



Design Guidelines

(Standards & Rules)

For Bald Head Association Members

27th Edition

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INTRODUCTION

Purpose of the Design Guidelines (Standards & Rules)

The Bald Head Association Covenants were drafted and adopted by the property owners of Bald Head Island. Within these Covenants the property owners created the Design Guidelines and the Architectural Review Committee to support their goal of “enhancing and protecting the value, desirability and attractiveness” of the Bald Head Island properties and maintaining the environment in which they exist. These Design Guidelines contain basic requirements that support the intention of the Covenants to promote a harmonious community aesthetic and a conservation consciousness. These Design Guidelines also contain a uniform review process of clear expectations and design requirements for obtaining approval of the Architectural Review Committee.

- **The members of the Bald Head Association (hereafter referred to as BHA) have the right to amend the language of the Covenants and the Bald Head Association Board of Directors has the responsibility to amend, interpret and enforce the Design Guidelines based on current community standards.**
- **No Architectural Review Committee decision or existing house design on Bald Head Island shall be considered a precedent.**
- **All submittals for review by the Architectural Review Committee must be in compliance with the most current version of the Bald Head Association Design Guidelines.**
- **All materials submitted for Architectural Review Committee consideration become property of the Bald Head Association and shall be subject to the Association’s documents retention and destruction protocol. Please retain duplicates of any documents you submit to the Architectural Review Committee for your records.**
- **The property owner is responsible for compliance with the Covenants and Design Guidelines and assuring compliance fulfillment by their designees.**
- **ARC approval does not ensure approval by the Village of BHI or any other entity.**

Applicability of the Design Guidelines

These Design Guidelines apply to the properties that are subject to the BHA Amended and Restated Declaration of Covenants, Conditions and Restrictions, recorded December 2017 (hereafter referred to as “the Covenants”). Cape Fear Station properties must abide by the general BHA Design Guideline requirements. If there is a conflict between the two, Cape Fear Station Lot Designations will take precedent. Please refer to [Cape Fear Station Appendix](#) for further details.

Some areas in BHA have “neighborhood” associations with restrictions specific to their community. Permission for changes must be granted by both the neighborhood association and the Bald Head Association’s Architectural Review Committee (hereafter referred to as “ARC”). Members must obtain approval from their neighborhood association before submission for ARC approval. A letter verifying the neighborhood association approval is required for ARC review. Any conflict between the restrictions of the neighborhood association and the Bald Head Association will be resolved by applying the more stringent restriction.

The areas in the Bald Head Association membership with “neighborhood” associations are:

The Hammocks	Flora’s Bluff/Killegray Ridge	Royal James Landing
Ibis Roost	Lighthouse Landing	Sabal Palm Cottages
The Villas	Timbercreek	

These aforementioned neighborhoods are communities with common areas in which many of the homeowners do not own the land around their homes. (There are some individual exceptions in Flora’s Bluff/Killegray Ridge; please refer to the individual deed for clarification.) It is important to note in most cases, the “neighborhood” association is responsible for landscape maintenance and must approve any trimming, planting and tree removal. Additionally, in accordance with BHA Covenants, **any exterior changes** including but not limited to landscaping and tree removal must also be approved by the BHA ARC.

Harbour Association

A Master Association subject to its own Covenants, Design Guidelines, Bylaws and Urban Code, that in 1999 voluntarily subjected the Harbour Association properties to Membership of the BHA subject to provisions of Articles 2, 5 and 9 of the Amended Bald Head Association Covenants (recorded in 2000).

Service Areas

All other neighborhoods within the BHA area are identified as Service Areas. Each Service Area may have amenities, services, fees or guidelines unique to those areas.

East End Neighborhoods

Palmetto Cove, Palm Court, Cedar Court, Muscadine Grove, Braemar, Braemar Extension, Braemar Highlands, Loggerhead Beach, all properties on or in front of the shear zone in Cape Fear Station

Cape Fear Station

Please refer to the Cape Fear Station “Lot Designation Sheet” in the [Cape Fear Station Appendix](#).

Cape Fear Station Multi-Family Communities (without a neighborhood association)

Sumner’s Crescent, Keeper’s Landing, Surfman’s Walk

Land outside drip line (Common Area) is owned by the BHA.

Multi-Family Communities (Drip-line Neighborhoods)

Setbacks for Multi-Family projects are site dependent. Structures shall meet all building code separations from property lines and existing adjacent structures. Setbacks shall be enforced that allow the rebuilding of all existing multi-Family structures, to match the previously existing

structures and impervious coverage limits (including square footage), should they be destroyed by storm or fire. In the case of adding to/or renovating an existing multi-Family structure, no portion may extend beyond the existing drip line or exceed original square footage limits or impervious coverage. No ground clearing or vegetation removal is permitted without BHA/ARC approval.

“Drip-line” neighborhoods without a sub-association are Keeper’s Landing, Surfman’s Walk and Sumner’s Crescent. These are areas where property owner's own structures: houses, garages, and crofters and the ground under these structures to the drip line where water dripping off the roof would land. They also own and must maintain walkways, decks, stairs, fences and lights, which are beyond the drip line, and are built for their use only, as opposed to the use of the entire neighborhood. They do not own the land under decks, walkways and stairs or any land around or in the vicinity of their houses. Any structures, unapproved landscape changes, or gas tanks for individual use on these common areas is prohibited.

Under or above ground propane gas tanks and structures benefiting individual properties are not to be installed on BHA land.

Common Area

These guidelines also apply to Common Areas owned by the Bald Head Association. Common Areas typically are the buffer areas between Units and golf course property and Units and the beach, between neighborhood properties and, sometimes, between Units. No clearing, landscaping or improvements of any type may occur on these properties without the permission of the Bald Head Association Board of Directors or its designated Committee. Please refer to [BHA Common Area Policy](#) for further details.

Function of the Architectural Review Committee

The Architectural Review Committee (ARC) was established within Article 7 of the Covenants to administer the Design Guidelines and to review all applications for new construction and renovations on any of the properties. ARC approval is required prior to undertaking any new construction, exterior renovations or site work. **When reviewing a submitted set of plans, the ARC may require compliance with requirements that, although not itemized specifically, are supported by sections of the Design Guidelines and the Covenants.**

What Requires ARC Approval

Section 7.1(a) of the Covenants provides: “No structures, buildings, improvements or construction, which shall include within its definition, clearing, grading, excavation and other site work, will be commenced, erected, or maintained upon any Unit or the Properties, nor will any exterior addition, change, alteration or change of color be made, except in compliance with this ARTICLE, the Design Guidelines and until the plans and specifications showing the nature, kind, shape, heights, materials and location of the same will have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Committee according to the provisions of Section 7.2.

Structures, buildings and improvements shall include, but not be limited to any dwelling, garage, fence, wall, sidewalk, hedge, mass planting, change in grade or slope, drainage pipe, drainage canal, ditch, swale, catch basin, swimming pool, tree house, playhouse, sign, flagpole, exterior illumination, monument or marker, outdoor statuary, exterior lights, security lights, storm door, well utility facility, mailbox, patio, deck, screening for outdoor trash cans or other purposes (ex. HVAC, generator units, outdoor showers, boats, etc.), sprinkler system, driveway, outdoor decorative objects, shrubbery or landscaping.”

GENERAL LANDSCAPING CONCERNS

BHA review and approval is required before the removal of trees 3" in diameter measured 48" along the trunk from ground level, tree limbs of 3" or more in diameter, clustered growth vegetation 2 sq. ft. or more at ground level, regardless of branching habits or diameter of the branches. Within the understory, ARC approval is also required to remove vegetation 1" or greater in diameter measured 48" along the trunk from ground level. Removal of understory and ground cover in naturalized areas on existing home sites is prohibited. As a barrier island, understory and ground cover are critical elements to control erosion and protect birds and other wildlife. For tree trimming/removal requests, please email Trees@BaldHeadAssociation.com. In the email, include an explanation of the tree request description and photos. Please identify the trees to be considered for removal/trimming on the property by marking them with high-visibility flagging tape/ribbon.

No activity/utilization is allowed on a vacant lot (see exceptions noted on following page in Section – Unimproved Properties for Construction or Sale).

GOLF COURSE LOTS

Private lots outlining golf course property fall into two categories:

1. Lots that border directly on the open space of the course, with the property line being contiguous to the open space of the golf course property or lagoon
2. Lots that have a Common Area vegetative buffer between the property line and the open space of the golf course property or lagoon

A golf course view is a controlled area of clearing that allows visual access to the golf course from the home, and the following restrictions apply:

- a) Approval to clear a golf course view must be obtained from the ARC.
- b) Cutting and thinning should be kept to a minimum. Typically, maintenance does not entail major trimming of trees, clearing understory 1" or larger or removing branches that are not impinging on structures.
- c) All **approved** clearing and/or thinning shall be done in a naturalized manner. The practice of tree topping is not permitted.
- d) Additional plantings of native plant material and mulching may be required by the ARC as mitigation.

The following special restrictions also apply to all properties abutting, adjoining or lying contiguous to the golf course or Common Areas surrounding the golf course property:

- a) Owners of such properties will not engage in any activities that would detract from the playing qualities of the Bald Head Island Golf Course or from the Properties and its attractive overall landscaping plan for the entire golf course area.
- b) Swimming pools may only be considered on golf course lots when the pool is obscured from the golf course by the main structure and must be an integral part of the overall design. A pool must be located on the away side of the property and not visible from the golf course.
- c) Land between the lots and the open space of the golf course is Common Area owned by the Bald Head Association and is governed by the [BHA Common Area Policy](#).
- d) **Approval to make any changes to BHA Common Areas for any reason** including golf course views must be obtained from the BHA Board of Directors or their designated committee prior to any work being done. All work for a golf course view is coordinated by the Board of Directors at the owner's expense.

UNIMPROVED PROPERTIES FOR CONSTRUCTION OR SALE

Changes in landscaping, trimming and/or plant removal are not allowed on unimproved (vacant) properties except as specifically detailed in this section. Check BHI Village ordinance for required approvals.

Lot clearing for survey or staking: Some clearing of understory trees and shrubs may be required to prepare a site for survey or to stake the proposed building site. Permission to clear such understory trees and shrubs shall not be required by the ARC for the purpose of surveying, but clearing shall be limited to vegetation less than 1" in diameter at 48" as measured along the trunk from ground level or any tree limb less than 3" in diameter. Any vegetation larger than this or any vegetation that exists as clustered growth or having horizontal branching habits must be approved for removal regardless of size of diameter. Exception: It is understood that when surveying to establish the property lines of a lot, vegetation may impede the ability of the surveyor to establish a sight line. Any vegetation directly in the sight line less than 3" in diameter at 48" as measured from the base at ground level may be removed. ARC approval must be granted to remove any vegetation 3" or greater in the sight line. Violations of this requirement are subject to mitigation and fines.

For Maintenance / Sale: Clearing of the entire understory or clearing for the sole purpose of selling a lot is **not** permitted. **ARC APPROVAL IS REQUIRED before clearing any vegetation** on all unimproved properties but for those being prepared for survey or staking (a proposed building site). There is one exception to this ARC approval mandate. In order to provide ease of access, a path of 36" in width may be cleared as long as no trees, tree limbs or clustered growth subject to ARC approval is disturbed. Such a path, if cleared, shall be mulched to minimize the potential effects of erosion. Any violation because of more extensive clearing will be subject to fines and/or mitigation.

Lot clearing for approved new construction projects: Some clearing of understory trees and vegetation may be allowed within the approved construction area as defined by the limits of

construction fencing noted on the approved site plan. New construction projects must avoid damaging naturalized areas outside the limits of construction fencing. If during the construction process damage to a naturalized area occurs, the area must be restored to its native state. Clearing of understory is **NOT ALLOWED** in setbacks except as reflected in the approved site plan or landscape plan. For example, an approved site plan may include some clearing within a setback to allow driveway access.

REVIEW PROCESS

NOTE: Online Application Forms are located on the BHA website.

Click [here](#) to access Online Applications.

New Construction Review Process

The primary purpose of all reviews is: (a) to assess and confirm conformance with the Covenants and these Design Guidelines (including the NCDNR Storm Water Permit Regulations), and (b) to assess the impact of requested deviations and approve or disapprove such in the context of the stated objectives of the Covenants and these Design Guidelines. The review procedure for new construction projects is typically a three-step process wherein the property owner receives Draft, Preliminary and Final Reviews. The typical new construction project review process takes a minimum of three months. The property owner is solely responsible for compliance with the Covenants and Design Guidelines and assuring compliance fulfillment by their designees of the approved plan.

Bald Head Association employs a liaison between the Committee and property owners, the ARC Coordinator. This person will assist applicants with the approval process and review submittals. An ARC Specialist will complete site management and final required inspections. For submittal requirements or questions, contact the Bald Head Association to reach the ARC Coordinator or ARC Specialist.

The following will ensure a smooth review process:

1. Submittals must fulfill all requirements designated in the Review Process before the ARC will consider them. Plans must be **clear and detailed**.
2. It is strongly recommended that applicants engage architects and designers who are familiar with the standards of Bald Head Island coastal construction and the environmental requirements of Bald Head Island and have a clear understanding of these Design Guidelines. This helps to assure an appropriate level of competency and aesthetic desirability to maintain compatibility in this unique building environment.
3. The architect/designer is required to visit the site prior to his/her first submittal of a new construction or major renovation plan to the ARC.
4. While additional recommended items are not necessarily required for approval, their incorporation into the plan's design is **strongly** encouraged. When reviewing a specific set of plans, the ARC can require compliance with requirements that, though not itemized specifically, are supported by sections of the Design Guidelines and the Covenants.
5. Pile driving, material deliveries or other construction activity are not permitted without written final approval by the ARC, a site management meeting with the ARC Specialist, and an executed Pre-construction Site Management Compliance Form.

6. The owner should begin the review process early in the planning stages to avoid unforeseen delays. Deadlines: All Draft submittals intended for the ARC agenda must be received by 12:00 pm, 14 days prior to the scheduled ARC meeting date. Preliminary and Final submittals intended for the ARC agenda must be received by 12:00 pm, 21 days prior to the scheduled ARC meeting date. Submittals received after the deadline and submittals that are deemed incomplete will be deferred to the following meeting. **Applications that have not addressed the direction of previous ARC results letters will be considered incomplete.** All applications are to be completed online and are available at <https://www.baldheadassociation.com/architectural-review-and-design-guidelines>.
7. **Fees:** Review fees related to the New Construction Submittal Process may be found on page 24. Any submittal requiring a fee must include the fee in order to be considered complete. The New Construction Review Fee is for up to three staff reviews including any combination of Draft, Preliminary or Final review submittals. Additional reviews beyond the initial three staff reviews will result in additional fees as outlined in Appendix A of these Guidelines. All fees are subject to annual review and update by the Board of Directors.
8. **Notifications:** Property owners will be notified in writing of all approvals (or disapprovals) granted by the ARC as soon as possible following each meeting, but no later than 45 days following the meeting. For the owner's convenience and to speed delivery, email notification may be requested.

Steps in the New Construction Review Process

- | | |
|-------------------|---|
| Step One | Review the Covenants and these Design Guidelines to determine if further restrictions are applicable to your property. BHA Covenants-Article 7 specifically addresses Design Guidelines. Contact the ARC Coordinator with any questions. |
| Step Two | Engage a registered surveyor to obtain a complete land survey as required and described within the Preliminary Review Section. The survey must be current within 2 years or less of the submittal date. The survey must be signed and dated. |
| Step Three | Discuss plans and visit the site with your architect/designer. |
| Step Four | <u>Draft Review:</u> A draft plan submittal is required for all new construction. This step will enable the ARC to consider the design aspects of the house and site. Complete Draft submittal must be received by 12:00 pm, 14 days before the regularly scheduled ARC meeting. The review fee is due with this submittal. |
| Step Five | <u>Preliminary Review:</u> A Complete Preliminary submittal after schematic design development must be received by 12:00 pm, 21 days before the regularly scheduled ARC meeting. Important Note: All substantial design development is completed in the Preliminary submittal. If a property owner or designee chooses to go from Draft directly to a Final submittal, the Committee will likely choose to view it as a Preliminary submittal. |
| Step Six | <u>Final Review:</u> Final Submittals include all requirements for the Preliminary plus final details. Any revisions to the approved Preliminary must be noted with a red "revision cloud" and a written description attached to the Final application. A |

complete Final submittal must be received by 12:00pm, 21 days before the scheduled ARC meeting.

Step Seven Project approvals by the ARC are valid for 24 months from the date of approval. If the Village of Bald Head Island building permit has not been issued within 24 months, the ARC approval expires. If ARC approval expires prior to the on-site construction any deposit related to construction will be returned to the current owner of record upon request.

Note: If an owner wishes to proceed with an expired, approved project, the project will be subject to the New Construction review process based upon current Design Guidelines, Fees, and Deposits.

Steps in the New Construction Project Management and Completion Process

Step One As the representative of the property owner*, the builder must schedule and meet with the ARC Specialist prior to any work being performed or any materials being delivered to the site to review and execute the Pre-Construction Site Management Compliance Form. The designated builder, as the property owner's representative, is responsible for contacting the ARC Specialist to begin the Pre-construction site management process.

Note: A forest lot requires the use of 36" high black silt fence for limits of construction fencing. A non-forest lot requires the use of 48" high wooden sand fence for limits of construction fencing.

Step Two A copy of the 'As-Built' survey and Certificate of Occupancy, as required by the Village of Bald Head Island, must be submitted to the ARC Specialist within 15 days of the Certificate of Occupancy issuance date and no later than 2 days before scheduling a final on-site project inspection with the ARC Specialist.

The final on-site project inspection with the ARC Specialist must be scheduled by the builder or property owner's representative and conducted within 30 days of the Certificate of Occupancy issuance date. Non-compliance may result in fines.

