shall be construed as a representation, warranty or implication that the applicable plat maps and improvements, if built in accordance therewith will, for example:

- a. be free from defects,
- b. meet applicable codes and laws,
- c. be built in a good and workmanlike manner,
- d. meet applicable standards for the prevention of soil erosion, siltation and sediment pollution or alteration of the natural flow and diversion of run-off to adjoining properties,
- e. meet applicable standards for structural, mechanical, electrical and all other technical aspects of a proposed design.

## 3.0 The Design Review Process

### 3.1 *Review of Plans*

In order to receive design approval for new construction or alterations to existing homes, appropriate plans and details must be submitted to the ARB for approval in accordance with the provisions contained in this document. To permit adequate time for review of plans prior to scheduled ARB meetings on the second and fourth Monday of each month, complete sets of required documentation (outlined in Section 4.0) must be submitted to the home of the Chairmen of the ARB not later than the times set forth in Section 2.04. Property owners, architects, contractors and/or other designers are encouraged to prepare and discuss proposed plans with the ARB prior to undertaking the final design of the home. A preliminary sketch (consisting of a site plan and exterior elevations) for homes to be constructed on a corner lot is required to be submitted to the ARB. Submission requirements for final design approval are presented in Section 4.0 of this document.

### 3.2 *Design Review Package*

The property owner or owner's agent must submit:

- a. the completed application form
- b. the application fee (\$600 for a new home, \$100 for an addition/renovation)
- c. a construction deposit (\$1000)
- d. samples of exterior materials (brick/siding/stone/stucco, paint colors, roofing),
- e. three (3) full scale and one (1) reduced set (approximately 11"x17") of building and landscape plans consisting of the following (subject to further detailed requirements as set forth in Section 4.0 of this document);
  1. Site Plan, including house location by scale within the Building Envelope, (Building Envelope is hereinafter defined as the area of land upon which a residence may be erected within the minimum applicable setbacks), by a registered surveyor.
  2. Floor Plan(s)
  3. Exterior Elevations showing all components (i.e., windows, doors, shutters, columns, trim work and other embellishments, etc.) in detail.
  4. Samples of exterior materials, colors and finishes (for brick, mortar color, mortar joint type, windows, trim, shutters, doors, etc.). Color samples should be a minimum of 12"square; "chips" provided by paint dealers shall not be sufficient.
  5. Landscape Plan showing common name/botanical description, proposed plant sizes and quantities of each type of plant, and irrigation system, if applicable.
  6. Wall Section and Trim Detail
  7. Foundation Plan
  8. Roof Framing Plan
  9. Building Section showing fascia, soffit and frieze board construction
  10. Roof and Roof Vents/Chimneys: structure, materials and manufacturer
  11. Sidewalks/Patios/Deck and Deck railing detail
  12. Fences/Walls
  13. Screen Enclosures
  14. Location of mechanical equipment and propane tank on both site and Landscape Plans
  15. Exterior Lighting Details: location and type
  16. Driveway: routing, materials, borders

### 3.3 *Conditions of Approval/Rejection of Plans*

Approval by the ARB shall in no way relieve the owner of the responsibility and liability for the adherence to any applicable ordinances and codes. Plans submitted for review or any portion thereof may be disapproved upon any grounds consistent with ARB policies and guidelines, including purely aesthetic considerations.

### 3.4 *Design Review Decisions*

Upon receipt and review of the design review package, the ARB will render one of four decisions:

1. **Approved.** When applications are approved (with or without suggestions), applicants may then submit the plans and specifications for review and approval by the Village of Foxfire and Moore County Building Inspector. Suggestions regarding any specific application may be rendered to encourage changes that the ARB deems desirable, but such suggestions are not binding upon the Applicant.
2. **Approved Within Limiting Conditions.** If applications are approved with limiting conditions, Applicants **MUST** make the changes required and resubmit plans and specifications for reconsideration and ARB approval. Limiting conditions are binding on Applicants.
3. **Not Approved. (Incomplete application/plans).** If applications are not approved due to incomplete plans or failure to provide sufficient details in the application, that application must be resubmitted as instructed for reconsideration by the ARB.
4. **Not Approved.** In the even the application is not approved by the ARB for design or aesthetic reasons, an explanation of the reasons will be provided to the Applicant.

*Two approved sets of plans, sample materials and color samples will be returned to the Applicant following approval.*

### 3.5 *Appeal*

If an application is not approved, or the approval is subject to limiting conditions, which conditions the Applicant deems unacceptable, the Applicant may request an appeal meeting with the ARB within 30 days of the original meeting date to justify or modify the application. After such appeal meeting, the ARB will review the matter and notify the Applicant of its final decision within three (3) working days of the appeal meeting. If the Applicant is dissatisfied with the appeal decision of the ARB, a further and final appeal may be submitted within 30 days of the ARB appeal meeting, in writing, to the GPPOA Board of Directors through the GPPOA Office.