Step Three Once the Certificate of Occupancy is issued, any request to delay completion of the landscaping plan must be submitted in writing and approved by the ARC. Steps for addressing damages due to construction must likewise be addressed in writing at this time.

Step Four Once the final inspection by the ARC Specialist is complete and there are no violations, the Construction Deposit will be refunded. Please refer to the five (5) conditions listed under the Violations section of this document. These conditions must be satisfied before the construction deposit may be returned.

NOTE: *After a Certificate of Occupancy is issued, the builder, as the property owner's representative, is required to contact the ARC Specialist to schedule a final inspection. The ARC does not permit departure from approved plans without re-submittal and re-approval.*

***The responsibility for the accuracy and execution of the building site plan and design during the construction process belongs to the property owner. The BHA site management and final inspection processes help to verify compliance with the Design Guidelines but does not guarantee the accuracy of implementation and construction of the site plan or overall design. Any change to the exterior requires ARC approval prior to installation. Failure to obtain ARC approval in writing prior to installation may result in fines.**

Additional Requirements of the Submittal Process

1. **Incomplete application submittals will not be included on the ARC agenda.**
2. All applications (including Minor changes) are required to include a site plan and dimensional drawings on the appropriate elevations. Material and color must be included.
3. Applications and all requirements for a complete submittal must be received in the ARC by the deadline. See meeting schedules with deadlines clearly defined.

Draft Review Requirements

This required first step has been established to give overall consensus on the general project plan.

A Draft Review submittal has the following requirements. Please use this as a checklist prior to submittal.

1. The online Review Application for New Construction and the Architectural Questionnaire completed.
2. The New Construction Review Fee must be included for the submittal to be considered complete.
3. Schematic Drawings: These are required to be dated for each review submission.
 - a) Site Plan with basic dimensions and noted setbacks
 - b) Elevations at $\frac{1}{4}" = 1' 0"$. One for each major exposure including all accessory structures
 - 1) Conceptual drawings should establish proportion, fenestration, size and mass
 - 2) Roof lines with minimum pitches, steps and porches shown
 - c) Floor Plans at minimum $\frac{1}{4}" = 1' 0"$. These should include each floor, mezzanine and ground level plan.
 - 1) room uses labeled
 - 2) all walls shown
 - 3) all windows and doors shown
 - 4) all overhangs of floors or roofs above shown as dashed lines
 - 5) dimension overall limits of plans

4. A **compiled PDF IN THE FOLLOWING ORDER** submitted with your Online New Construction Application: Site Plan, Elevations, Floor Plans.

IMPORTANT NOTE: No Google Doc, JPG or any other form of compilation other than PDF will be accepted. Comments and signatures in PDF are not permitted.

5. One scaled, full-size printed copy (usually 24"x 36") and one 11" x 17" printed copy must be sent in with your Review fee to Bald Head Association, PO Box 3030, Bald Head Island, NC or delivered to BHA at 111 Lighthouse Wynd, Bald Head Island, NC 28461

Preliminary Review Requirements

The Preliminary submittal will reflect the development stage of an architect's/designer's design. This important step in the Review Process allows revision and responses to the comments and requests received from the ARC at the Draft Review. Unless an additional detail page is required, the schematic drawings should consist of approximately seven to nine pages, depending upon the number of floor levels proposed. Applications that do not address the direction of previous ARC results letter will not be considered complete.

1. The Review Application for New Construction and the completed Architectural Questionnaire.
2. The Review Fee was previously paid with the Draft submittal.
3. A signed and sealed survey by a registered North Carolina surveyor at a scale of 1" = 10' and must provide:
 - a. property lines with dimensions and bearings
 - b. existing contours at one-foot maximum intervals, each indicating elevation above sea level
 - c. existing tree location of every tree with a minimum caliper of 3" in diameter measured 48" along the trunk from ground level and clustered growth vegetation 2 sq. ft. or more at ground level, regardless of branching habits or diameter of the branches
 - d. a north arrow
 - e. setback limits
 - f. the survey must include the required sightline setback calculations for oceanfront properties (see item 4 under Setback Requirements in this document.)
 - g. survey must be dated 2 years or less from the date of the submittal
 - h. identify any existing underground gas tanks
 - i. identify base flood elevations, and if applicable, 404 wetlands and CAMA lines
4. Schematic Drawings: **These are required to be dated for each review submission.**
 - a. **Site Plan at 1" = 10' 0" scale.** This page should include:
 - 1) a north arrow
 - 2) property lines with dimensions and bearings
 - 3) existing and proposed contours
 - 4) the location of all trees to be removed that measure 3" in diameter at 48" along the trunk from ground level and clustered growth vegetation 2 sq. ft. or more at ground level
 - 5) roof plans, including any accessory structures, shown to size at same scale

- 6) indicate first floor elevation (FFE), virgin low (VL) and average grade around the perimeter of the structure
- 7) setback limits shown
- 8) the building accurately located from property line
- 9) the dwelling to be indicated as ground level or first floor plan if less than 6' above grade, with entry areas and all stairs delineated
- 10) overhangs indicated with dashed lines
- 11) the location and dimensions for drives and walks
- 12) the location of exterior showers, HVAC and trash enclosures
- 13) indicated exterior lighting locations and styles, honoring the Lighting Section directives of these Design Guidelines that prohibit exposed lights and require down shielding
- 14) FEMA Zone designation and indicated Base Flood Elevation
- 15) specified limits of construction line (construction fencing) beyond which no grading, clearing or thinning, construction traffic or storage of materials will be permitted.
***Please note:** A forest lot requires the use of 36" high black silt fence for limits of construction fencing. A non-forest lot requires the use of 48" high wooden sand fence for limits of construction fencing.*
- 16) the location of the Village YES/NO garbage tag (see page 57)
- 17) concrete or paver driveway apron at road edge
- 18) a data block added to the side of the site plan that includes the following calculations:
lot size, total impervious site coverage breakdown, total building coverage for all structures above 30", heated square footage breakdown and calculations pertaining to the 50% rule, (if applicable) revealing the footprint and volume of each level, average grade indicating contour points. **Data Block must be complete.**

Data Block Example:

LOT AREA: 10,250 S.F.	
MAXIMUM DISTURBED 40% 4,100 S.F. > 3,792 SF=37% GRADED AREA	
EXISTING GRADE ELEVATION: 6.0' DESIGNATED VIRGIN LOW	
AVERAGE GRADE PERIMETER MAIN STRUCTURE: 5.0' $(4+5+5+6 \div 4 = 5)$	
FFE/FINISHED FLOOR ELEVATION: 11.00' (BASED ON 1-FT ABOVE 10.0/BFE)	
HEATED S.F.	1 ST FLOOR 1,750 S.F.
	2 ND FLOOR 600 S.F.
TOTAL HEATED MAIN STRUCTURE =2,350 S.F. < 3,075 S.F. MAXIMUM	
IMPERVIOUS: MAXIMUM 10,250 x 25%= 2,562 S.F. >2,534 S.F. TOTAL	
HOUSE: HOUSE: 1,948 S.F. (HOUSE/COVERED PORCHES)	
DRIVE: BRICK IMPERVIOUS PAVERS 586 S.F.	
DRIVE: PERVIOUS PAVERS (APPROVED BY ARC) TURNAROUND /GUEST PARKING 257 S.F.	

BUILDING AREA (STRUCTURE ABOVE 30" FROM GRADE) EAST END 30% OF LOT AREA= 3,075 S.F. > 2,040 S.F.
PORCHES: IN FRONT OF DUNE RIDGE & EAST END/ LINEAR PERIMETER OF 1ST FLOOR HEATED 150 LINEAR FT. x 20%=30 FT MINIMUM; PLAN 34 FT PORCH LENGTH w/ 8' MINIMUM DEPTH (2ND FLOOR PORCH DIRECTLY OVER 1ST FLOOR PORCH NOT IN CALCULATION)
50% RULE:
1ST FLOOR 1,948 AREA/VOLUME CONDITIONED/PORCHES/ ELEVATOR
2ND FLOOR 935 AREA/VOLUME CONDITIONED/ PORCHES/TRELLIS/ELEVATOR/UNFLOORED HEAD HEIGHT 6'8" = 48%
CROFTER:
VIRGIN LOW 5.5'
FFE 7.0'
FOOTPRINT AREA: 290 S.F.
HEIGHT 24.25'

NOTE: The heated (finished) square footage of each level is the sum of the heated (finished) areas on that level measured at the floor level to the exterior finished surface of the outside walls. The heated square footage calculation is based on the American National Standards Institute's (ANSI) method for calculating heated (finished) square footage for single-family residences. This standard applies to all projects.

b. Floor Plans at minimum ¼" = 1'0" scale

These pages should include for each floor and ground level plan:

- 1) Labeled room uses
- 2) all walls, windows and door openings shown and dimensioned
- 3) all windows and doors with swings shown, including the style of windows and doors selected
- 4) all overhangs of floors and roofs above labeled and shown as dashed lines on first and second floor plans
- 5) overall limits of plans of first and second floors with complete floor plan dimensions
- 6) the ground level plan indicating driveway location, stairway, garage, boat storage concealment plan and grade level screening for trash, HVAC and outdoor shower enclosures

c. Roof Plans at ¼" = 1'0" scale

This page should include the roofs of the house and all accessory buildings:

- 1) all slope dimensions

- 2) all overhang dimensions indicated with a dashed line and measurements

d. Elevations at $\frac{1}{4}" = 1'0"$ scale

There should be two pages, the first showing the North and West exposures and the second showing the South and East exposures. **Elevation drawings labels should indicate both sides of the house as well as compass orientation.** See example:



These pages should provide the following information for the house and accessory buildings elevations:

- 1) how the building relates to ground level
- 2) the grade level screening type, design details and location
- 3) materials and design details for the exterior of the proposed structure
- 4) the overall height from the virgin low point at the house footprint perimeter to ridge of roof; dimension string should also include the height of wall sections and roof.
- 5) The first finished floor elevation (FFE) with the dimensions string from the average grade or base flood elevation as required in these guidelines.
- 6) the dimensions of the eave and rake overhangs
- 7) the primary and secondary roof pitches
- 8) the relationship of finished first floor (FFE) to FEMA flood elevation (see explanation of FFE on page 41)
- 9) the exterior lighting details
- 10) HVAC location and screening (including access platform and stairs if required)
- 11) trash enclosure location and screening
- 12) outdoor shower location and screening
- 13) utilities and meter(s) location (including access platform and stairs if required; should be screened by landscaping)

e. Wall Sections at $\frac{3}{4}" = 1'0"$ scale

This page should include the house and accessory building sections:

- 1) typical wall from ground to roof ridge details at a minimum scale of $\frac{3}{4}" = 1'0"$
- 2) overhang measurements
- 3) typical decks and railing details
- 4) typical screened porch details

f. Detail Plans at $\frac{1}{4}" = 1'0"$ scale

This page should include the house and accessory building's details and indicate the materials, dimensions and design for:

- 1) the HVAC enclosure
- 2) trash enclosure
- 3) fencing, if applicable
- 4) columns
- 5) railings

- 6) walkways and driveways if these details were not included on the site plan
- 7) brackets, if applicable
- 8) lighting fixtures
- 9) grade-level screening
- 10) window and door trim
- 11) garage doors
- 12) other (Example: trellis, generator platforms, detached structures)

g. Electrical plans at ¼" = 1'0" scale

This page should include the location of all house and accessory building exterior lighting fixtures. The site plan must include the location of all pathway lighting. Specifications must be included for all proposed exterior lighting fixtures including lumens, source to baffle measurements and color temperature per the Design Guidelines.

5. **A compiled PDF IN THE FOLLOWING ORDER** and submitted with your Online New Construction Application: Survey, Site Plan (with Roof Plan and Data Block and Revision Date), Elevations, Floor Plans, Electrical Plans, Details & Sections Plan, Lighting specifications (often included on the Details/Section Plan)

IMPORTANT NOTE: No Google Doc, JPG or any other form of compilation other than PDF will be accepted. Comments and signatures in Drawings (Plans) are not permitted.

6. One scaled, full-size printed copy (usually 24"x36") and one 11" x 17" printed copy must be sent in with your Review fee to Bald Head Association, PO Box 3030, Bald Head Island, NC 28461 or delivered to BHA at 111 Lighthouse Wynd, Bald Head Island, NC

NOTE: At the time of the Preliminary Review submittal, the corners of the house must be staked on the lot in the proposed locations. Trees to be removed must be flagged with surveyor's tape.

Final Review Requirements

Applications that do not address the direction of previous ARC results letters will not be considered complete. NOTE: Approved Final Plans in their entirety are saved in the permanent lot file (both digital and physical files).

1. A Final Review submittal **must include all Preliminary Review Requirements** as well as the following items.
2. The Online Review Application for New Construction and the Architectural Questionnaire in completed final form
3. The construction deposit-check must be mailed to the ARC.
4. The [Property Owner's Agreement](#), signed and notarized must be mailed to the ARC.
5. The completed Roof/Paint/Color Applications
6. The completed scaled Landscape Plan (see h. on next page)

7. Final Schematic Drawings: **These are required to be dated for each review submission.**

a. **Site Plan** (All Preliminary Site Plan Requirements plus items below)

- 1) the location of non-stacked guest parking for two carts within setbacks
- 2) the location of the electric meter, including any necessary platforms or steps (cannot be located in setback)
- 3) specify lay-down area for material storage
- 4) the location of Village address bollard(s)

Revised as required by the Preliminary Review indicating each change with a red “revision cloud”

b. **Floor Plans**

Revised as required by the Preliminary Review indicating each change with a red “revision cloud”

c. **Roof Plans**

Revised as required by the Preliminary Review indicating each change with a red “revision cloud”

d. **Elevations**

Revised as required by the Preliminary Review indicating each change with a red “revision cloud”

e. **Wall Sections**

Revised as required by the Preliminary Review indicating each change with a red “revision cloud”

f. **Details Plans**

Revised as required by the Preliminary Review indicating each change with a red “revision cloud”

g. **Electrical Plans at ¼" = 1'0" scale**

Revised as required by the Preliminary Review indicating each change with a red “revision cloud”

h. **Landscape Plan** (See Requirements for New Construction and Major Renovation Plans on page 66)

- 1) Date of plan preparation, project name, address and name of property owner, North arrow, graphic scale (the required scale is 1" = 10')
- 2) The site plan must include a legend indicating variety, size (gallons when available or height when gallons are not available) and location of plant material and dimensions of hardscape
- 3) Type and limits of seeded/sprigged area (dune areas)
- 4) Plant list with quantity, botanical name, common name, size and special specifications
- 5) Detail drawings showing specifications for hardscaping—such as grill pads, planters, extra parking areas, pathways, decking, pavers, steppingstones, fences, arbors, notation of irrigation components, etc.
- 6) Location for mitigation trees and clustered vegetation, as appropriate, if mitigation is required

- 7) Calculation for any impervious surface square footage that the Landscape Plan will add to the existing site impervious coverage totals including retaining walls, pavers and the use of other hardscape details.
 - 8) **Calculations for the percentages of plant material designated BHI native, North Carolina native and non-native. These percentage calculations are based on the total number of gallons of proposed plant material.**
8. **A compiled PDF IN THE FOLLOWING ORDER** and submitted with your Online New Construction Application: Survey, Site Plan (with Roof Plan and Data Block and Revision Date), Elevations, Floor Plans, Electrical Plans, Details & Sections Plan, Lighting specifications (often included on the Details/Section Plan), Landscape Plan. Your online Paint Application must also be submitted for a Final application to be considered complete. *IMPORTANT NOTE: No Google Doc, JPG or any other form of compilation other than PDF will be accepted. Comments and signatures in PDF are not permitted.*
9. One full size set (usually 24"x36") of drawings, one 11x17 set of drawings, material and color samples, manufacturer paint chips, and any applicable spec sheets, new construction deposit, signed and notarized Property Owner's Agreement must be sent to Bald Head Association, PO Box 3030, Bald Head Island, NC 28461 or deliver to BHA at 111 Lighthouse Wynd, Bald Head Island, NC.

Changes during New Construction Review Process

The ARC acknowledges that changes to an approved plan may need to occur during the construction process. Any such changes to the approved plan, however insignificant, must be submitted for ARC approval, prior to implementation in the field. **Failure to obtain ARC approval in writing prior to installation may result in fines.**

1. All Preliminary and Final Review requirements apply.
2. The location of any change should be indicated with a red "revision cloud" on the same page as the originally approved drawing.
3. Changes during construction must be submitted with the appropriate application (Minor, Major etc.), all accompanying requirements as stated on the Application, including the review fee.
4. Deadline: complete change submittals must be received by 12:00 pm, 14 days before the regularly scheduled ARC meeting in order to be placed on the agenda.

Renovation Review Process Requirements

There are different types of renovations. Please qualify your submittal and include the appropriate fee. See current review fee schedule. Submittals without a fee are not complete.

As noted in the BHA Covenants Article 7.4: **"No construction or improvements, as defined in Section 7.1(a), will be commenced, erected, placed or maintained on any Unit; nor will any**

exterior addition, change or alteration be made thereto, until the plans and specifications (“Plans”) will have been submitted to and approved by the Committee.”

Renovation Review applies to any building additions, any exterior alterations or any improvements enumerated in the Covenants. A submission for review of the proposed renovations must contain the following items. Please use the following as a checklist prior to submittal for both Minor and Major Applications.