### 3.6 *Variances*

All requests for variances from the requirements in this document shall be submitted in writing to the ARB. The ARB shall notify adjacent homeowners those across the street of any proposed variances. Any variance must be granted in writing and shall be considered unique and shall not constitute precedent for future decisions by the ARB.

### 3.7 *Approval Expiration*

Applicants must begin construction by the earlier of ninety (90) days after issuance of building permit by Moore County, or one hundred eighty (180) days after ARB approval. Failure to do so will revoke ARB approval and the Applicant will forfeit the application fee and construction deposit.

### 3.8 *Construction Deposit*

The Contractor/Builder will post a refundable, non-interest bearing construction deposit of \$1,000.00 before receiving approval for construction. Should builder accrue any fines during construction, the amount of the fine will be deducted from the construction deposit. The Builder will then be required to replenish the amount deducted from the construction deposit within fifteen (15) days of incurring any fine.

If the Contractor/Builder fails to replenish the construction deposit, the Owner will bear ultimate responsibility for the fines accrued by the Contractor/Builder, and the ARB thus suggests that all Owners insert a provision similar to that hereinafter set forth in the construction contract between the Owner and the Contractor/Builder:

“The [Contractor] hereby acknowledges and agrees that Grande Pines Property Owners Association requires participation in its Constructions Deposit Program under which the [Contractor] shall be required to post a construction deposit in the amount of \$ 1,000.00 and to replenish the construction deposit if fines are assessed against the [Contractor] and deducted from the construction deposit. The [Contractor] hereby further acknowledges and agrees that, if the [Contractor] fails to replenish the construction deposit and accrues fines in excess of its construction deposit, the [Homeowner] shall be entitled to deduct and offset all unpaid fines and assessments from payments due under this [Contract].”

### 3.9 *Return of Construction Deposit*

When all exterior construction is completed, including landscaping, the builder may request in writing a final inspection by the ARB. The Builder’s construction deposit will be returned, less any outstanding fines, after the ARB has issued a Certificate of Compliance upon the final inspection.

### 3.10 *Renovation / Additions to Existing Homes*

All renovations, additions or improvements to existing structures shall be subject to approval by the ARB following the procedures outlined in this section 3.0. In addition, a \$ 500.00 construction deposit shall be posted before starting work. The ARB reserves the right to increase this deposit as necessary to an amount of up to \$ 1,000.00 to cover the scope of the work proposed by the Applicant. The construction deposit shall be returned when all work is complete and the project has been inspected and approved by the ARB.

## 4.0 Specific Plan Submission Requirements

4.1 *In order to provide a systematic and uniform review of the proposed construction, the following must be provided prior to obtaining approval:*

1. Building Application and Fees
  - a. Building Application
  - b. Application Fee
  - c. Refundable Construction Deposit
2. Site Plan- minimum scale 1"= 20'. Must show lot number and be dated, issued and signed by a licensed surveyor.
  - a. Owner's name, address, and phone number
  - b. Architect / Designer's name, address, and phone number.
  - c. Builder's name, address, and phone number
  - d. North Arrow
  - e. Property lines with dimensions, including road frontage
  - f. Building setback lines
  - g. Wetland and floodplain delineations
  - h. Easements and Rights of Way
  - i. Dwelling perimeters (1<sup>st</sup> / 2<sup>nd</sup> floor)
  - j. Foundation lines and Overhang lines – including dimensions from foundation to adjacent property line
  - k. Roof line / Overhang
  - l. Erosion Control Plan, including location of silt fences (see also Section 5.07)
  - m. Driveways / Walkways
  - n. Patios / Decks / Pools / Spas
  - o. Walls and fences, if applicable
  - p. Proposed well location, if applicable
3. Foundation Plan – minimum scale ¼"=1'
4. Floor and Roof Framing Plan – minimum scale ¼"=1'
5. Floor Plans – minimum scale ¼"=1'
  - a. Interior room dimensions and names
  - b. All window and door openings shown
  - c. Roof overhang with a dashed line
  - d. Heated square footage of structure for each floor and in total
  - e. Unheated square footage (garages, patios, porches, decks, etc.)
6. Exterior Elevations – minimum scale ¼"=1'
  - a. Detailed exterior views of all sides of the structure including materials on each elevation
  - b. Maximum building height on front elevation from the highest roof point to the average grade line
  - c. All finished floor elevations
  - d. Chimney materials identified and cap design shown
  - e. Roof pitches noted on all roof slopes

- f. Decks and railing / benches
  - g. Fences, retaining walls, and similar structures
  - h. Raised patios
7. Building Sections – minimum scale  $\frac{1}{4}''=1'$
- a. Detailed Wall / Roof /Foundation Sections
  - b. Roof pitch / Materials/ Framing details
  - c. Exterior Trim Profiles and Details
8. Landscape Plan – minimum scale  $1''=20'$
- a. North Arrow
  - b. Property lines and setback lines
  - c. House location
  - d. Easements and right of way
  - e. Topography lines
  - f. Drainage patterns
  - g. Drainage patterns
  - h. Driveways/ Sidewalks (including surface materials)
  - i. Patios, porches, terraces, decks, pools, ponds
  - j. Location of all lawn areas and shrub bed lines
  - k. Location of all proposed plant material, including to-scale delineation of numbers of each plant and layering
  - l. Plant list with quantities, botanical and common names, sizes and specifications; variety of grass in lawn areas
  - m. Exterior lighting details
  - n. Location of in-ground propane tanks
  - o. Garbage enclosure, if any
  - p. Mechanical Equipment (heat pump/well)
  - q. Bulkheads/Docks
  - r. Planters
  - s. Walls, Retaining Walls, and Fences
  - t. Ground cover proposed for areas not landscaped or sodded (pine straw, hardwood, mulch, etc.)
  - u. Designation of right-of-way ground cover (pine straw, Bermuda sod with irrigation, or Bermuda grass seed)
9. Material Samples
- a. Exterior wall materials
  - b. Roofing
  - c. Door, Window, Shutter, Trim, and Garage door colors

## 5.0 The Construction Process

### 5.1 *Starting Construction*

Site clearing, grading or construction may not begin until:

1. Final plans (as set forth in Section 4.01) have been approved by the ARB. In the event the Applicant's landscape plan was approved only "in concept," a revised landscape plan (incorporating all changes required in the conditionally approved "in concept" plan) must be submitted and approved by the ARB.
2. Building permits have been issued and posted on site
3. Building corners have been staked and the entire perimeter of the home and adjacent structures and impervious areas (patios, decks, etc.) has been accurately outlined with the colored tape

### 5.2 *As Built Foundation Survey*

If the house foundation falls within five (5) feet of any set back line, the Contractor / Builder must submit an As Built Foundation Survey prepared by a licensed surveyor, which survey must evidence compliance with the setback limits. No framing shall commence until the GPPOA office receives such survey. Foundations must have a minimum of 16" exposure.

### 5.3 *Construction Time Limit*

The work of construction, additions and renovations must be completed within eighteen (18) months after a building permit has been approved and issued. If an extension is needed, the Owner/Builder must submit an extension request in writing for approval by the ARB. If the Owner/Builder fails to complete the work of the construction within eighteen (18) months, and such failure is materially attributed to the act, omission or negligence of the Owner, the ARB may assess a fine of \$ 150.00 per day until the work of construction is complete.

### 5.4 *Builder's Sign/Emergency Telephone Number*

One builder's sign, conforming to Grande Pines regulations, is required to be installed on the job site at the start of clearing and grading and shall be removed prior to final inspection. The sign shall remain properly installed throughout construction. No other signs are permitted on the construction site. All builders are required to provide a 24-hour emergency telephone number to the GPPOA Office.

### 5.5 *Sanitation Facilities*

Sanitation facilities for workers are required on each construction site. The facility shall be placed on the site so that it is a minimum of thirty (30) feet from any property line, and where possible, should be camouflaged by trees and plantings. Violations of this provision may result in a fine of \$ 150 per day.

## 5.6 Construction Entrance

A temporary crushed aggregate stone construction entrance, a minimum of 15' wide x 30' long x 6" deep, shall be installed and maintained at the proposed driveway entrance prior to construction. Failure to properly install and maintain the construction entrance may result in a fine of \$ 150 per day.

## 5.7 Erosion Control

1. As a component of the design review process, the ARB shall require submission of:
  - a. A plan to prevent soil erosion, siltation and sediment pollution and alternation of the natural flow of water and diversion of run-off to adjoining properties, or
  - b. A certification that neither the Site Plan nor the improvements to be constructed pursuant to the Site Plan, either before, during, or after completion of construction, cause or contribute to erosion, siltation or water diversion to adjacent properties.