1. The Major or Minor Renovation or Change Application Form including a description of the renovations and coordinating questionnaire. A letter of intent may be included.
2. Site plan, elevations and detailed drawings of proposed renovations with red cloud revisions to show change—to scale. (one scaled, full-size printed copy, one 11"x17" printed copy and one digital copy which will be submitted with your online application.)
3. The ARC may require an up-to-date site plan or “As Built” survey.
4. For oceanfront properties, a submittal for an oceanside addition must contain an ‘As Built’ survey that includes the required sightline setback calculations for oceanfront properties (see item 4 under Setback Requirements in this document).
5. A submittal to expand, replace or add an accessory structure must include the height of the existing main structure. See accessory structure guideline requirements.
6. A Site Management Plan specifying limits of construction fencing and designating a location for the materials lay-down area, the dumpster and the portable restroom, as well as the location of proposed installation of protective measures for existing vegetation.
7. Material samples, color and manufacturer’s spec sheets
8. If applicable, a completed Paint Application with manufacturer’s chips
9. The appropriate Review Fee
10. Photo(s) of existing elevation
11. Complete Minor and Major Renovation submittals must be received 14 days prior to the meeting date.

Major Renovations:

Category I— Additions of 1000-1599 heated sq. ft.; or nonheated space of 1200 or greater sq. ft..

***Note:** Renovations involving 1600 heated sq. ft. or more; or 50% of the existing structure to be removed or revised are subject to new construction fees and guidelines.*

Category II—Additions of 250-999 heated sq. ft; or 500-1199 unheated sq. ft.

Category III—Additions of less than 250 heated sq. ft, or less than 500 unheated sq. ft.

Major Renovations typically involve additions of heated space. If an ‘As Built’ survey is not on file at the ARC Office, submittals for a new accessory structure or additions in close proximity to the setback lines must include an ‘As Built’ survey as part of a complete submittal (see additional survey requirements for oceanfront properties). Survey requirements can be found under item 3 of Preliminary Review Requirements in this section. **After a new accessory building or addition is**

complete, an ‘As Built’ survey — including the new structure — must be submitted to the ARC Office within 30 days of receiving the Village Certificate of Occupancy. Non-compliance may result in fines.

Minor Renovations:

Category I - Additions of less than 250 unheated sq. ft., landscaping changes and other changes not categorized.

Category II - Replacement of an existing feature such as a door, window, roof material and decorative items.

Minor Renovations typically do not involve heated space. They do not alter the form or significantly change elevations. However, the ARC Coordinator may determine, based on the size of a non-heated space project, that a higher review fee should be assessed.

If there is a question whether a change qualifies as a Minor Renovation or Major Renovation, the ARC Coordinator will consult with the ARC Chair. The change review fee must be submitted with the application. The site plan and elevations of proposed improvements may be provided by the member/owner rather than an architect/designer if these submittals are presented professionally and drawn to scale. Major Renovations in Category I or II may also be subject to the application requirements detailed under New Construction Review Process.

Any change to the approved plan, however insignificant, must be submitted for ARC approval. Failure to obtain ARC approval in writing prior to installation may result in fines. If the approved renovation on-site construction has not begun within 24 months after the date of the approval, the ARC approval expires.

Major Renovation projects may require the property owner or the builder, as their representative, to meet with the ARC Specialist prior to any work being performed or any materials being delivered to the site to review and execute the approved Pre-Construction Site Management Compliance Form. The builder or the property owner is responsible for contacting the ARC Coordinator to begin the Pre-Construction Site Management process. Completion of the site management process is required, and the property owner or designated representative (builder) is responsible for completing this process. The property owner is solely responsible for assuring all construction and improvements are in compliance with the approved plan.

Relocation Review Process

Although the homeowner will not be charged a new construction fee, the relocation of a house will be treated as a New Construction application. The applicant must contact the ARC Coordinator to begin this review process.

Pile driving, material deliveries or other construction activity is not permitted without written final approval by the ARC, a site management meeting with the ARC Coordinator or ARC Specialist and an executed Pre-construction Site Management Compliance Form.

Existing Structure Demolition Review Process

The applicant must contact the ARC Coordinator to begin this review process. If existing structures including but not limited to the main structure are going to be demolished, ARC approval is required prior to the commencement of any site work.

The Demolition Review application must be completed and submitted for ARC review.

Paint/Roof Color Review Requirements

Changes to any exterior paint/stain or roof colors must be submitted to the ARC for a color review. If an approved Paint/Roof Color Review application is on file, no approval shall be required to repaint the exterior of a structure or apply a new roof of similar material with the originally approved color scheme. If an approved Paint/Roof Color Review application is NOT on file, one must be filed with the ARC for review and confirmation before proceeding to paint. Please use the following as a checklist prior to submittal.

1. A Paint Review or Roof Color Review requires a completed Paint/Roof Color Application.
*Note: A change of roof **material** requires a Minor Change application and fee.*
2. Authentic manufacturer's material/color chips must be sent to the ARC office by agenda deadline date.
3. Once a painting project has commenced on a structure, it must be completed within three months (90 days). This includes power washing and prep work that has removed any exterior finish.
4. Retaining siding in an unfinished state is not allowed unless the original approval from the ARC was for unfinished siding.

Architectural Review Fees

NEW CONSTRUCTION

\$ 4,000 New Construction Review Fee for up to **three staff reviews** (this includes any combination of Draft, Preliminary or Final review submittals)

\$ 1,000 New Construction Review Fee for an additional review

\$ 10,000 Refundable Construction Deposit

MAJOR RENOVATIONS

Category I:

\$3,000 non-refundable review fee for Heated space change of 1000-1599 sq. ft.; non-heated space 1200 sq. ft. or greater. (1600 heated sq. ft. and over, or renovations involving 50% of the existing structure to be removed or revised is subject to new construction fees and guidelines.)

Category II:

\$ 2,000 Heated space of 250-999 sq. ft.; non-heated space of 500-1199 sq. ft.

Category III:

\$ 1,000 Heated space of less than 250 sq. ft.; non-heated space of 250-499 sq. ft.

MINOR RENOVATIONS

Category I:

\$300 Non-heated space of less than 250 sq. ft., hardscape changes to a landscape and other renovations not categorized

Category II:

\$200 Design change of an existing feature, such as a door, window, roof material and decorative Items.

PAINT/ROOF COLOR CHANGE - \$125

PLANT MATERIAL CHANGE - No charge for Plant Material Change. However, Landscape change plans including hardscape material such as gravel, exterior lighting, pavers, decking, etc. must fill out a Minor Change Application and include a \$300 fee.

DEMOLITION - \$300

Fees and complete submittals required in the office by 12pm on the published deadline for each ARC meeting. [Online Application Forms are located on the BHA website.](#)

ARC DECISIONS

Notification of ARC Decisions

A letter will be sent to the applicant within 45 days following the ARC meeting at which the decision was made. Any contingencies that are cited as part of a decision will be supported in the letter by direct references to the relevant documentation in the Design Guidelines or Covenants to ensure a clear understanding by the applicant and the applicant's agents of the decision and contingencies. When reviewing a submitted set of plans, the ARC may require compliance with requirements that, although not itemized specifically, are supported by sections of the Design Guidelines and Covenants.

In verbal or written communication of ARC decisions, it is the responsibility of the ARC to make it clear why a plan was disapproved or why approval is being based on specific contingency items. While the ARC may choose to recommend some options that will correct a disapproved feature or plan item, it is not the Committee's role to offer a solution.

Approval Expiration

ARC project approvals, including new construction, renovation, landscape, etc., are valid for 24 months from the date of approval. After 24 months, the approval for any project is considered expired. Any variance granted by the ARC or Board of Directors in conjunction with the ARC project approval expires simultaneously with ARC project approval unless the ARC grants a project approval extension.

Property owners seeking to initiate a renovation or building project after their ARC approval has expired will be required to submit their plans as a new project and will be subject to the current Design Guidelines, current Review Fee Schedule and current Construction/Landscape Deposit.

Time Limits on Building and Renovation Projects

- 3-month limit for painting projects beginning with the power washing or other prep work.
- 3-month limit on minor repairs that may not require ARC approval or Village permit.
- 6-month limit for minor renovation projects beginning when a building permit is granted.
- 1-year limit for major renovation projects beginning when a building permit is granted.
- 2-year limit on new home construction projects beginning when building permit is granted.
- The final ARC on-site project inspection to establish that the new construction project has been completed in compliance with the approved plans **must be scheduled** with the ARC Specialist by the project builder and conducted **within 30 days of the Certificate of Occupancy** issuance date. Repairs and Renovations which do not require ARC approval are subject to the same Time Limits. Any exterior requirement such as dumpsters, material laydown, etc. for indoor or outdoor construction is subject to the same Time Limits.

- If the plan for curing a Community Wide Standards violation requires a submittal to the ARC, it is due by the end of the 60 days from the date of the notification letter. Time from receipt of the submittal, until the date of the response letter from ARC, is not counted toward the 150 days given to cure the violation.

NOTE: Adjustments may be considered by the ARC for inclement weather and extenuating circumstances. Violations have an urgent timeline, but member must apply for ARC approval if the mitigation is not like/kind material, design, and footprint. (See Violations in this document.)

Appealing a Decision of the ARC

STEP ONE: DECISION REVIEW MEETING

Any Bald Head Association member applicant disagreeing with a review decision of the ARC shall contact the ARC Coordinator to request a meeting before the ARC to review the reasons for the decision. This request may be made at any time within 15 days after the date of the ARC letter notifying the applicant in writing of the review decision. The ARC will meet with the applicant no later than the next regularly scheduled ARC meeting. The architect/designer and the member/owner must be present at this meeting. If the architect/designer and applicant were present for the initial project submittal review meeting, the ARC may waive this step of the appeals process.

STEP TWO: NOTICE TO APPEAL

If the Decision Review Meeting does not resolve the issues, the applicant may appeal this ARC appeal process conclusion to the Bald Head Association Board of Directors (BHA Board) by notifying the Executive Director of the Association verbally or in writing of this intent within 15 days after the date of the ARC letter notifying the applicant in writing of the result of the Decision Review Meeting. The ARC Coordinator will be notified by the Executive Director when a request for appeal is received.

STEP THREE: REVIEWING BODY

The BHA Board may choose to refer the matter to an Independent Appeals Committee (IAC) for a recommendation or the BHA Board may elect to review the matter in-house. Any reviewing IAC shall be comprised of a minimum of three persons appointed by the BHA Board. These IAC appointees may not be current members of the BHA Board or the ARC.

STEP FOUR: MEETING NOTIFICATION

The BHA Board or IAC will conduct a hearing within 30 days of the appeal notification. The ARC Chair, the ARC Coordinator and the applicant will be notified of the meeting time and date by Association staff.

STEP FIVE: DOCUMENTATION

Prior to this hearing, the ARC will communicate in writing any additional information the BHA Board requests or any additional information the ARC deems necessary to explain its decision.

The applicant also will communicate in writing any additional information the BHA Board requests or any additional information he/she deems necessary to state and support his/her case for appeal.

STEP SIX: THE HEARING

Representatives of the ARC and the applicant may be present at the appeal hearing to answer questions. The BHA Board or IAC has the right to speak with each party individually and privately during the hearing. The BHA Board or IAC also has the right to proceed with the appeals hearing in the absence of either party. Each participant will be given adequate time to present final comments to the BHA Board or IAC. They then will be excused from the hearing.

STEP SEVEN: THE DECISION

If an IAC is the reviewing body, it will present a written recommendation to the BHA Board and the supporting documentation upon which the recommendation is based. This documentation will include meeting minutes and any information provided by the parties during the hearing. The BHA Board will be informed if the IAC recommendation was not unanimous.

The decision of the ARC being appealed can be overturned by a two-thirds vote of the BHA Board. The appeal hearing decision will be mailed to both parties within 15 days of the hearing.

NON-COMPLIANCE

If an applicant refuses to comply with the decision of the BHA Board, the BHA Board may avail itself of the avenues provided in the Covenants for violations. The BHA Board may set a time limit for compliance, if appropriate.

AMENDMENT OF PROCESS

This appeals policy may be amended by a two-thirds vote of the BHA Board at any time when the BHA Board or an IAC is not involved in an active appeals process. ARC input will be solicited before the amendment is made.

LIMITATIONS OF PROCESS

The appeals process is available at any step in the Review Process, but applicants are encouraged to delay its implementation until they receive the results of the ARC's Final Review decision, thereby ensuring that all appropriate effort is taken to resolve the matter at the ARC level.

Amendments

The ARC may periodically determine a need to amend the Design Guidelines. The ARC should prepare and approve by a majority vote of each ARC Section any proposed change. The Covenants state that any Design Guideline change must be approved by the BHA Board before implementation. If approved, the newly modified requirement will apply to plans under consideration at the time of the approval.

Variances

The ARC may authorize in its discretion reasonable variances or adjustments from compliance with any of its guidelines and procedures in order to alleviate practical difficulties and hardship in their enforcement and operation. Such variances may only be granted, however, when unique circumstances dictate, and no variance shall (a) be effective unless in writing; or (b) stop the ARC from denying a variance in other circumstances. Any such variances shall not violate the spirit or the intent of this document to create a subdivision of Units owned in fee by various persons with each such Owner having an easement upon areas owned by the Association.

The ARC shall determine whether a variance will be granted. This decision will be sent to the applicant in writing. Requests for variances are considered in letter form with complete Applications. Any variance granted by the ARC expires simultaneously with ARC project approval expiration. Variances requests are generally not considered by the ARC until Preliminary review.

NOTE: ARC approval of a variance does not assure that a variance to Village ordinance, if required, will be granted by the Village of Bald Head Island Board of Adjustment.

Violations

The Covenants mandate ARC approval for all home building plans and improvements. Should construction not comply with ARC approved submittals, the Covenants authorize the ARC to have the violations corrected according to the approved submittals or, if no approval exists, to have the non-compliant construction removed. Applicants or their representatives must bring any deviations from exterior approved plans to the attention of the ARC Coordinator immediately upon discovery for the ARC to review the deviation and determine if it may be permissible or if other action will be recommended. **Applicants must not assume automatic approval of a construction detail because it currently exists on the island.**

Damages may be assessed, and fines imposed of up to \$100 per day per violation by BHA's Board of Directors. These fines are authorized by the Amended Covenants of the BHA and the Planned Community Act Chapter 47F of the NC General Statutes. Per state statute, fines become effective five days from the date of the property owner's compliance hearing.

Any structural, design or color changes or renovations to existing properties must be approved by the ARC.

The ARC refers violations to the BHA Board for possible fines and mitigation.

In the normal and ordinary course, compliance by a homeowner with a Community Wide Standard violation (CWS) will not require ARC approval, as it is only maintenance. If, however, compliance with a CWS violation does require a structural, design or color change then approval by the ARC is required. The ARC application must be submitted with the plan by 60 days from the date of the notification letter. Time from the receipt of the ARC submittal until the date of the ARC response letter does not count toward the 150-day time limit.

Construction Deposit

The required Refundable Construction Deposit will be used to reimburse any administrative expenses costs of repairing damage to Common Areas, fees, fines and penalties incurred during

the construction process. It will be returned in full to the owner of record at completion of the project upon the following conditions:

1. the project has been completed in accordance with the ARC approved plans;
2. no Common Areas or right-of-way areas have been damaged by construction;
3. no Covenants or Design Guidelines have been violated;
4. no deficits are remaining from the landscaping plan;
5. the Final Project Inspection Form is completed satisfactorily.

Failure to satisfy these conditions may result in the loss of some or all of the Construction Deposit, regardless of whether such failure is caused by the Owner, architect/designer, builder, their contractors or agents. Property owners are responsible for compliance with the Covenants and Design Guidelines and assuring compliance fulfillment by their designees. If the fine(s) exceed the amount of the Construction Deposit, the balance owed may be assessed as a lien against the Owner's property. Checks must be made payable to Bald Head Association and mailed to the ARC Department: Architectural Review Committee, P.O. Box 3030, Bald Head Island, North Carolina 28461-7000.

BALD HEAD ISLAND ARCHITECTURE

Overview and Requirements

Home designs built on Bald Head Island are intended to promote a homogeneous impression, an architectural appearance of each individual home “fitting” within the surrounding homes and neighboring environment. Bald Head Island Coastal Vernacular designs are a blend of the “shingle-style” and the “coastal cottage” style of architecture. Often the construction incorporates many of the “shingle-style” features and accentuates them with common elements of the “coastal cottage” design.

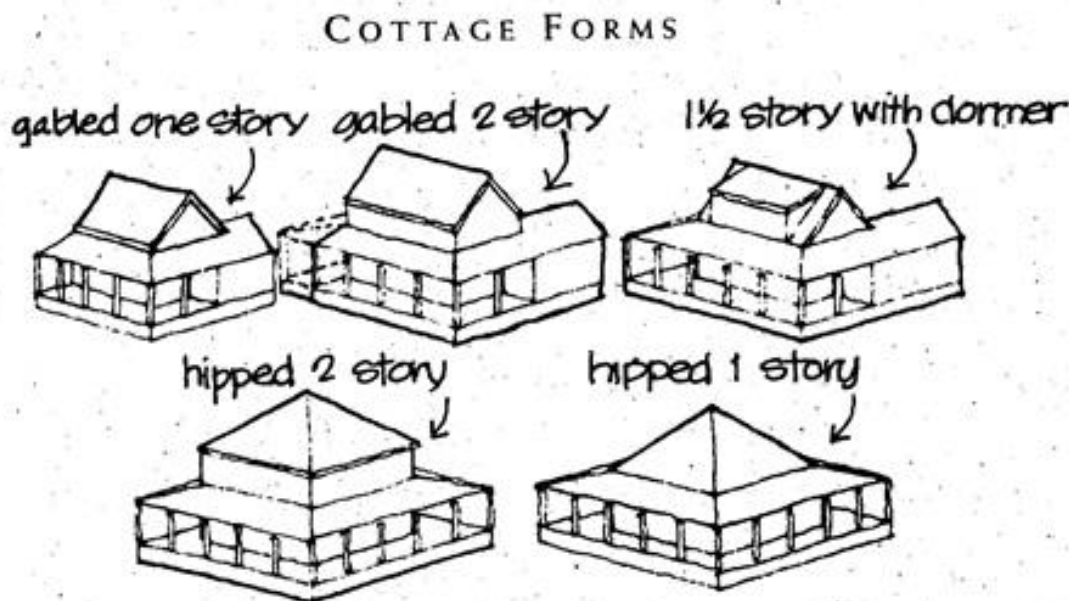
“Shingle-style” has been described as the “architecture of the American summer.” This architectural style is notably free in form and size and embraces the organic and natural island landscape, blending with the coastal environment and utilizing materials that display a natural appearance. Although “shingle-style” home designs may honor individual tastes, they share an appearance of rustic informality, minimal detailing, high gables, vertical single or double hung windows with true dividers and mullions and muntins and inviting porches.