*In either case, said plan or certification shall be drawn by a licensed professional engineer, surveyor or a registered landscape architect*

2. The submitted plan shall include:
  - a. The areas of disturbance including any areas of excavation, filling or stockpiling of earth material
  - b. Existing and proposed grades or spot elevations
  - c. Location and identification of all erosion, siltation, and water diversion measures
  - d. Anticipated start and completion dates, and
  - e. Sequence for installation of all erosion, siltation, and water diversion measures
3. The plan shall be implemented as drawn and shall create an ongoing obligation of the owner – and its successors – to properly maintain and ensure the full performance of all erosion, siltation, and water diversion measures set forth in the plan.
4. If, despite the approval of water diversion measures or the absence thereof, soil erosion, siltation and sediment pollution or alteration of the natural flow of water or diversion of run-off to adjoining properties occurs, any damage to adjoining properties there from shall be immediately remediated and preventative measures shall be immediately implemented to avoid recurrence thereof.
5. The failure of an owner to properly maintain all erosion, siltation, and water diversion measures set forth in the plan or, either before or after completion of construction, to promptly prevent and remedy damage to adjoining properties may result in a fine of \$ 150.0 per day for each day the violation continues.

## 5.8 Site Maintenance

All job sites shall be maintained in a clean and orderly condition.

1. No materials or equipment may be placed or stored on the right-of-way areas
2. All supplies and materials shall be kept neatly stacked and well ordered
3. On-site building materials shall be limited to those required for remaining construction at that site. For example:
  - a. Quantities of concrete block shall not be maintained on-site after completion of the foundation
  - b. Surplus bricks, sand and mortar mix shall not be retained on-site after completion of the masonry work
  - c. No building site shall ever be used as a storage site for vehicles or equipment not being used in current construction activities.
4. No construction vehicles are to be parked overnight anywhere in Grande Pines. Such vehicles are subject to towing at the owner's expense. Exceptions can be made for the temporary parking of bulldozers and heavy equipment used for site clearing and foundation work, mortar mixers, fork lift trucks and small tractors used for final grading. No such vehicles shall be parked outside the property lines of the job site.
5. Construction trailers of any type (used as an office or for storage of construction materials) are not permitted. Small tool trailers are permitted and must be placed / parked in an unobtrusive area on the work site. No such trailers shall be parked outside the property lines of the job site.
6. All builders are required to use dumpsters or other appropriate containers for collecting scraps of building materials, including lunch trash, bottles and cans. These containers must be kept on site and emptied when the debris accumulates to a visible height of more than one (1) foot above the sides.
7. 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 site at the time of the burning. Such permitted fires must be fully extinguished before leaving the site unattended.
8. Contractors shall be responsible for the repair of any damage to adjacent property occurring during construction including, but not limited to, such things as disturbed easements or rights-of-way on adjacent/ across the street areas caused by vehicle parking, street or curb damage and live tree/ vegetation damage. Repair of disturbed easements or right-of-ways shall include the application of perennial grass seed. Contractor will be required to insure the proper restoration of the easement, right-of-way areas.
9. Contractors will be responsible for cleaning up and removing sand and/or dirt from the construction site that washes into the street.

FAILURE TO PROPERLY MAINTAIN CONSTRUCTION SITES MAY RESULT IN A FINE OF \$ 150.00 PER DAY.

## 5.9 *Conduct of Workers*

In general, construction hours are limited to the hours of 7 AM to 7 PM (or dusk, if earlier) Monday through Saturday. No exterior or noisy construction including delivery of construction materials, is permitted on either Sundays, Federal or North Carolina State Holidays. Alcohol, drugs or other illegal substances, and firearms are not permitted on the job site. Loud or disruptive behavior of workers and the playing of loud music are prohibited. Violation of these regulations may result in a fine of \$ 150.00 per incident.

## 5.10 *Right to Enter For Inspections*

The right of entry and inspection is specifically reserved by the ARB and its representatives to visit the owner's property for the purpose of verifying compliance with the approved plan and ARB requirements. The owner and contractor shall be notified in writing of items and exceptions noted in the inspections. Such items and exceptions must be promptly addressed.

## 5.11 *Revisions and Changes during Construction*

All exterior construction must be completed in accordance with the application and design plan as approved by the ARB. Revised exterior plans must be resubmitted for approval by the ARB. All revised drawings, materials and color samples must be submitted along with the revision request (if applicable). No changes are effective until approved in writing by the ARB.

Failure to obtain written approval for changes/revisions during construction may result in a fine to the contractor of \$ 150.00 per day.

## 5.12 *Final Inspection*

The Owner or Owner's agent shall notify the ARB in writing upon completion and request a final inspection. All exterior construction, landscaping and final site work, including cleaning the lot of all construction material and debris must be completed prior to the ARB final inspection. In addition, an "As Built" survey prepared by a licensed surveyor or must be submitted prior to the final ARB inspection. This survey shall include building setbacks, lot corners, dwelling corners, porches, patios, decks, fences, bulkheads, retaining walls and driveways, and the distance from each side of the residence to the nearest point of the lot line.

A Certification of Compliance will not be issued until all outstanding fines have been paid.

The Owner will not be issued a Certificate of Occupancy from the Moore County Building Inspector without:

1. A Certificate of Compliance from Grande Pines ARB
2. A Final Code Inspection by the Moore County Building Inspector

The Owner may not move personal property items into the home nor occupy the home until each of the Certificate of Compliance from Grande Pines ARB, the Final Code inspection by the Moore Co. Building Inspection Office, and the Certificate of Occupancy have been issued and/or have been performed satisfactorily, as the case may be.

Failure to comply with any aspects of this final inspection and occupancy provision may result in a fine of \$ 150.00 per day.

### *5.13 Termination/Replacement of Builder*

The ARB shall be given written notification of a decision by the Owner to terminate or replace a builder during the construction phase. Before commencing construction, the new builder shall post a construction deposit. Once this deposit is received, the ARB will refund the remaining construction deposit to the terminated builder.

### *5.14 Renovations/Additions/Improvements to Existing Homes*

Homeowners considering changes, modifications and improvements to existing homes, patios, decks, driveways or landscaping should consult with the ARB to determine the design documents required. No work shall commence without the approval of the ARB. This includes, but is not limited to, repainting (house, doors, windows, shutters and trim) using color(s) not originally approved. Landscaping changes outside the building envelope must be submitted for approval and changes to landscape (other than replacements with like plantings) should be submitted to the ARB for approval.

## 6.0 Architectural Guidelines

### 6.1 *General Standards*

Homes must be designed in conformity with the standards guidelines and requirements set forth in the CC&R's and these Policies and Procedures. All building footprints, porches, patios, decks and garages must be sited in the Building Envelope within the setbacks. Plans submitted for review, or any portion thereof, may be disapproved upon any grounds that are consistent with the purpose and objectives of the ARB, including purely aesthetic considerations.

### 6.2 *Dwelling Size*

The minimum heated footage of any house must be 2,800 square feet. Two story homes may not have less than 1,900 heated square feet on the first or ground floor. Heated floor space does not include garages, covered walks, patios or porches.

### 6.3 *Set-Back Requirements*

Set-Back requirements from property lines are as follows:

- A. On lots of 10 acres, or larger, set back no less than seventy-five feet (75') from any boundary of the Lot, no less than two hundred feet (200') from any boundary to which the residence faces and no less than two hundred fifty feet (250') from any other residence on any other lot.
- B. On Lots of less than 10 acres, set back no less than thirty-five feet (35') from any boundary of the Lot, no less than seventy-five feet (75') from any boundary to which the residence faces and no less than one hundred feet (100') from any other residence on any other Lot.

Subject to variance upon application to the Architectural Review Committee for reasons of geographical or geological need.

### 6.4 *Building Height*

Maximum building height is 40 feet (40') measured from the average finished grade at front to highest roof point.

### 6.5 *Lot Coverage*

Total coverage by structures and impermeable surfaces, including walkways and driveways, shall not exceed 30% of the lot area.

### 6.6 *Design Duplication*

House plans should be designed in such a way as to avoid repetitious designs within Grande pines. Similar designs are discouraged and subject to disapproval without sufficient variations in exterior colors, materials and exterior elevations. Exterior elevations that are similar in appearance, materials, or colors are prohibited on visually adjacent building sites, any three (3) building sites immediately across the street or any three (3) building sites on cul-de-sac. The approval of plans for a house on one site does not automatically imply approval for the house on another site.

## 6.7 Exterior Materials and Color

The following exterior building materials are permitted:

- Brick
- Wood Siding (applied either horizontally or vertically)
- Stucco
- Stone
- Compressed Fiber- Cement Siding (such as Hardi-plank)
- Vinyl or aluminum clad materials are acceptable only for use as trim on windows, doors, and soffit

The following exterior building materials are not permitted:

- Vinyl or Aluminum Siding or Shakes
- Panelized siding (e.g. T-111 Siding)
- Hard Board siding (e.g. Masonite)
- Plywood or Particle Boards
- Concrete Block (except sub-surface wall and foundation wall which is then covered by permitted material)
- Asphalt Siding

Exterior Colors should be earth tones or muted pastels; primary colors are prohibited except in special cases (e.g. a red front door). Exterior colors that are inharmonious, discordant and/or incongruous will not be approved. The ARB 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.