Other characteristics of this coastal architecture include steep roofs, cedar shakes, dormers, open rafter tails, large overhangs, minimal ornamentation and variation in overall shape and massing. Bald Head Island Coastal Vernacular may differ from the Coastal Vernacular of other places. Natural materials are strongly encouraged. Many homes feature expanses of decking and glass. Climate tempering is achieved with wrap-around porches to shade the summer sun, operable shutters to provide shade and admit breezes, lattice work and sunscreens to provide sun control on porch areas.

These Design Guidelines were created to aid architects/designers and property owners in developing home designs that merge individual tastes with the “shingle-style” and “coastal cottage” elements of Bald Head Island Coastal Vernacular architecture. These Design Guidelines also were created to encourage “good massing” —as exemplified by an orderly, well-proportioned composition of building forms and to discourage any home from having a box design. Designs should avoid the appearance of three-story structures. Homes with a higher first floor elevation that utilize grade level screening should not include details that give the appearance of grade level heated space. The final home design should correspond with the unique features of the lot and preserve the existing trees and vegetation.

ARC approval is required prior to undertaking any new construction or exterior renovations or site work. When reviewing a submitted set of plans, the ARC may require compliance with requirements that, although not itemized specifically, are supported by sections of the Design Guidelines and the Covenants.

The ARC does reserve the right to withhold approval for materials that do not support Bald Head Island's architectural style or respect its sensitive and conservation-conscious environment.



The 50% Rule (One and One-Half Story Rule)

All Bald Head Island homes constructed on or in front of the primary dune ridge shall comply with the "50% Rule." This rule was implemented to eliminate view blocking and three-story-box home designs, as well as uninterrupted three-story walls.

This rule is not applicable to home designs behind the primary dune ridge and in the forest where ocean views are less of an issue and vertical construction can help minimize tree removal. In these locations, a concerted effort is made to balance aesthetics with the equally important need to protect the island's natural flora and fauna and its forest environment.

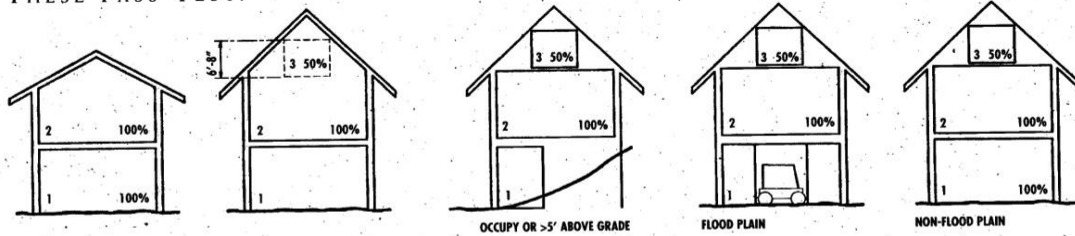
REQUIREMENTS

1. The volume of any Bald Head Island home constructed on or in front of the primary dune ridge shall not exceed one and one-half stories.
2. A submission meets the requirements of this rule if the footprint of the volume of its top story is less than or equal to one half of the footprint of the volume of the story beneath it (50% rule). The footprint of a story's volume is the area of all covered space on the story having 6' 8" of clear head-height. All space that meets this requirement shall be counted in the calculation, including unoccupied attic space, utility space, space that is part of a vaulted room below, covered porches and interior stairs for both floors. Overhangs are not counted.

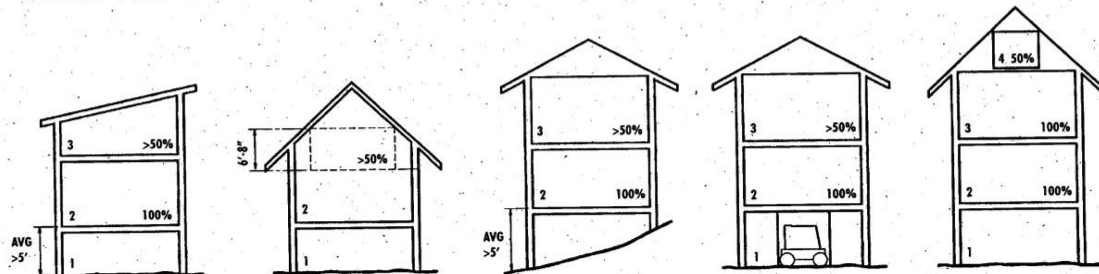
3. If the architectural program is separated into more than one detached building, the 50% Rule will be applied to the main structure(s).
4. When a property owner submits an addition on a home built prior to the implementation of the 50% Rule, the addition to the home must comply with the 50% Rule, even if the rest of the home does not.

A [Dune Ridge map](#) is available on the BHA website.

THESE PASS TEST:



THESE FAIL TEST:



CAPE FEAR STATION

IMPORTANT NOTE: Lot designations contained in this section are derived specifications from secondary covenants for Cape Fear Station. Please review the secondary covenants and any other deed restrictions prior to design.

Introduction

Cape Fear Station is a Planned Unit Development (PUD), which is a method of development that allows for innovative uses of spaces and structures to achieve planning goals. A PUD provides the Developer the flexibility to address the need for mixed uses for buildings, changes in building setbacks, lot coverage and mixed densities and encourages development that protects natural land features, conserves energy and provides for common open spaces. A PUD may deviate from standard zoning laws. Due to this, the master plan for Cape Fear Station had to be approved by the Village of Bald Head Island. Bald Head Island Limited created this PUD and based the typologies for homes to be built here on Form Based Planning.

Form Based Planning

Cape Fear Station was designed and developed employing Form Based Planning.

In a nutshell, Form Based Planning is an architecturally driven approach to land planning that reflects traditional American town making principles. It looks a little like zoning, but it is much more sophisticated in its goals and application.

The zoning and land planning of the 1950's through the 1990's widely abandoned the earlier methods of street and town-making, focusing on building *uses* and building *separation* as the primary means of controlling the built environment. These practices led to landscapes of detached, unrelated, individualistic buildings that had little aspiration to creating a larger collective expression. Rather than clearly defined streets, parks, common spaces and towns, we created vast suburban sprawl with little sense of place, little sensitivity to the environment and massive dependence on the automobile.

Form Based Planning is an antidote for this approach. It extends beyond the control of uses and building separation, envisioning a collective architectural order that makes beautiful public ways, streets and common spaces.

The Cape Fear Station's Form Based Codes are the rules that define each building's physical form, its relationships to its neighbors and to the public realm. Each building typology has its own set of requirements that uniquely address the environmental and architectural context of its location.

As we follow these Form Based Codes, we are each creating a small piece of the overall collective form. We are singing in harmony with our neighbors. Our individual voices join a unified chorus of a much greater melody.

Cape Fear Station Exceptions/Differences

Accessory Buildings:

In Cape Fear Station, there is no limit on the number of accessory buildings allowed per lot. All accessory buildings must be incorporated in the calculation of impervious coverage and the conditioned space. All accessory buildings must meet the requirements listed under Accessory Buildings in this document. Colors must complement those of the primary structure. Unless otherwise designated, the garage and primary structure may be connected with arbors, decks, pergolas, open porches or breezeways. If the architectural program is separated into more than one detached building, the 50% Rule will be applied to the main structure(s). Accessory buildings and other permanent improvements shall not be considered, approved, or installed prior to the construction of the main building, unless otherwise approved by the ARC.

Beach Access:

Properties where a pedestrian beach access is allowed are indicated in the Cape Fear Station typologies. To minimize dune crossings, beach accesses must be grouped with adjacent property owners as indicated. No beach access walkways or other structures, other than those constructed in designated access easements, shall be permitted south of the southernmost point of the designated building pad on each lot. All requirements listed under Beach Accesses in this document must be met.

Garage/Parking:

Two non-stacking parking spaces are required either outdoors or in a garage. Additional guest parking spaces are not required. On typologies that have a designated Garage area, garages/parking/crofters must be built within the designated area.

Roof/Overhangs:

The minimum for overhangs, as stated elsewhere in this document, is 18” at the eaves and 12” at the rakes. The minimum standard for overhangs may not be sufficient for every design. The overall massing should be considered when designing overhangs.

Paint Colors:

Due to the density of the housing in Cape Fear Station, the choice of colors is of the utmost importance. Colors not only need to be compatible with the island environment and chosen to emphasize the home’s design elements, but they also must be compatible with existing colors on adjacent homes.

1. Body color must be earth tones. Examples of these colors might include soft greens, grays and tans that are of subdued hue intensity and light to medium value. Natural weathering will also be considered.
2. All fences must be painted with Benjamin Moore “Superwhite” or an ARC approved equivalent.
3. Lattice/foundations must be subdued hue intensity of medium to dark values to aesthetically bring the building to the ground.
4. All other paint requirements in this document also apply to Cape Fear Station.

Cape Fear Station Lot Designations

Cape Fear Station is composed of several different lot types. The rules associated with each specific lot type follow, beginning with the lot designation sheet starting on this page. Rules for Cape Fear Station lot types have precedence over general Association rules.

BEACH: 4002, 4004, 4006, 4008, 4010, 4012, 4014, 4016, 4018, 4020, 4022, 4024, 4026, 4028, 4030, 4032, 4034

COTTAGE: 5015, 5114, 5136, 5138, 5218, 5228, 5230, 5231, 5232, 5233, 5234, 5321, 5701, 5731

CREEK: 6000, 6002, 6004, 6006, 6008, 6010, 6012, 6014, 6016, 6018, 6020, 6022, 6024, 6026, 6028, 6030, 6032, 6034, 6036, 6038, 6040, 6042, 6044,

CREEK MANOR: 6046, 6048, 6050, 6052, 6054,

DUNE RIDGE: 2596, 2597, 2599, 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615

HOUSE: 4205, 4207, 4209, 4211, 4213, 4215, 4217, 4219, 4302, 4304, 4306, 4308, 4310, 4312, 5001, 5003, 5005, 5007, 5029, 5100, 5102, 5104, 5106, 5108, 5110, 5112, 5116, 5118, 5120, 5122, 5124, 5126, 5128, 5130, 5132, 5134, 5323, 5325, 5327, 5329, 5331, 5333, 5335, 5337, 5339, 5341, 5343, 5345, 5347, 5349, 5451, 5453, 5455, 5539, 5541, 5543, 5545, 5630, 5632, 5634, 5636, 5638, 5640, 5642, 5723, 5725, 5727, 5729, 5808, 5901, 5903, 5905, 5907

HOUSE ORCHARD: 3150, 3152, 3154, 3156, 3603, 3605

MANOR: 3601, 5017, 5019, 5021, 5023, 5025, 5027, 5031, 5033, 5035, 5039, 5430, 5432, 5434, 5436, 5438, 5440, 5442, 5444, 5446, 5448, 5452, 5454, 5456, 5460, 5462, 5464, 5466, 5468, 5470, 5472, 5547, 5549, 5551, 5553, 5555, 5557, 5559, 5561, 5563, 5565, 5567, 5569, 5571, 5573, 5644, 5646, 5648, 5650, 5652, 5739, 5741, 5743

MARITIME VIEW: 4126, 4128

MARITIME WATCH: 4104, 4106, 4108, 4110, 4112, 4114, 4116, 4118, 4120, 4122, 4124

SHOALS WATCH BEACH: 3210, 3212, 3214, 3216, 3218, 3220, 3222, 3224, 3226, 3228

SHOALS WATCH ESTATE: 3230

SHOALS WATCH MANOR: 3211, 3213, 3215

SIDEYARD: 5703, 5705, 5707, 5709, 5717, 5719, 5721, 5802, 5804, 5806

TOWNCENTER SIDEYARD: 3704, 3706, 3707, 3708, 3709, 3710, 3711, 3712, 3713, 3714, 3715, 3716, 3717, 3718, 3719, 3721, 3723

VILLAGE COMMON: 5220, 5222, 5224, 5226, 5301, 5303, 5305, 5307, 5309, 5311, 5313, 5315, 5616, 5614, 5612, 5610, 5608, 5606, 5604, 5602

VILLAGE INTERIOR COMMON: 5400, 5450, 5500

Typologies for lot type can be found in the [Cape Fear Station Appendix](#)

DESIGN & SITE ELEMENTS

Accessory Buildings

Accessory buildings are any structure that is subordinate and not connected/integrated into the main structure and the use of which is incidental to the use of the main structure or the use of the land. Conditioned, non-conditioned, covered or latticed connectors (where allowed) will not be considered as incorporating the accessory building into the main structure. These buildings may include, but are not limited to, the following uses:

- Boat shed
- Detached garage
- Guest cottage/crofter
- Pavilion and gazebo
- Utility, shower or garbage enclosure
- Workshop or studio

Massing, roof pitches and materials of such outbuilding(s) must complement those of the primary structure. All accessory-type uses including garages and crofters must be incorporated into the overall design of the main structure in order to be exempted from the Accessory Buildings guidelines. Accessory type uses must share walls and design elements that negate the appearance of a separate attached structure.

REQUIREMENTS

1. Accessory buildings will be constructed no higher than 5 feet below the highest peak of the main structure. Maximum height – The highest point of the roof must not exceed 25 feet above the virgin low point on the ground around the perimeter of the structure. The perimeter of the structure includes attached decks, porches, staircases, etc. Chimneys, spires, lanterns, weathervanes and cupolas may project above the 25 feet maximum height with the written permission of the ARC. NOTE: A change submittal to expand, replace or add an accessory structure must also include the height of the existing main structure.
2. The maximum footprint of an accessory structure must not exceed the greater of 320 sq ft. or 10% of the first-floor volume (covered space) of the main structure. Open decks (on pilings without skirting) and stairs on accessory structures are not included in the allowable footprint calculation.
3. First Floor Elevation – The average distance from virgin low to the first-floor elevation (top of slab) must not exceed 3' or the FEMA designated floodplain, whichever is higher.

4. A maximum of 2 accessory structures is allowed. EXCEPTION: Cape Fear Station has no limit to the number of accessory buildings.
5. All accessory structures are required to be at least 5 feet away from the primary structure. (Does not include overhangs.)
6. The Design Guidelines discourage a “three story” box look to accessory buildings.
7. Accessory buildings are not considered main structures/buildings and can only be built as an accessory to a main structure. No permanent improvements shall be considered, approved or installed prior to the construction of the main structure.
8. A Village of Bald Head Island ordinance prohibits two living units on one property and, to comply with this ordinance, the accessory building cannot be equipped with a working stovetop. The Covenants, Article 10.5(a), indicate that all units are only for single family residential purposes: “...no dwelling, including any ancillary structure or annex to a Unit, will be utilized at any time for occupancy by more than one family or one family with guests. The Owner of a Unit is specifically prohibited from occupying an ancillary structure or annex located on his Unit while renting the primary residential dwelling, or from occupying the primary residential dwelling while renting the ancillary structure or annex or from renting to two or more rental parties the primary residence and the ancillary structure or annex.”
9. A vacant lot cannot be utilized for storage, temporary structures, tents, materials storage, etc. without a Village of Bald Head Island building permit for an ARC approved project. See Landscape section in this document for additional vacant lot restrictions and guidelines.

Beach Accesses

Beach access structures must follow the requirements outlined within the [BHA Common Area Policy](#), and the [Village Ordinance 2001-047](#). Contact the Village of Bald Head Island for further requirements. Any beach access approved to cross Bald Head Association or Bald Head Island Limited land will require a license agreement. See [Cape Fear Station Appendix](#) for additional restrictions.

Boats

Boats must be concealed from view, including but not limited to views from other properties, any public road or fairway using approved grade-level screening or vegetation. Any property owner who intends to store a boat on private property on the island and who does not have a pre-existing boat concealment solution must submit a construction or natural vegetation option for concealing the boat as part of the review process.

Neighborhood associations may establish parking areas for boats in their neighborhoods and limited common areas as long as the boats are concealed from the fairway or any road not inside the boundaries of the neighborhood. Construction or vegetation solutions, on units or limited common areas, must be submitted to the ARC prior to implementation.

Decks/Balconies

REQUIREMENTS

1. Decks more than 4' deep or 4' high must be supported on dedicated deck pilings rather than braced from the house pilings.
2. These deck support pilings must be a minimum of 8" x 8".
3. Cantilevered decks, balconies and other heated space must be bracketed or braced from the house pilings or wall.
4. Decks must be integrated appropriately into the massing and proportion of the home to obtain ARC approval. Internal stairs are strongly encouraged for decks over living areas.
5. Rail cap and balusters must be detailed.

Decorative Items

Article 7 of the Covenants instructs that no structures, buildings, improvements or construction will be commenced until the plans and specifications have been submitted and approved in writing. Article 7.1(a) explicitly states that structures, buildings and improvements shall include but are not limited to, among others, tree house, playhouse, sign, flagpole, exterior illumination, monument or marker, outdoor statuary, patio, deck or outdoor decorative objects.

REQUIREMENTS

1. Landscaping should be accomplished primarily with native plants and vegetation.
2. All exterior decorative items such as statuary (including concrete birdbaths), water features and other ornamental items and structures must be harmonious with the community aesthetic, site, home and surrounding environment.
3. All exterior decorative items (including temporary holiday decorations) must be constructed of natural and organic materials and blend seamlessly within the home and landscape design. Colors should complement the natural surroundings. Holiday novelty decorations like blow-ups and items that are inconsistent with this guideline are not allowed. See additional information under Lighting.
4. These exterior decorative items must be few in number and consistent with the general subdued and natural character of the Bald Head Island conservation consciousness.
5. House signs or decorative items on homes should have colors compatible with the structures on which they are hung. (See "Signage" for specifications.)
6. Swings that are visible from the road and not attached to the primary structure must be constructed of natural materials.
7. Water features must be complementary to the natural island environment and may be approved at the discretion of the ARC.

ARC approval is required for all decorative items.

Doors (Exterior)

REQUIREMENTS

1. True divided lites are permitted. Snap-in muntins are not allowed.
2. Any visible reflective coating or tinted glass must be approved by the ARC.
3. Door glass divisions shall create panes of square or vertical proportions.
4. Garage doors should reflect coastal vernacular details and complement the overall structure design.
5. Garage doors in Cape Fear Station designated lots must be made of wood or fiberglass.

Driveways and Parking

REQUIREMENTS

1. All loose paving materials must be edged with suitable permanent material.
2. Drives must provide a concrete or paver apron at the road and alley edges. The apron must be installed to the edge of the asphalt with 12' minimum width at the interface and tapered to meet a driveway width of 8' minimum.
3. Outside or non-garage parking must be within required setbacks and adequate for two carts without stacking. Exceptions may exist for Cape Fear Station lot designations.
4. Changes to driveway surfaces for existing homes or during new construction must be submitted for ARC approval prior to implementation. Mulch is not recommended for driveways. Pine straw is expressly prohibited by the Village.
5. Carts are not allowed to park on unimproved properties. Properties that are under construction are not allowed to have carts left on the property overnight. The appropriate parking locations can be made available to builders by contacting Contractor Services at the Village.
6. All existing improved properties and new construction projects must provide for resident cart parking in a cart garage, crofter or under the main unit.
7. Carts must be parked in designated guest parking areas, driveways or garages.

RECOMMENDATIONS

1. Two 4" diameter Schedule 40 PVC sleeves with caps at each end should be placed under concrete aprons/entry driveways 2' below grade and 6' from the road edge for utility conduits and protection against driveway damage if future utility maintenance is required.
2. In order to protect the road edge, all drives and/or construction accesses should be stabilized with gravel, mulch or other appropriate material before construction begins. This temporary stabilization material may need to be removed at project completion in order to not increase the approved impervious coverage calculation.

Fences

Fences should define and create spaces rather than merely serve as property delineators. Fences shall be no closer than 5 feet to any property line unless otherwise designated in these guidelines.

REQUIREMENTS

1. A detailed drawing of elevations of the entire fence must be submitted to the ARC.
2. Fence lines and detail requirements are designated for each typology in the [Cape Fear Station Appendix](#) lot designation sheets.
3. If the adjacent property has existing fencing at the side property lines, it is the responsibility of the architect to make any new fence meet/transition any existing fences on either side of the property line and adjust to the existing grade.
4. All fences must be constructed of dimensional lumber, and the fencing material must be consistent throughout.
5. Fencing is required to be white.
6. Chain link fencing is not permitted.
7. Electric fencing is not permitted. Invisible pet fences are the exception. Provided all components are not visible, the Owner is not required to submit an application to the ARC. It is the Owner's responsibility to assure all components are within their property lines and to keep those components in working order.
8. The maximum height is 48" and the minimum height is 24" for residential fencing.
9. The design must allow for air passage to avoid a solid appearance. The spacing width should be determined based on achieving a balance with the appearance of the home.
10. The finished side of the fence must face outward.
11. When fence construction is intercepted by a tree, the fence must not be attached to or touch the tree or otherwise negatively impact the root system of the tree.

Flags and Flagpoles

REQUIREMENTS

1. The request to install a ground-mounted flagpole must be submitted for ARC approval and must include a site plan with dimensions and specifications for the proposed pole location.
2. Only one ground-mounted flagpole may be installed on a property. Any ground-mounted flagpole must be made of wood or high-quality metal. The flagpole must be no taller than 25' and no taller than the primary structure.
3. A bracket-mounted flag kit is allowed on main structures and does not require ARC approval.
4. The maximum flag size allowed is 4' x 6' and does require ARC approval.

5. In accordance with state law, United States and North Carolina flags smaller than 4' x 6' are not subject to approval by the ARC. United States flags shall be in good condition and displayed in a respectful manner in accordance with the United States flag code of 1976.

Grade – Building Relationship to Grade

Each building submitted for review will be analyzed according to site and topography. Homes should be constructed as low as possible to grade elevations while complying with all applicable codes, regulations and restrictions.

REQUIREMENTS

1. No main structure shall exceed 35' measured from the existing virgin low ('lowest point') that intersects with the perimeter of the structure (including attached decks, porches, staircases, etc.) to the highest point of the ridge of the roof. Where any elevation beneath the building footprint falls below an elevation of 5' above mean sea level (AMSL), the lowest elevation (virgin low point) shall be considered AMSL.
2. For homes outside the VE Coastal Hazard zone area, first finished floor elevations (FFE) will be restricted to a maximum of 2' above the **actual** Federal Emergency Management Agency (FEMA) base flood elevation above mean sea level (AMSL), or a maximum of 4' above the **average** grade around the perimeter of the structure including, but not limited to, decks, porches, staircases, etc., whichever is greater. Homes in areas with a tendency to flood may be built higher with an approved variance, but the 35' height requirement must still be observed.
3. For homes inside the VE Coastal Hazard zone area, first floor elevations will be restricted to a maximum of 2' above the actual Federal Emergency Management Agency (FEMA) base flood elevation above mean sea level (AMSL).

Grade - Site Grading

REQUIREMENTS

1. Site grading must be kept to a minimum and necessary drainage systems must be designed for minimal impact. A minimum of 60% of the lot should remain undisturbed. This percentage minimum is a general rule that may vary in application. The required percentage of undisturbed area may be greater for larger lots (greater than 10,500 sq. ft.) and less for smaller lots typical in Cape Fear Station. Due to the sensitive environment of the island and its drainage issues, the Village and the Association are very concerned with filling or major contour changes on any property. Any filling or contour changes must be submitted to the Village Building Inspector and the ARC for approval before proceeding. In an AE Flood Zone, Village approval must be granted for filling and the Village Building Inspector will particularly examine whether or not the proposed filling will impact the natural flow of storm water. In a VE Flood Zone, FEMA requirements regulate filling.

2. Erosion and siltation control provisions shall be employed during and after construction. Surface drainage must be collected on site and not cause damage to adjacent properties. Particular attention must be paid to avoid standing water.
3. Paving, buildings and drainage systems must preserve natural grade run-off and vegetation. The driveway must be designed for minimal environmental impact and zero impact on neighbors. Avoid damming the natural water flow with culverts or drain tile as necessary.
4. The sands on Bald Head Island are very permeable and accept run-off easily. However, flooding from large storms is sometimes a problem. Particular attention must be paid to avoiding standing water. Any elevation less than 8' AMSL tends to flood; therefore, filling for the building pad and driveway may be allowed **with** a Village permit only.

Lifts

The addition of an exterior lift requires ARC approval. The submittal for the addition of an exterior lift should include scaled drawings that incorporate the lift into the overall design of the structure.

Lighting (Exterior & Interior)

Light pollution is avoidable. Protecting the natural atmosphere and habitat of Bald Head Island remains a priority. for residents, guests, and wildlife as well as the BHI Conservancy. As we cohabitate with one another and nature in closer quarters due to growth, enforcing these lighting guidelines becomes more critical. Homes on the island must be extremely frugal with exterior lighting. Owners are responsible for their renters and guests. Owners and renters should avoid open window coverings coupled with overuse of interior lighting, especially near or on the beach. Homes on the beachfront especially must be careful to prevent distraction of the hatchling and nesting sea turtles during the annual “turtle season” from May 1st to November 15th. This necessary lighting restriction is strictly regulated by Village ordinance (Sec.10-81 through 10-86) and enforced by Village personnel. Nesting female and hatchling loggerhead sea turtles should not be exposed to artificial sources of light while on Bald Head. **Ocean-facing homes on the seaside of the Dune Ridge are required to install room darkening window treatments, such as blinds, shades and drapes, on all beach-facing windows. These window treatments should be closed from dusk to dawn during the “turtle season” months to prevent interior house lighting from disturbing the nesting and hatching of the sea turtles.** Owners and renters throughout the Island should avoid open window coverings coupled with overuse of interior lighting to allow for the protection and enjoyment of night skies.

REQUIREMENTS:

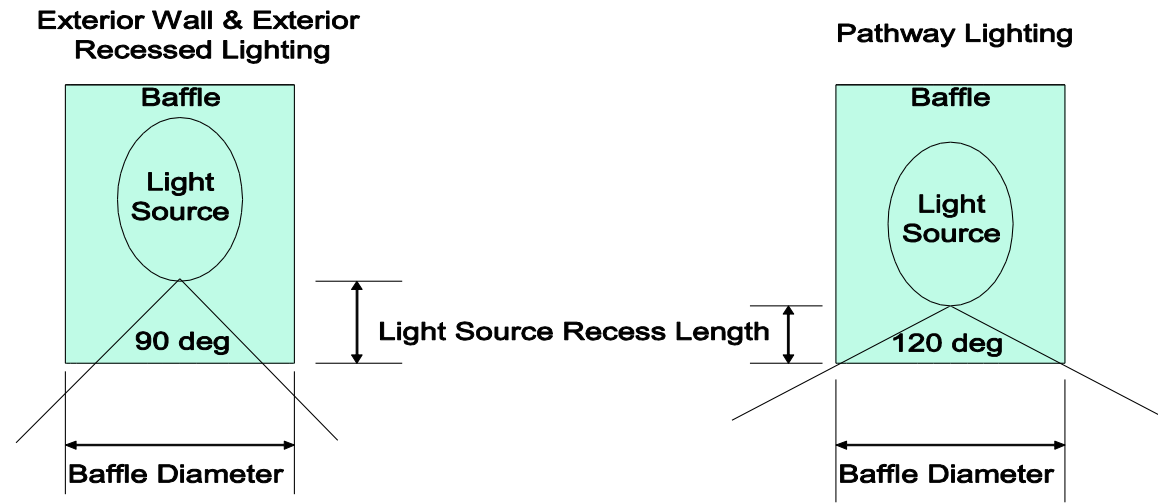
1. All exterior lighting fixtures, regardless of design, are subject to ARC approval. Submittals must include fixture and bulb details as the difference between approval and non-approvable may come down to the lightbulb. Baffle to light source dimensions must be included.
2. Recessed exterior lighting fixtures are not allowed.

3. All lighting will be baffled to prevent direct visualization of the light source. The ARC may not approve lighting fixtures that have been modified or altered from the original manufactured design.
4. All exterior wall lighting shall have a baffle-to-light source relationship that creates a maximum spread of light of 90 degrees from the bottom of the baffle. All fixture lenses and bulb covers must maintain the source-to-baffle relationship indicated in the diagrams and examples of the baffle-to-light source relationship calculations below. Lighting shall be installed on the inside face of exterior posts where possible.
5. Beach-facing side of house—all hooded exterior wall fixtures shall use long wavelength (greater than 560 nm AND absent wavelengths below 560 nm) light sources such as amber, orange, or red LEDs without the use of filters, gels or lenses. Television light visible from the exterior of the structure is prohibited.

Non-beach-facing side of house—all hooded exterior wall fixture bulbs will be from the white family and no bulb shall be brighter than 450 lumens. (Approximately 40 watts incandescent, 6 watts LED, 10 watts CFL). The bulb/light color temperature must be 3000 degrees Kelvin or less, which is warm white in color OR use long wavelength (greater than 560 nm AND absent wavelengths below 560 nm) light sources such as amber, orange or red LEDs without the use of filters, gels or lenses.

Burned out bulbs can only be replaced with those previously approved for that fixture.

6. All pathway lighting shall have a baffle-to-light source relationship that creates a maximum spread of light of 120 degrees from the bottom of the baffle. All fixture lenses and bulb covers must maintain the source-to-baffle relationship indicated in the diagrams and examples of the baffle-to-light source relationship calculations below. All pathway lighting shall be no higher than 18" above grade as measured from the top of the light fixture.
7. Pathway or stairway lighting fixtures non-beach-facing side of house: must utilize a maximum equivalent of 100 lumens or less. The bulb/light color temperature must be 3000 degrees Kelvin or less, which is warm white in color. OR use long wavelength (greater than 560 nm AND absent wavelengths below 560 nm) light sources such as amber, orange, or red LEDs without the use of filters, gels, or lenses. The reduced baffling cannot result in direct visualization. This light style must be reviewed and approved by the ARC and must be used sparingly. Burned out bulbs can only be replaced with those previously approved for that fixture.
8. Placing television sets or other electronic equipment on exterior decks, porches, etc. is not permitted, unless it is possible to shield from horizontal view by neighbors and from the street/alley/oceanfront/golf course/etc.
9. Holiday lighting is permitted from November 15 to January 15 only. Moderation is recommended. No holiday or string lighting is to be used for exterior decoration any other time during the year, including clear or white lights, nor is it permitted to be used to illuminate any exterior steps, porches, arbors, structures, etc. any other time of year.



<u>Baffle diameter</u>	<u>Source recess length from bottom of baffle</u>	
	<u>90 degree spread</u>	<u>120 degree spread</u>
4"	2"	1.15"
6"	3"	1.73"
8"	4"	2.31"
10"	5"	2.87"
12"	6"	3.16"

RECOMMENDATIONS:

Homeowners are strongly encouraged to light only what they need when they need it. A lost view of the stars extinguishes a connection with the natural world and blinds us to one of the most splendid wonders in the universe.

See the [BHA Expanded Lighting Recommendations and Resources](#) for more information.

Paint and Colors

All paint colors chosen for the exterior elements of the home must be compatible with the island environment and complement the home's design elements.

The selected palette must be submitted with a completed Paint/Color Application and submitted to the ARC for approval.

REQUIREMENTS

The main body paint colors in the forest environment must be earth tones. The main body of beach environment homes must be of a lighter intensity of hue. All main body colors should be of a

subdued hue intensity and light to medium value, unless otherwise approved by the ARC. Bright tropical and pastel colors are not acceptable; however, they may be considered for accents with ARC approval.

The ARC has a book of suggested color schemes that offer guidance in color selection for each environment. The suggested colors in the book are NOT pre-approved. All paint color changes must go through the ARC for approval.

Applicants may choose to submit one of the pre-selected color schemes or submit another color scheme of their personal preference. **Manufacturer-provided paint chips of the chosen colors must be attached to a completed Paint Review Application and submitted to the ARC for approval.**

1. Lattice and grade level screening should be painted to bring the building to the ground aesthetically.
2. Accents, panels, doors, louvers, soffits and porch ceilings must complement the overall color scheme.
3. Columns, pickets, railings, trim and fences shall be painted white unless otherwise approved by the ARC.
4. Miscellaneous details, such as window and door casings, soffits, fascia, deck railing, grade level screening, chimneys, outbuildings and other detached elements of the home must have commonality in materials and colors to unify the appearance of the home.
5. Roofing color schemes must be colors complementary to the island environment. Examples of these colors include beiges and grays. Metal roofs are acceptable, but it is important to consider reflective qualities and choose softer, muted colors in open areas on or in front of the dune ridge. Mill finish or products that have the appearance of a mill finish are generally not acceptable finishes for metal roofing. Roof vents, such as ridge vents and roof exhaust fans, must be painted to be compatible with the roof color. Unpainted copper is acceptable.

NOTE: Cape Fear Station has specific paint/color guidelines.

Pools/Spas/Hot Tubs

REQUIREMENTS

1. Pools/Spas/Hot tubs are not permitted to encroach on any setback and the plans must meet CAMA regulations. Check with the Village of Bald Head Island for all requirements including a public safety escort and advance written guarantees that no trees or limbs will be removed along the route beyond what is required for right-of-way clearances per Village Ordinance for any prefab pool/spa/hot tub. The ARC requires a written request and site plan including tree survey for the delivery of pool/spa from the street or alley to the proposed location.
2. Swimming pools may only be considered on golf course lots when the pool is obscured from the golf course by the main structure and must be an integral part of the overall design. A pool must be located on the away side of the property and not visible from the golf course.

3. The area of a swimming pool or spa/hot tub counts as part of the allowable building coverage calculation regardless of structure height. The area of an inground pool or spa is included in the allowable building coverage calculation.
4. Pools must be designed and installed by professionals that specialize in this type of construction. Temporary, sidewall or inflatable pools or spas/hot tubs are not allowed.
5. Pool or spa/hot tub enclosures including, but not limited to, tents, canopies, screen cages, netting, etc. are not allowed.
6. ARC approval is required prior to the installation of a pool, spa/hot tub. ARC approval is also required prior to the installation of freestanding spas/hot tubs on decks, porches and any other exterior spaces.

Porches

REQUIREMENTS

1. Homes on or in front of the dune ridge must have a minimum of 15% of the linear feet of the perimeter exterior walls wrapped by covered, non-screened open porches having an 8' depth minimum. Bays may be counted as part of this depth. The 15% is measured from the linear footage around the heated wall space on the first floor. For elevations with a porch directly above another porch, only one porch will be counted toward the percentage.
2. East End homes must have a minimum of 20% of the linear feet of the perimeter exterior walls wrapped by covered porches having an 8' depth minimum. The 20% is measured from the linear footage around the heated wall space on the first floor. For elevations with a porch directly above another porch, only one porch will be counted toward the percentage.
3. See [Cape Fear Station Appendix](#) for Lot Designation guideline requirements. In the absence of specific Cape Fear Station Lot Designation porch requirements #2, in this section, apply.
4. The porch pilings must be a minimum of 8" x 8".
5. Plastic roll-down screening is not permitted.