## 6.8 Roofs

The pitch of the primary roof should generally be a minimum of 8/12. Roofs with irregularly pitched angles and planes may be acceptable depending on unique architectural styles and will be considered on a case-by-case basis.

Acceptable roofing materials are cedar shakes and shingles; metal, natural slate, tile and copper seamed roofing, simulated shake asphalt, and fiberglass shingle roofing. Other synthetic roofing materials, which may be developed, are subject to review based on the merits of the material at that time.

All roof stacks, plumbing vents, roof fans and flashing shall be painted black or to match and blend with the roof color. Chimney caps shall be detailed on the building plans and designed and painted to complement the chimney. Consideration is to be given to all roof attachments to minimize the visual impact.

Solar roof panels are permitted if designed to be mounted flush with the roof plane and blend with the roof color. Skylights and Solar Tubes are permitted provide that the trim color conforms to the roof color.

The roof pitch requirement on outbuildings (ie. garden shed/toolhouse, pool house, outdoor kitchen, barn) shall generally be a minimum of 6/12. Pitch on outbuildings should be proportional to the size of the building proposed.

## 6.9 Chimneys

All wood burning fireplaces and all vented gas fireplaces/heaters must be vented vertically through a chimney. Exterior chimney material must be brick, stone, or stucco, material consistent with the siding of the home, except that any type of wood or fiber-cement lap siding is not permitted on chimneys. Where two (2) or more of these materials are used for the house, the chimney must be constructed of the predominant material. For example, brick homes with stucco dormers must have a chimney constructed of brick. All chimneys must be of proportionate size to the overall house size and must have architecturally acceptable design characteristics. Chimney color must be the same as the color of that material being used on the house. No fireplace flue may be exposed through the roof without a chimney. Side wall venting is not permitted.

## 6.10 Decks/Patios/Porches

The use of decks and terraces is encouraged. Multi-level decks and terraces are recommended on sloping sites to limit height above grade. Decks, patios and porches must be constructed within the building envelope. Decks or balconies over fenestrated walls shall be fully trimmed and architecturally detailed and approved by the ARB. Vinyl decking and vinyl railing are not permitted. Composite wood products (such as Trex), or other engineered materials, may be considered. All columns used on decks/patios/porches must be a minimum of 8" in width.

Areas beneath decks with top surfaces higher than 24" from finished grade must be screened with lattice and/or non-deciduous plantings, in either case subject to approval by the ARB. In addition, for decks with top surfaces higher than 48" from finished grade, deck support posts must be clad with brick or other decorative material subject to approval by the ARB.

## 6.11 Swimming Pools/Spas (Hot tubs, Whirlpools, etc.)/Docks

Above ground pools are not permitted. In ground pools are permitted only within the rear building envelope. Mechanical equipment serving swimming pools must be adjacent to the house and fully screened from all sides. Spas are permitted within the building envelope and as part of an outdoor living area provided they are within 10' of the primary structure, but are not permitted as above grade, stand-alone fixtures on any home. Spas must be completely screened or completely built into a deck or patio. If a spa, hot tub, whirlpool etc. is added after construction is completed and it does not conform to requirements, it must be removed.

## 6.12 Shutters/Awnings

All proposed shutters, awnings and canopies must be included in the plans submitted to the ARB for review and approval. If used, shutters should be located on all elevations (front, rear, sides) where feasible and appropriate. Vinyl shutters are permitted. Extruded aluminum, fiberglass or plastic materials are not permitted for awnings and canopies.

## 7.0 Site Requirements: Landscaping/Lighting

### *7.1 General*

The ARB strongly suggests the use of competent landscape design professionals in the development of the landscape plan. The landscape requirements listed in section 7.04 below are given as guidelines for designing the landscape plan. Your designer has the latitude to use creative skills in designing a landscape plan. The ARB encourages creative landscape design that is unique to the particular residence site.

### *7.2 Landscape Plans*

A landscape plan must be submitted for review as part of the final design review package. Submission requirements for landscape plans are presented in Section 4.01 (h). After approval of the landscape plan but prior to completion of the house, all changes to the approved landscape plan must be submitted for ARB review and approval.

### *7.3 Completion*

The Certificate of Compliance will be issued by the ARB only after the complete installation of the approved landscape plan.