Recreational/Play Equipment

The Bald Head Association is committed to the island's ecology and recognizes the need to limit impacts on the natural environment.

1. Trampolines, skateboard ramps, jungle gyms, and other types of recreational/play equipment are not allowed.
2. Portable basketball hoops may be placed on a homeowner's property temporarily, but they shall not remain in view beyond 48 hours and must be stored in an enclosed space. Basketball hoops shall not be used after 9pm.
3. Temporary, sidewall or inflatable types of pools are not allowed.
4. Enclosures including, but not limited to, tents, canopies, temporary shelters, etc. are not allowed.

5. Firepits and outdoor fireplaces must be complementary to the natural island environment and an integral part of the overall design. Only liquified petroleum gas (LP) may be used as fuel.

Items must not be placed on a Village street, private right of way or on an alley per Village Ordinance 26-124.

Roofs/Overhangs

REQUIREMENTS

1. The pitch of the primary roof of all structures must meet or exceed 8" in 12".
2. The pitch of a hip roof may be reduced to 6" in 12".
3. Minimal slope on secondary roofs must be 4" in 12".
4. Flat roofs are only allowed when architecturally integrated as an attached shed or room to a principal pitched roof surrounded by parapet or balustrade.
5. Rooftop decks must be architecturally integrated into the overall roof design and not contribute to a three-story appearance.
6. Principal eave overhangs of all structures shall be 18" minimum and rake overhangs of all structures shall be 12" minimum. This minimum standard for overhangs may not be sufficient for every design. The overall massing should be considered when designing overhangs.
7. Open rafter tail soffits are typical in coastal vernacular design. When a closed soffit design is considered, the design must include clean rakes.
8. Roof forms shall be of simple gable, hip, gambrel or shed.
9. Chimney pipes must be enclosed. Flues may be no taller than the lowest point prescribed by code, which is 2' higher than any structure within 10' of the chimney.
10. Cantilevered chimneys are not permitted.
11. All roof application submittals must include a sample of the proposed material.
12. Roofing color schemes must be colors complementary to the island environment. Examples of these colors include beiges and grays. Metal roofs are acceptable, but it is important to consider reflective qualities and choose softer, muted colors in open areas on or in front of the dune ridge. Bright Silver, reflective galvalume, or mill finishes are not acceptable finishes for metal roofing. Roof vents, such as ridge vents and roof exhaust fans, must be painted to be compatible with the roof color. Unpainted copper is acceptable.
13. Any roof patch repair must be undetectable and consistent in appearance with the existing roofing when completed.

NOTE: Cape Fear Station exceptions apply.

Satellite Dishes and External Antennas

REQUIREMENTS

Satellite dishes and external antennas over a meter (approx. 39") in height or diameter are prohibited.

The installation of satellite dishes on BHA Common Area or individual neighborhood common area will not be allowed and no applications for same will be accepted. The placement of satellite dishes or antennas is only permitted on the lot or locations where the owner has exclusive use or exclusive control, which includes the stairs or decks attached to the living unit.

RECOMMENDATIONS

Applicants are strongly encouraged to position satellite dishes and external antennas discreetly, concealing them from view to the maximum extent possible.

Screening – Grade Level

REQUIREMENTS

1. Grade level screening for crawl space areas must be constructed to avoid a solid appearance. The spacing width should be determined based on achieving a balance with the appearance of the home.
2. Grade level screening must follow heated space. Any screening beneath decks and porches used to conceal boats or to provide other storage needs must be approved by the ARC.
3. Grade level screening of a minimum thickness of ¾" is required and must be constructed so that the spacing does not exceed the width of the board.
4. Prefabricated lattice is not permitted.

RECOMMENDATIONS

The use of natural vegetation is preferred and encouraged to conceal objectionable views and add privacy and architectural unity.

Setbacks

REQUIREMENTS

Lots may have different setback requirements. Please refer to the Covenants and Design Guidelines pertaining to each specific lot. If the lot is in Cape Fear Station, there may be additional setback requirements. Please refer to the Lot Designation Sheet in the [Cape Fear Station Appendix](#) to determine the lot designation and Covenants and guidelines applicable to those lots.

1. Minimum standard setbacks are:

- a. **Side yards** – 10'
- b. **Rear yard** – 10'
- c. **Front yard** – 35' (street face)
- d. **EXCEPTIONS:**
 - 1) **Corner lots** will have one 35' front yard setback and the front yard will be determined by 911/GIS assignment of the Village. The side road will require a 15' minimum setback. A lot is required to adhere to the Village and ARC side setback requirements for corner lots (15') if the side property line of the lot is less than 10' from the road.
 - 2) **Estate lots** have 50' front yard setbacks, 25' side and 10' rear.
 - 3) Merged lots have 35' front yard setbacks, 25' side and 10' rear
 - 4) **Properties on Wild Bean Court, Bayberry Court and Indian Blanket Court** all have unique building setback requirements that are site specific. These deeded building pads are recorded at Brunswick County Register of Deeds.
 - 5) **CAMA** can change setback requirements on marsh, harbour and ocean/river sides.
2. Overhangs are not allowed in setbacks.
3. Structures are listed below are allowed to encroach upon the setbacks. All others shall be within the setbacks.
 - a. Address bollards
 - b. Driveways, excluding the guest parking area
 - c. Fences not exceeding 4' in height above grade
 - d. Flagpoles, not exceeding 25' feet in height and no taller than the primary structure
 - e. Retaining walls
 - f. Trellises, entry arbors and pergolas not to exceed 10' in height.
 - g. Wood walkways (not beach accesses) must not exceed 4' in width and 16" in height above grade.
4. Sightline Setback – this setback applies to all new construction homes and oceanside additions to existing homes on oceanfront lots. In all cases a new oceanfront house or addition shall be no closer to the waterline than the average of the houses on the three adjoining lots on both sides of the house. Oceanfront decks elevated higher than 18" above finish grade shall be no closer to the waterline than the average of elevated oceanfront decks on the three adjoining lots on both sides of the house.

If there are no houses on the first three adjoining lots on each side of the reference house, the location of the house or addition shall be unrestricted by this sightline setback. If there are no oceanfront decks on the first three adjoining lots on each side of the reference house, the location of the oceanfront deck for the reference house shall be unrestricted by this sightline setback. The sightline setback does not apply to homes with deeded building pads.

Shutters

All shutters must be approved by the ARC.

Decorative or functional shutters may be fixed, but all shutters must be sized to cover the sash. If bi-lateral shutters are used, they should be the same height as the windows and each one wide enough to cover one-half of the total window area. Shutters must be installed as indicated on the

approved elevation drawings. Shutters made of plastic, vinyl or other materials must be submitted for review and receive ARC approval prior to installation. **A physical sample must accompany any submittal that includes plastic or vinyl shutters.**

Storm-Protection Shutters

Permanently Mounted Storm-Protection Shutters

1. Roll-down shutters must be fully retracted in storage housing and concealed from view when not in use. Storm shutters can be used for protection from June 1 to November 30.
2. Only transparent window-shielding systems that are flat and not corrugated are allowed on a permanent basis.

Siding

1. Materials that are natural or have a “natural” appearance should be used.
2. No sawn plywood textures are allowed as primary siding material such as T1-11 plywood.
3. Stucco-covered foam moldings are not permitted.

Signage

The only signs that may be placed on single family residential lots are standard “For Sale” and “Open House” bollard caps, Village standard address bollards, standard builder signs during the construction phase only, code required builder signs and house identification signs.

The Village also has specific sign ordinances. In situations where the Association, neighborhood Association and Village restrictions overlap, the strictest guideline applies. Commercial signs are not permitted except as noted above.

REQUIREMENTS

1. House identification signs must not exceed 2 sq. ft. in area per Village Ordinance. A house identification sign may provide the name of the occupant, the name of the dwelling unit or property unit or property and/or its location. A website address connecting to commercial/rental information about the property or other business interests is not permitted on the sign.
2. The placement of all house identification signs requires ARC approval.
3. House identification signs on homes should have colors compatible with the structures on which they are hung.
4. The following specifications detail the only approved commercial signage allowed in BHA and the Harbour Village area. This includes the “For Sale” and “Open House” bollard caps, and builder/construction sign specifications. Also included in this section are the specifications for the Village standard address bollard.
5. The ARC Coordinator can provide guidance about the specifications of these permitted signs.

“FOR SALE” BOLLARD CAP NOTES (See detail next page):

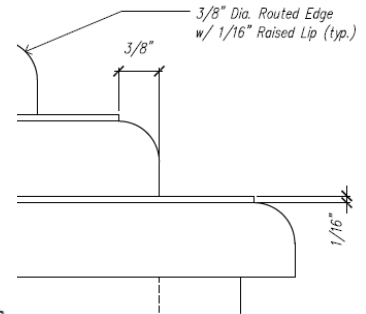
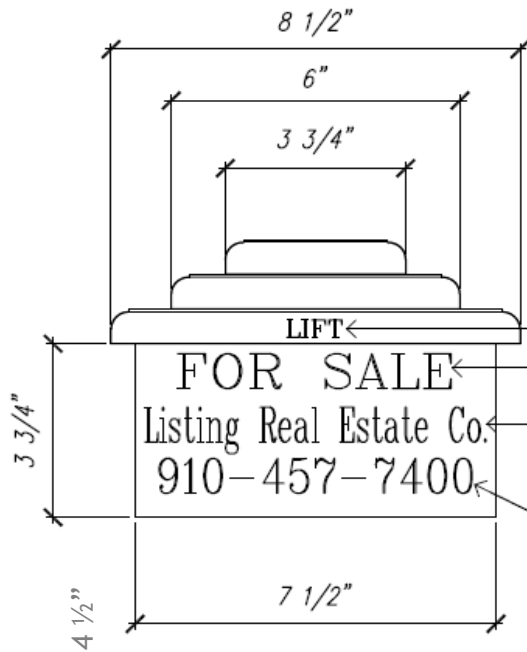
1. All material 1 X (cut to suit)
2. Text: white vinyl applied lettering in Adobe Garamond Pro Bold font
3. Background: either PMS # 2915 OR 782 Blue Belle by Benjamin Moore
4. This item is to be placed on top of a Village standard address bollard.
 - a. If the property for sale is unimproved (no house) and there is no existing bollard, the property owner/realtor may use the Village bollard standard without the routed/sandblasted numbers, though the number specification is strongly encouraged for emergency service purposes.
 - b. If the property for sale is improved (has a house built on the property) and has a bollard that predates the Village bollard specification (grandfathered), the For-Sale cap may be placed on top of the grandfathered bollard. If it does not fit, a Village standard address bollard, including the routed/sandblasted numbers, must be acquired to replace the grandfathered bollard.
5. The hinge and “Lift” verbiage on the lip of the cap are not required features of the bollard cap; the cap top may be fixed in place with no holding area. However, if the hinge feature is desired on the bollard cap by the property owner / realtor, it must follow these specifications.

Properties that are for sale by owner may omit the second line showing the listing real estate company or may choose to use this line to read “By Owner” according to the lettering style and height specifications noted for this line.

“OPEN HOUSE” BOLLARD CAP NOTES (See detail below):

1. All material 1 X (cut to suit)
2. Text: white vinyl applied lettering in Adobe Garamond Pro Bold font
3. Background: either PMS # 546 OR HC-155 Newburyport Blue by Benjamin Moore
4. This item is to be placed to cover the “For Sale” bollard cap during open house.

Detail for “For Sale” and “Open House” Bollard Caps:



"LIFT": 3/8" High Letters

"FOR SALE": 3/4" High Letters

"LISTING REAL ESTATE CO."
Name: Not More Than 3/4"
High

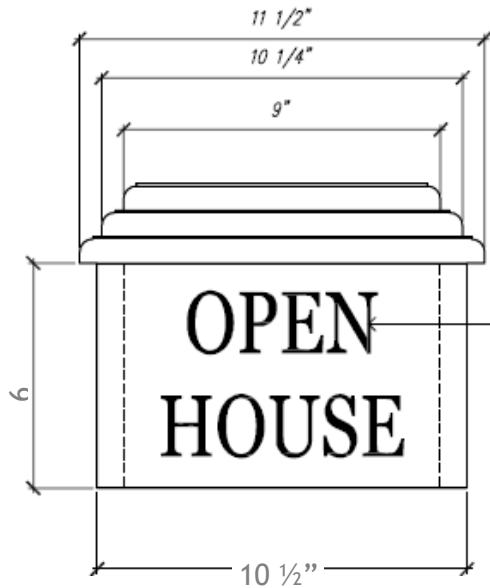
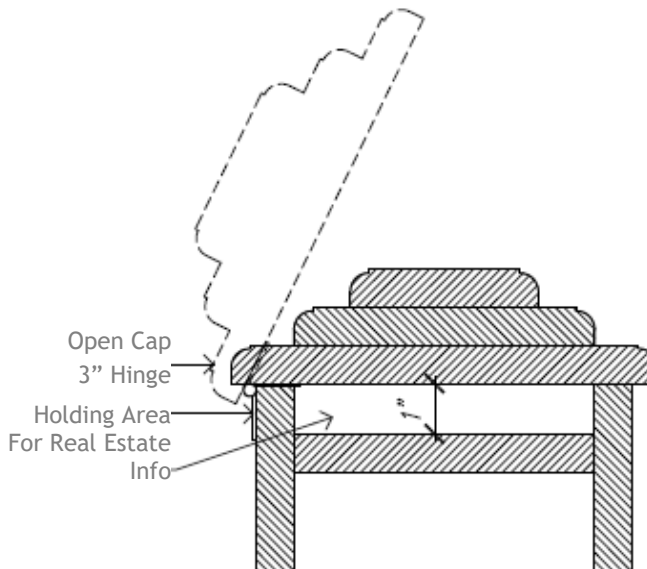
"LIFT": 3/8" High Letters

"PHONE NUMBER": Not more than 1" High Letters

"LISTING REAL ESTATE CO."
Name: Not more than 3/4" High
Letters (no more than 2 lines)

"PHONE NUMBER": Not more than 1" High Letters

7 1/2"



"OPEN HOUSE":
1 3/4" High Letters
3 Sides Only

CONSTRUCTION SITE SIGNAGE (LARGE)

TEXT IS RECESSED: The letters are recessed into the turquoise plaque in Adobe Garamond Pro-Bold font and then painted with white reflective paint.

BUILDER SIGNAGE MUST NOT BE INSTALLED AT THE SITE UNTIL THE BHI VILLAGE BUILDING PERMIT HAS BEEN GRANTED FOR THE APPROVED PROJECT AND IS REQUIRED TO BE AT LEAST 10' AWAY FROM THE EDGE OF THE ASPHALT UNLESS OTHERWISE APPROVED BY THE ARC DUE TO SITE LIMITATIONS.

ALL BUILDER SIGNAGE MUST BE REMOVED WITHIN 30 DAYS AFTER THE VILLAGE OF BHI CERTIFICATE OF OCCUPANCY IS GRANTED.

SIGNAGE MUST BE REMOVED ONCE A RENOVATION PROJECT IS COMPLETE AND HAS RECEIVED VILLAGE APPROVAL.

The Design Guideline specifications for construction signs prohibit logos, designs, phone numbers and deviations in color. All text, which includes the builder's name **as it appears on the contractor's license**, is to be sandblasted into the turquoise plaque (recessed) in Adobe Garamond Pro-Bold font and painted with reflective white paint on a solid plaque painted PMS #323 or 30053 Exquisite Turquoise by Valspar in Decorator Enamel Gloss against a Cabot solid color acrylic deck stain in Beachwood Gray background.

On the middle plaque it is acceptable to use the owner's last name only and then "Residence" / "Cottage" (i.e. – Smith Residence) and street address.

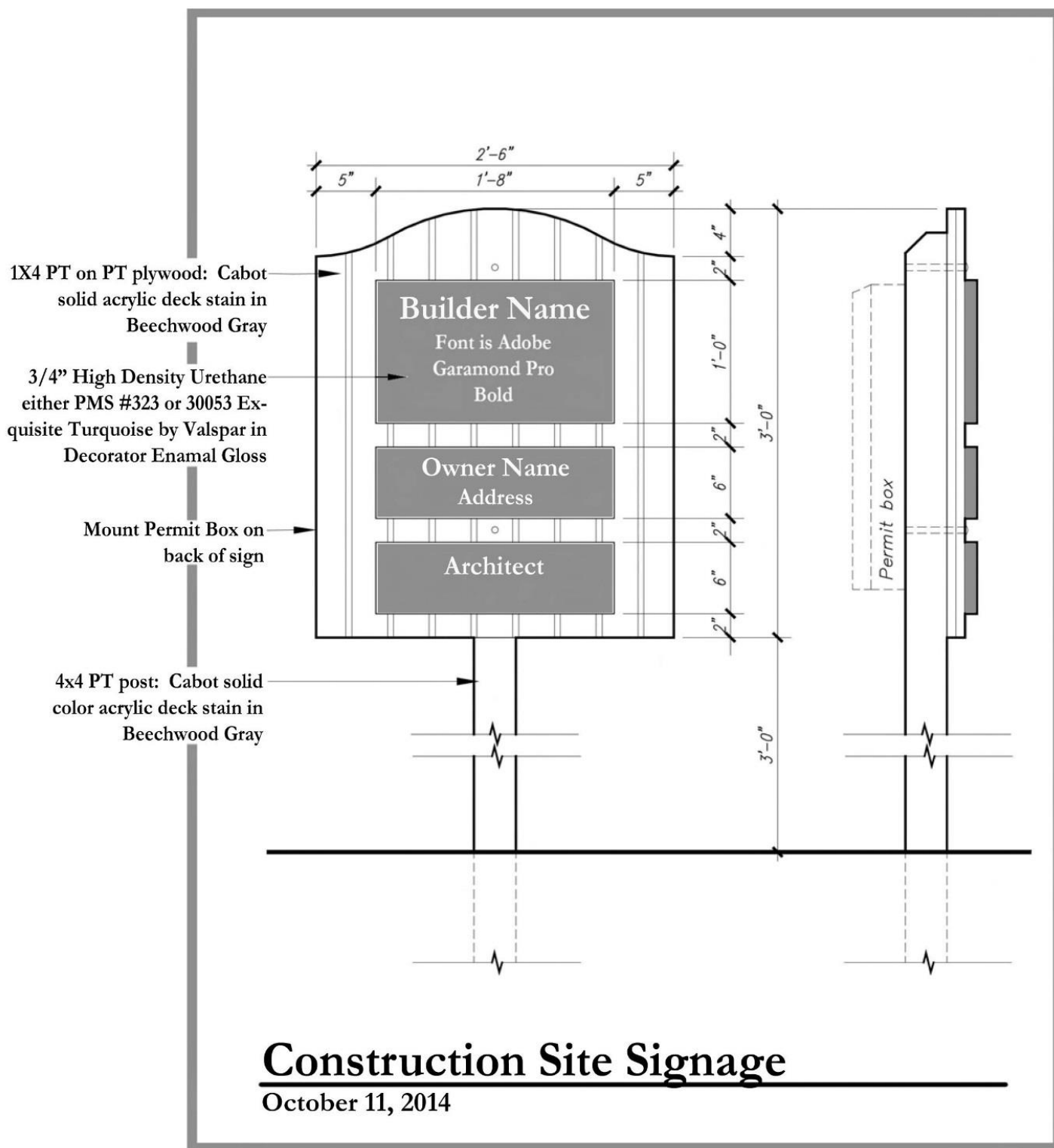
The third plaque is reserved for the project architect's/designer's name.