### *7.4 Mandatory Landscaping Requirements*

At a minimum, the following landscaping is required for all homes:

1. Layered plantings (not less than two distinct layers of varying heights) around all elevations (front, rear, and sides)
2. Plant sizes must be proportional to wall height and foundation exposure.
3. Areas under decks must be fully screened with appropriately sized plant materials or combined with latticework (appearance subject to ARB approval) to avoid under-deck views.
4. Mechanical equipment and garage openings must be fully screened with appropriately sized non-deciduous plant materials. All easements and right-of-way must be landscaped. If the owner chooses to use pine straw as ground cover on the right-of-way, the owner assumes responsibility for maintaining the area. If grass is planted as part of the landscape plan, the area must be adequately prepared, fertilized, and seeded with Bermuda grass to assure full germination.
5. To protect views and insure continuity with adjacent residences, no wall, hedge or screen planting may be erected, placed or altered outside the building envelope on any premises without ARB approval.
6. Plantings selected should be suitable for North Carolina climate and conditions.

### *7.5 Irrigation/Wells*

Although irrigation systems are not required, the ARB strongly recommends an automatic irrigation system for landscaping. A licensed well drilling contractor must drill wells and must meet NC Criteria and Standards Applicable to Wells and Moore County Standards of Construction. The well head must be covered and fully landscaped with non-deciduous plantings to conceal it. The cover should appear natural to blend with the environment and be individually approved by the ARB.

## 7.6 *Exterior Lighting*

All proposed exterior lighting should be detailed on landscape plans. The location and details of the column/post lights must be submitted for review and approval by the ARB. No exterior lighting shall be permitted which would create a possible nuisance to adjoining property owner. Holiday or seasonal lights of any kind (colored or white) are not to be left up year-round and are only permissible during the holiday season.

## 7.7 *Landscaping Related to Water Features*

The installation of any pond, fountain, waterfall, or other artificial water feature outside of the building envelope requires prior approval by the ARB.

## 7.8 *Landscaping Changes after Occupancy*

Additions to existing landscaping within the building envelope are encouraged and do not require ARB approval. Landscape changes or additions outside the building envelope, or using structural materials (e.g. flag stone, railroad ties, lattice work, etc.), or which includes performing or re-contouring the ground requires prior approval of the ARB. Existing plants and trees located outside the building envelope may be replaced with plantings of a like species, kind and size without the approval of the ARB. Any landscaping which creates a screen, fence or wall, either natural or artificial that obstructs an adjoining neighbor's view is not permitted.

## 7.9 *Driveways*

The first 20 feet of driveway off of the road must be of concrete construction. The remaining length of the driveway may be constructed of an approved building material. Approved materials for permanent driveway surfaces include but are not limited to concrete, bluestone and asphalt. Other materials may be submitted for ARB approval. Driveway additions must be constructed with a material that matches the existing driveway unless using concrete.

## 7.10 *Parking*

The garage and driveway should be designed and constructed to include enough parking for the number of vehicles equivalent to the number of bedrooms in the home. Routine parking of vehicles is approved in garages and on approved driveway surfaces. Routine parking is not approved on pine straw or other non-approved driveway surfaces.

## **8.0 Site Requirements: Utilities**

### ***8.1 Satellite Dishes/Antennas***

ARB approval of the location of any satellite dish is required prior to installation, provided that no satellite dish may exceed eighteen (18) inches in diameter.

### ***8.2 Equipment Location***

Mechanical equipment (such as heat pumps, air conditioning units, and supplemental generators), utility meters, and access boxes are not permitted on front elevations and must be screened with appropriate non-deciduous plantings wherever located. All propane tanks shall be buried with the tank access hatch painted black or other color to match the surrounding ground cover.

### ***8.3 Garbage/Refuse Containers***

Garbage containers and trash cans should be preferably stored in garages. If not, they must be concealed from the street and adjoining properties with appropriate non-deciduous plantings or screening structures approved by the ARB.

### ***8.4 Firewood/Landscape Materials***

Firewood shall be neatly stacked. Landscaping materials (e.g. mulch, pine bark, chips, pine straw, etc.) shall be stored neatly and must be used within thirty (30) days. Any weather cover used must blend in with the natural background (i.e., brown, dark green or black).

## **9.0 Site Requirements: Accessory and Decorate Structures**

*(Neighbor notification will be made prior to any required approval)*

### **9.1 Fences**

Fences shall not exceed fifty-four inches (54") in height. Privacy enclosures of open patios, swimming pools, or garden courts where approved by the Architectural Review Committee may exceed fifty-four inches (54") in height in discretion of the Architectural Review Committee. No fencing shall obstruct any Access Easement, Equestrian Easement, or reserved Utility Easement,

Chain link fencing not exceeding six feet (6') in height and enclosing no more than twenty-five feet (25') in any direction and fences for training or lunge rings not exceeding eighty-four inches (84") may be approved by the Architectural review Committee in its discretion for the purpose of confining Permitted Animals (hereafter defined). Only Hunter Green or Black Chain Link fencing is permitted.

Round post and rail is the standard fencing to be used in the community in accordance with the CC&Rs.

### **9.2 Decorative Objects**

Decorative yard objects, if displayed, shall be in keeping with the character of the neighborhood and adjacent homes.

### **9.3 Play Equipment**

The location, preferably within the Building Envelope, of play equipment must be approved by the ARB prior to installation. All permanent (non-moveable) play equipment must be made of wood or similar material with a natural finish. Any such fixed location play equipment must be in the side or rear yards, not closer than 20' from any property line, and should be appropriately screened from view of neighboring private or public properties with non-deciduous plantings.

Basketball goals are permitted.

### **9.4 Clotheslines**

Clotheslines are not permitted in Grande Pines.

## 10.0 Additional Requirements

### 10.01 *Overnight Parking*

Overnight parking of vehicles on any residential street in Grande Pines is prohibited.

### 10.02 *Recreational Vehicles*

Recreational Vehicles shall not be parked in the driveway of any house or lot in Grande Pines for more than 48 hours without written permission of the Grande Pines POA office.

### 10.03 *Maintenance*

As provided in Article 14 of the CC&R's, it is the responsibility of all owners to maintain their property, including unimproved lots, in such a way that it adds to the overall attractiveness and harmony of Grande Pines. All owners must take this responsibility seriously since the failure to do so can negatively impact the value of their property, adjacent properties, and Grande Pines as a whole. There are many areas in and around a home that should be inspected regularly to ensure the property is maintained in good repair. These include, but are not limited to:

- Lawn Care
- Landscaping
- Trimming Trees and Shrubbery
- Painting
- Roofing
- Driveways
- Decks
- Fences
- Debris and Trash Removal
- Garbage Can Storage

## 11.0 Changes to Existing Homes and Landscaping

### 11.1 *Purpose*

The following sections are presented as quick reference for homeowners who are considering making changes to their existing homes and/or to existing landscaping. The following sections repeat, word for word, information presented elsewhere in these Policies and Procedures.

Homeowners are reminded that changes to existing homes and landscaping are subject to and must comply with all the provisions of the Policies and Procedures, not just this Section 11.0.

### 11.2 *Renovations/Additions/Improvements to Existing Homes*

Homeowners considering changes, modifications and improvements to existing homes, decks, patios, driveways or landscaping should consult with the ARB to determine the design documents required. No work shall commence without approval of the ARB. This includes, but is not limited to, repainting (house, doors, windows, shutters and trim) using color(s) not originally approved. Landscaping changes, outside the Building Envelop, must be submitted for approval.

### 11.3 *Renovations/Additions- Approval and Construction Deposit*

All renovations, additions or improvements to existing structures shall be approved by the ARB following the procedures outlined in Section 3.0. In addition, a \$500.00 construction deposit shall be posted before starting work. The ARB reserves the right to increase this deposit as necessary to cover the scope of the work proposed by the Applicant. The construction deposit shall be returned when all work is complete and the project has been inspected and approved by the ARB.

### 11.4 *Revisions and Changes During Construction*

All exterior construction must be completed in accordance with the plan(s) approved by the ARB. Revised exterior plans must be resubmitted for approval by the ARB. All revised drawings, materials and color samples must be resubmitted along with the revision request (if applicable). The ARB must approve the request in writing.

### 11.5 *Landscaping Changes after Occupancy*

Additions to existing landscaping within the Building Envelope are encouraged and do not require ARB approval. Landscape changes or additions outside the Building Envelope, or using structural materials (e.g. flagstone, railroad tiles, lattice work, etc.), or which includes reforming or re-contouring the ground requires prior approval of the ARB. Existing plants and trees located outside the Building Envelope may be replaced with planting of like species, kind and size without the approval of the ARB. Any landscaping which creates a screen, fence or wall, either natural or artificial that obstructs or interferes with an adjoining neighbor's view is not permitted.

### *11.6 Enforcement Powers*

A structure or an improvement that is placed in a home site, including any landscaping outside the Building Envelope, without ARB approval is considered to be non-conforming and as such a violation of the Policies and Procedures. The ARB has the authority to require that the structure or improvement be brought into compliance at the owner's expense. Should the owner fail to comply, the ARB may proceed as provided in Attachment 1, "Grande Pines ARB Rules and Enforcement Procedures". The ARB is empowered to enforce its policies as set forth in the CC&R's and this Manual by any action, including legal recourse, to insure compliance.