Blank plaques must be mounted as placeholders when not using custom informational plaques. **The plaques are the only embellishments permitted.** The Association does not require a construction site sign, but **all signage must conform to the Bald Head Association Architectural Review Standards and to the Village of Bald Head Island Sign Ordinance.**

The permit box is required to be attached to the back of this sign and concealed from view of any public road. The Village regulates only the size of the signage. Covenant restrictions regulate all colors, verbiage and other aspects of using signs and these covenant restrictions often are stricter than the Village.

See diagram on following page.

The members of the Bald Head Association are bound by the Covenants.



ALTERNATE CONSTRUCTION SITE SIGNAGE (SMALL)

TEXT IS RECESSED: The letters are recessed into the turquoise plaque in Adobe Garamond Pro-Bold font and then painted with white reflective paint.

BUILDER SIGNAGE MUST NOT BE INSTALLED AT THE SITE UNTIL THE BHI VILLAGE BUILDING PERMIT HAS BEEN GRANTED FOR THE APPROVED PROJECT AND IS REQUIRED TO BE AT LEAST 10' AWAY FROM THE EDGE OF THE ASPHALT UNLESS OTHERWISE APPROVED BY THE ARC DUE TO SITE LIMITATIONS.

ALL BUILDER SIGNAGE MUST BE REMOVED WITHIN 30 DAYS AFTER THE VILLAGE OF BHI CERTIFICATE OF OCCUPANCY IS GRANTED.

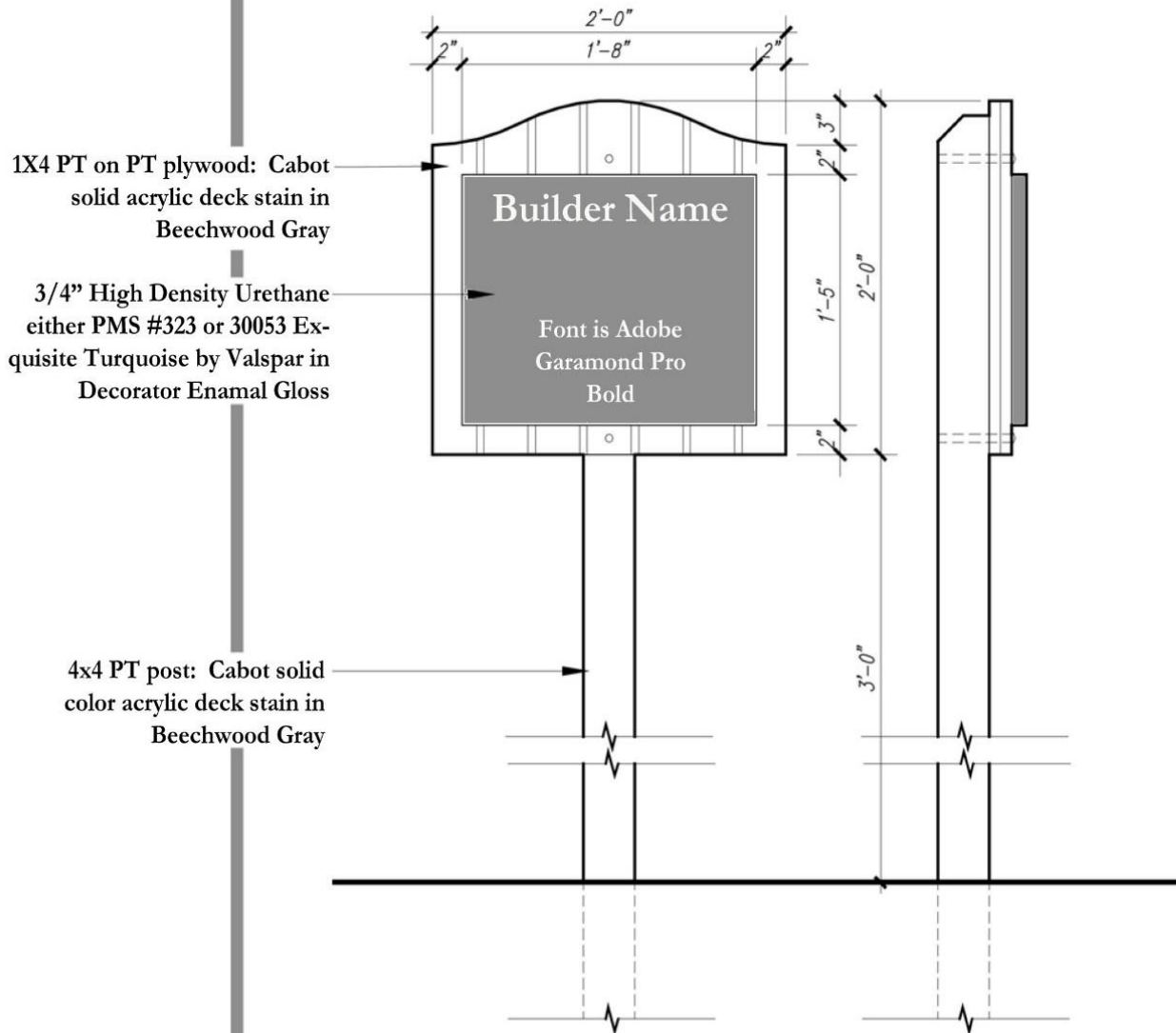
SIGNAGE MUST BE REMOVED ONCE A RENOVATION PROJECT IS COMPLETE AND HAS RECEIVED VILLAGE APPROVAL.

The Design Guideline specifications for construction signs prohibit logos, designs, phone numbers and deviations in color. All text, which includes the builder's name **as it appears on the contractor's license**, is to be sandblasted in Adobe Garamond Pro-Bold font, painted with reflective white paint on a solid plaque painted PMS #323 or 30053 Exquisite Turquoise by Valspar in Decorator Enamel Gloss against a Cabot solid acrylic deck stain in Beechwood Gray background. The Builder name plaque is the only embellishment permitted on the smaller construction site signage. The Association does not require a construction site sign, but all signage must conform to Bald Head Association Architectural Review Standards and to the Village of Bald Head Island Sign Ordinance.

Due to the reduced size of this construction site signage, the permit box CANNOT be attached to the back. The permit box must be placed in a location concealed from the view of any public road. The Village regulates only the size of the signage. Covenant restrictions regulate all colors, verbiage and other aspects of using signs and these covenant restrictions often are stricter than the Village.

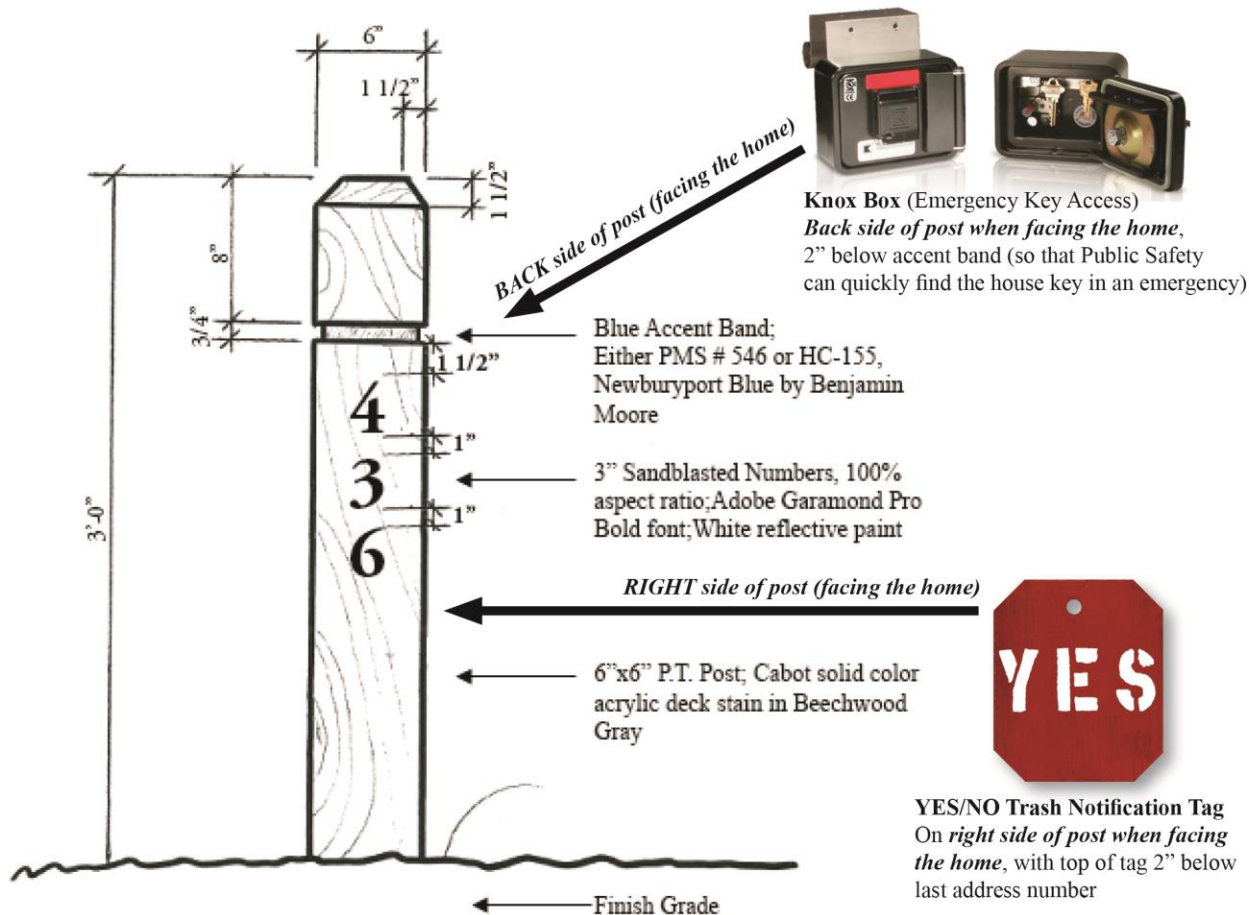
See diagram on following page.

The members of the Bald Head Association are bound by the Covenants.



Construction Site Signage Small

October 11, 2014



STANDARD ADDRESS BOLLARD

TEXT: 3" Recessed numbers in Adobe Garamond Pro Bold font; white reflective paint.

Refer to the site plans for the exact location of the address bollard. Lots in Cape Fear Station with access on street and alley sides must have an address bollard at each entrance. All other lots are allowed one address bollard per property. On a corner lot, the bollard is required to be located on the side to which the address is designated by the Village. The addition of an address bollard to an improved property is required to be approved by the ARC.

*If you choose to have a Knox Box (accessed only by Public Safety in emergency situations), then the box must be located on the back side of the bollard facing the house.

**See Trash Receptacles/Enclosures section for details about Yes/No trash tags.

Site Management

A preconstruction discussion with your builder and ARC Specialist on site is required and can be valuable for reducing needless damage and removal of the topography and vegetation. Progress

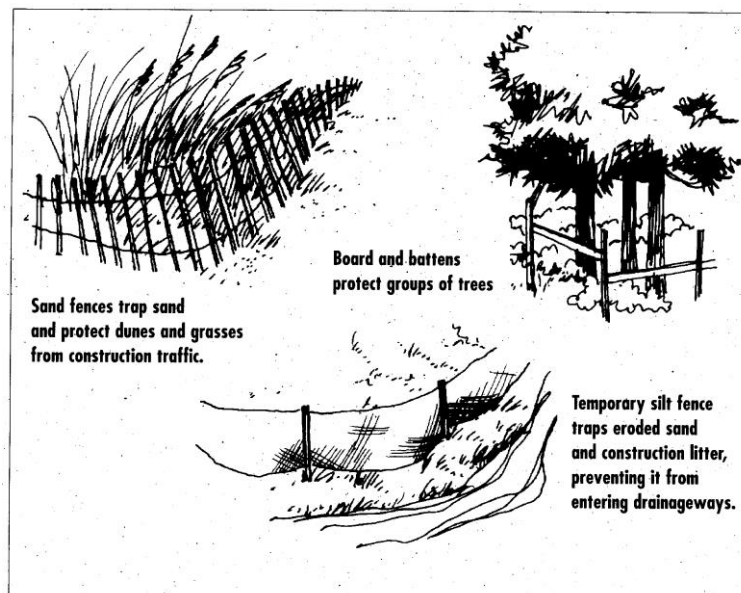
reviews are equally valuable to inventory damage and responsibility. Your builder should be aware of specific regulations governing construction work and keeping the site presentable.

REQUIREMENTS

1. ARC approval is valid for 24 months. The date the building permit is obtained establishes the date of commencement and the exterior must be completed within 24 months of that commencement date.
2. ARC approved landscaping plans must be installed prior to final inspection. Planting may be delayed for maximum success rate; however, ARC approval is required for any landscaping delays.
3. After gaining ARC final approval and obtaining all necessary permits, the builder must establish limits of construction, stabilize the proposed driveway and install appropriate protection for all vegetation that is to be saved at limits of construction as shown on the Site Management Compliance Form before delivery of materials and start of construction. Existing grades and drainage feature also need adequate protection. Silt fencing must be used where specified by CAMA requirements. Small construction trailers are permitted on a temporary basis.

All reasonable means shall be taken during and after construction to protect and preserve all existing vegetation. Boards or other materials shall not be nailed to trees during construction. Equipment and/or materials storage must occur within the designated lay-down area on the Site Management Compliance Form or the driveway and parking areas of the site to minimize root damage impact under tree canopies. Equipment and materials may not be placed against or lean on trees. Care should be taken to keep the areas around the trees free of materials and debris.

Sediment and erosion control provisions shall be employed during and after construction as required by the State of North Carolina. Surface drainage must be collected on site and not cause damage to adjacent properties as the result of construction. Particular attention must be paid to avoid standing water.



4. All planting, fixtures, fencing and landscaping which is damaged during construction or after by construction vehicles, fire or other cause, on or off-site, including streets, shoulders and common areas, shall be repaired, removed or replaced by the builder.
5. Mulch may be used as general ground cover only on new construction projects. Mulch may be used to help mitigate the impact of the building process until the vegetation is restored. Once a new construction project is completed, in accordance with the guidelines, mulch may only be replenished in existing defined bed areas indicated on the approved site or landscape plan. The definition of a defined bed is the manipulation or disturbance of the native ground plane in order to create a spatial relationship within a defined area for non-native and/or indigenous plantings.
6. During construction, all trash, debris and waste shall be gathered regularly and not only concealed from public view, but also made inaccessible to wildlife.
7. Construction personnel are expected to conduct themselves in a professional manner. Disturbance of island residents/visitors with loud music, profanity or other unacceptable behavior will be addressed through the Department of Public Safety.
8. Homes that burn down shall be replaced or shall be removed and the property restored to its natural vegetative state. Either solution shall be implemented in a timely manner.

Size

REQUIREMENTS

1. Single family residences shall have a minimum square footage of 1,600 sq. ft., exclusive of accessory buildings, terraces, decks, open porches, roof overhangs and exterior stairs. A maximum of 300 sq. ft. of the 1,600 sq. ft. of the floor plan may be screened porch, provided the roof of any such screened porch is an integral part of the roof line of the structure or group of structures. The porches must not appear “tacked on” to the structure of the house. See Cape Fear Station Lot Designations for specific lot requirements.
2. In any environment, the ARC building coverage shall be limited to a maximum of 25% of the total square footage of the lot. The elements that affect the ARC building coverage have a visual impact on the property. The following elements are required to be included in the ARC building coverage:
 - a. Building footprint of the main structure including cantilevered elements and all accessory structures
 - b. Any structure including, but not limited to, all exterior stairs and decks above 30", regardless of material
 - c. The area of a swimming pool or spa/hot tub counts as part of the allowable building coverage calculation regardless of structure height. The area of an inground pool or spa (including water surface) is included in the allowable building coverage calculation.
3. In any environment, the **impervious drainage surface coverage** is limited to a maximum of 25% of the total square footage of the lot. This is the area of the property covered by structures or materials that do not allow water to penetrate or percolate into the ground. Cantilevered

elements are included in the impervious coverage calculation. Raised, open wood decking and the water surface of a swimming pool and a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least 4" thick over a geotextile fabric do NOT count toward this coverage.

Note: The Village or CAMA percentage requirements may be higher, depending on where the home is located on the island.

4. Property owners who own two contiguous properties and seek to combine the properties must obtain written permission from the Bald Head Association Board to merge the lots and must record these as merged in the public records of Brunswick County prior to ARC final approval.

East End

Single family residences shall have a minimum square footage of 1,600 sq. ft., exclusive of garages, boat sheds, terraces, decks, open porches, roof overhangs and exterior stairs. Of the 1,600 sq. ft., a maximum of 300 sq. ft. of the total footage of the floor plan may be screened porch, provided the roof of such porches are an integral part of the roof line of the structure or group of structures.

In any environment, the building footprint and graded areas shall be limited to a maximum of 25% of the total square footage of the lot. The building footprint is defined as the area under the perimeter of all construction, including decks more than 30" above grade, stairs, garages, etc., but excluding roof overhangs. East End homes need to be proportionate to their lot size. Total heated square footage shall not exceed 30% of the lot area. A survey must be obtained to determine the total square footage of a lot.

Homes will also be limited in size by impervious coverage restrictions. This is the area of the property covered by structures or materials that do not allow water to penetrate or percolate into the ground. The maximum impervious coverage for each lot is listed in the Secondary Covenants. Materials that are considered impervious include but are not limited to: structures, asphalt, concrete, compacted gravel, brick, stone, slate, marl and coquina. Materials considered pervious include raised, open wood decking, the water surface of swimming pools or a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least 4" thick over a geotextile fabric.

All homes on or in front of the island's primary dune ridge shall meet the "50% Rule." (See The 50% Rule under Section B.)

Please check Covenants applicable to the specific lot in the East End for further regulations.

East End Multi-Family Communities

Multi-Family Communities have specific requirements contained in their applicable Covenants. The ARC Specialist will be pleased to discuss your questions concerning Multi-Family Communities.

Cape Fear Station

Single-family residences in Cape Fear Station have different requirements for each lot type. Please refer to the Lot Designation Sheets of the [Cape Fear Station Appendix](#).

Once you know the lot type you can find the specific requirements for each lot. The lot types for Cape Fear Station take precedence over general BHA requirements. Each lot type has a minimum and maximum heated square footage requirement. (The 25% grading and building footprint rule and the 30% heated rule **do not** apply) The homes will also be limited in size by impervious coverage restrictions. This is the area of the property covered by structures or materials that do not allow water to penetrate or percolate into the ground. The maximum impervious coverage for each lot is set forth in the Covenants.

Materials that are considered impervious include but are not limited to; structures, asphalt, concrete, compacted gravel, brick, stone, slate, marl and coquina. Materials considered pervious include raised, open wood decking, the water surface of swimming pools or a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least 4" thick over a geotextile fabric.

Buildings are required to front the street within the designated frontage area as defined in each lot type. Frontage shall be parallel to the front setback line.

All homes on or in front of the Island's primary dune ridge shall meet the "50% Rule". In the case of a conflict between the Covenant and Guideline restrictions, the stricter regulation applies.

Cape Fear Station Multi-Family Communities

Multi-Family Communities have specific requirements contained in their applicable Covenants. The ARC Specialist will be pleased to discuss your questions concerning Multi-Family Communities.

Stair Towers

Independent stair towers built to reach views are not permitted on vacant or improved properties.

Stormwater Control

1. Building and landscaping design documents for new construction and renovation projects submitted to the ARC for approval shall, where necessary, include details of measures to control stormwater runoff from buildings and on the property to prevent damage, unsightly erosion and safety hazards.
2. Trenches, rocks, gutters and downspouts should be limited to areas likely to create problems.
3. Materials should blend with the natural and man-made characteristics of the property and ground level solutions should always be pervious surfaces.
4. Rock solutions, such as those employed at the drip edge of rooflines, should be smooth river rock between ¾" to 1 ½" in size and of a color to blend with surroundings. Black, white and bright colored rock is not acceptable.

Trash Receptacles

REQUIREMENTS

1. Trash receptacles must be under or near the house or garage/crofter.
2. Trash receptacles must be convenient to the driveway and have unobstructed, serviceable access.
3. Trash receptacles must have a solid waterproof roof.
4. Trash receptacles must be animal-proof and lined with welded wire if gapped siding is used.
5. Trash receptacles must be sized to hold at least two 30-gallon trash containers.
6. YES/NO tags are provided by the Village. They should be located on or near the trash receptacles and must be visible from the street or alley.
7. If the YES/NO tag is not visible from the street or alley when located on or near the trash receptacle, it may be positioned 2" below the last address number on the right side of the address bollard of the property. Exception: YES/NO tags are not allowed on the street address bollard in Cape Fear Station; they are only allowed on the alleyway address bollard. The entire address must remain unobstructed.
8. No advertising is permitted on garbage tags.

Trellises and Arbors

REQUIREMENTS

1. Trellises and arbors should be constructed of dimensional lumber.
2. The footprint of a detached trellis must not exceed 120 sq. ft. measured within the outer perimeter of all members. The proportion must complement the other structures on the lot.
3. If over a driveway: The maximum inside width dimension must be no more than 10' from post to post, the minimum inside dimension must be no less than 8' to allow for vehicular access, and the overall height cannot exceed 10'.
4. The minimum height must be 8' from the finished elevation to the lowest horizontal member. Overall height cannot exceed 10'.
5. Simple versus ornate trellis styles are preferred.

Trim

REQUIREMENTS

1. Trim details need to be consistent on all four elevations.
2. Trim may not be overlaid on top of siding.

3. Stucco-covered foam moldings are not permitted.
4. Windows and doors must be cased with trim that has a minimum width of 5" (actual measurement) and a minimum depth of a ¾" thickness.
5. Window and door groupings must include trim between each unit.
6. Trim includes window and door casings, corner boards, etc.

Utilities

REQUIREMENTS

1. All HVAC equipment must be above the base flood elevation and concealed from view. All stands that are more than 4' above grade must be supported on pilings that are proportional to the structure.*
2. Solar panels, if used, must be incorporated into the house and roof design to minimize visibility.*
3. Solar panels at grade level must be concealed by appropriate landscaping.*
4. Through-window heating/cooling units are prohibited.
5. High-efficiency through-wall heating/cooling units are subject to approval by the ARC.*

***Utility devices must be located on the Final Approved Plans.**

RECOMMENDATIONS

1. Contact the Village of Bald Head Island Utility Company for water and sewer requirements. Duke Energy provides electrical service.
2. Consult the Public Safety Department for fire protection tips and guidelines, including considerations for golf carts, appliances and fireplace safety.
3. All HVAC compressors should be located to allow rain to wash salt accumulation and minimize corrosion.
4. Passive solar heating designs may be appropriate for consideration depending upon the characteristics of the lot.

Windows

Windows contribute significantly to the overall appearance of a house and many shingle-style and coastal cottage designs include a generous number of rectangular and vertical window openings to allow coastal light and provide an open, welcoming look to the house design.

REQUIREMENTS

1. 75% or more of the window shape submitted must be vertical rectangular.

2. Single and double-hung windows are strongly recommended. In the event casement windows are proposed, they are required to have the appearance of single or double hung and will be considered on a case-by-case basis.
3. The minimum height-to-width ratio is 1.5 to 1.
4. Window style shall be consistent on all elevations.
5. Mullions or muntins are required and shall be true divided lites on both the interior and exterior surfaces and shall create panes of squares or vertical proportion.
6. Mullions or muntins are required and shall simulate true divided lites on both sides that shall create the appearance of true panes of square or vertical proportion.
7. Additional accent windows may be applied sparingly if approved by the ARC.
8. Any reflective coating and stained or tinted glass must be approved by the ARC.
9. No trapezoidal windows will be allowed.
10. Windows shall be wood, vinyl-clad or aluminum-clad. All vinyl and/or fiberglass windows shall be approved at the discretion of the ARC.

NOTE: Homes in Cape Fear Station may have additional window restrictions. Please see the Lot Typologies in the [Cape Fear Station Appendix](#).

LANDSCAPING

*In the end we will be defined, not by what we
create, but by what we refuse to destroy.*

-John Sawhill, Nature Conservancy CEO 1980-1990

The three major ecological environments on Bald Head Island – the creek side marsh, the open dunes and the Maritime Evergreen Forest have been shaped by the natural forces working on the island. The relative stability of the island has been dependent upon its maritime forest. The forest prevents wind erosion and traps wind-blown sand to eventually form the large dunes on the seaward edge. Here in the forest, many species of plant and animal life find their home. Live oak, pine, palm, bay and laurel oak provide a canopy that rises from its salt-sheared edge to about 50' or 60' adjacent to the salt marshes. Much of the vegetation is evergreen and the low light levels on the forest floor preclude much understory growth.

A lesser variety of animals and vegetation occurs in the dune environment. The plant varieties that do occur on the dunes are very important to the stability of these slow-moving dunes. The sea oats and other salt and wind tolerant grasses, vines and shrubs inhibit the movement that would otherwise bury the forest.

Wetland vegetation along the creek side marsh is another critical component providing habitat to countless birds, fish and crustaceans.

The existing flora should be protected, as this helps to maintain the natural systems which protect our island. Natural landscaping can help accomplish both goals. Natural landscaping is not defined as a total abandonment of planting maintenance, but rather a controlled and guided landscape in character with the charm and beauty of Bald Head Island.

Any approved clearing and planting should take into account the environmental impact of such activities and the need to protect plants of special value to the island ecology.

Village Ordinances Relating to Landscape

BHI Village Ordinance 32-44 states – “It shall be the policy of the Village to protect, to the maximum extent feasible, those trees and shrubs native to the Maritime Forest and dune areas of the Village. All improvements shall be designed in such a way so as to minimize the destruction of plants of special concern and to preserve and protect those remaining. Where re-landscaping is required by this ordinance, re-landscaping shall be accomplished, as much as feasible, through the use of those plants which naturally occur within this area, including plants of special concerns.” In the past, the Village has designated the following plants as plants of special concerns: Live oak,

yaupon holly, sea oats, dogwood, American beach grass, American holly, sabal palm, red cedar and laurel oak.

Landscape Planning

A successful site/landscape plan is composed of a number of elements that, with quality design and execution, contribute to a unified balance of the natural environment and man-made elements.

Native plants will always grow best on Bald Head Island and the use of native grasses, wildflowers or vines for groundcover is highly encouraged. Native plants contribute to the overall resilience of the island and support native wildlife of all types.

On the ocean side of the dune ridge, strategically placed appropriate shrubs can detour strong winds and, in combination with the native grasses, will stabilize shifting sands that tend to intrude on unwanted places.

On forested sites, protecting and planting trees decreases temperature impacts of seasonal extremes while at the same time providing privacy and beauty.

Similarly, landscape plans for elevations facing the creek should attempt to mesh with the vegetation there.

Requirements for New Construction and Major Renovation Plans

1. Engage a trained landscape design professional when you first build your home and submit the plan along with your house plans in your Final application.
2. New construction landscape plans should utilize the proposed site plan with topographical information provided by the survey/site plan that is required for a Preliminary application submittal.
3. A minimum of 60% of the lot should remain undisturbed. This percentage minimum is a general rule that may vary in application. The required percentage of undisturbed area may be greater for larger lots (greater than 10,500 sq. ft.) and less for smaller lots typical in Cape Fear Station.
4. Existing homes planning a major renovation should utilize a site plan that includes all existing improvements, remaining existing landscaping, hardscape and illustrate the proposed changes.
5. Verify setbacks of the property as determined by the Covenants, Design Guidelines and Village Ordinance, as well as government waterfront setback controls and maximum allowable impervious coverage (see item 3 under Size Requirements) of your house.
6. Develop a landscape plan that includes existing opportunities afforded by your property, such as:
 - a. Existing plant material
 - b. Drainage patterns on or near the site

- c. Views in all directions, to and from the site
 - d. Sensitive environmental areas
7. At a minimum, new landscape plans should provide approximately one plant every 5' in the cleared area within the limits of construction (approximately 20% of the cleared land excluding grade level or vertical structures).
 8. Plants indigenous to the island (identified as "Native" on the plant list) should be the predominant source for landscape plans. It is required that a minimum of 70% of the new plant material be native to BHI. The use of non-native plant material (see glossary for definition) is limited to a maximum of 10% of the plan. Up to 20% of the plant material may be NC native. A variety of sizes, colors and textures are encouraged. The plant lists are subject to change and plants not on these lists may be considered.
 9. No known invasive plants may be planted. (See [BHI Plant List](#))
 10. Artificial plants are not allowed.
 10. During construction, naturalized areas of the property that are not within the ARC approved building area (denoted by the limits of construction fencing) must not be disturbed. Any areas outside the limits of construction fencing that are disturbed must be restored to their original natural character.
 11. The clearing of understory is **NOT ALLOWED** in setbacks except as permitted in these guidelines within six feet of the structure, or as necessary for an approved site plan or landscape plan. For example, some clearing within a setback may be required for driveway access. All clearing for new construction must be reflected in the ARC approved plan.
 12. New Construction and Major Renovation plans must include a landscaping plan with the requirements listed under item h, items 1-8 on page 19.

NOTE: *After a Certificate of Occupancy is issued, the builder, as the property owner's representative, is required to contact the ARC Specialist to schedule a final inspection. The ARC does not permit variances from approved landscape plans, such as substitutions, relocation or a reduction in quantities of plants, without re-submittal and re-approval.*

Requirements for Landscape Changes for Existing Homes

1. Any landscaping changes should be consistent with the natural beauty of the island and the original landscaping plan and must meet requirements for native plants and ARC approval.
2. Landscaping improvements, plantings or alterations to be installed by a property owner or landscape contractor requires prior consultation with the ARC Coordinator.
3. ARC review and approval is required before the removal of trees 3" in diameter measured 48" along the trunk from ground level, tree limbs of 3" or more in diameter, clustered growth vegetation 2 sq. ft. or more at ground level, regardless of branching habits or diameter of the branches. Within the understory, ARC approval is also required to remove vegetation 1" or greater in diameter measured 48" along the trunk from ground level.

4. Changing the topography of any lot requires ARC approval; for example: leveling or removing an existing natural feature from a lot.
5. It's important that yard maintenance involves only minimal trimming to maintain a controlled and guided landscape in character with the charm and beauty of Bald Head Island. A minimum of 60% of the lot should remain undisturbed. This percentage minimum is a general rule that may vary in application depending on the previously approved site plan. The required percentage of undisturbed area may be greater for larger lots (greater than 10,500 sq. ft.) and less for smaller lots typical in Cape Fear Station.
6. Removal of understory and ground cover in naturalized areas on existing home sites is prohibited. Do not weed-eat or cut down naturalized areas of understory and ground cover. As a barrier island, understory and ground cover are critical elements to control erosion and protect birds and other wildlife.
7. The practice of tree topping is not permitted.
8. The use of mulch must be limited to defined beds. Pine straw is expressly prohibited by the Village. The definition of a defined bed is the manipulation or disturbance of the native ground plane to create a spatial relationship within a defined area for non-native and/or indigenous plantings. Utilizing mulch and pine straw as general ground cover is not allowed except on new construction projects temporarily until the damaged vegetation is restored. Existing homes should maintain the surrounding landscaping in a naturalized manner that reflects their specific BHI ecological environment – the creek side marsh, the open dunes or the Maritime Evergreen Forest.

Clearing, Trimming and Maintaining:

REQUIREMENTS

1. **Lot clearing for sale of property** – Clearing of the entire understory or clearing for the sole purpose of selling a lot is **not** permitted. However, to provide ease of access, a path of 36" in width may be cleared as long as no trees, tree limbs or clustered growth, subject to Village or ARC approval, are disturbed. Any violation due to more extensive clearing will be subject to fines and/or mitigation.
2. **Lot clearing for survey or staking** – Some clearing of understory trees and shrubs may be required to prepare a site for survey or to stake the proposed building site. Permission to clear such understory trees and shrubs shall not be required by the ARC for the purpose of surveying, but clearing shall be limited to vegetation less than a 1" in diameter at 48" as measured along the trunk from ground level or any tree limb less than 3" in diameter. Any vegetation larger than this, or any vegetation that exists as clustered growth, or having horizontal branching habits must be approved for removal regardless of size of diameter. Exception: It is understood that when surveying to establish the property lines of a lot, vegetation may impede the ability of the surveyor to establish a sight line. Any vegetation directly in the sight line that is less than 3" in diameter at 48" as measured from the base at ground level, may be removed. ARC approval must be granted to remove any vegetation 3" or greater in the sight line. Violations of this requirement are subject to mitigation and fines.

3. **Lot clearing for any construction** – All construction sites must adhere to provisions in other sections of this document. The intent when clearing for construction or renovation projects should be to disturb as small an area as possible. An approved site plan is **required prior to any vegetation removal for construction**.
4. **Understory** should be removed only in the designated building area as shown on the approved site plan. A minimum of 60% of the lot should remain undisturbed. This percentage minimum is a general rule that may vary in application. The required percentage of undisturbed area may be greater for larger lots (greater than 10,500 sq. ft.) and less for smaller lots typical in Cape Fear Station. Building materials or equipment should not be allowed to destroy remaining areas of understory or be placed near trees. All trees should be protected with fencing and this fencing must remain in place for the entire construction process.
5. **Lot clearing for improving the view** – Reasonable trimming for maintenance is assumed and encouraged but all rules about trimming trees and eliminating understory must be adhered to. Typically, maintenance does not entail major trimming of trees, clearing understory 1" or larger or removing branches that are not impinging on structures. Approval must be received before any regulated trees, vegetation, understory or clustered growth is removed. The practice of tree topping is not permitted. No vegetation trimming or removal is allowed on unimproved (vacant) lots. Clearing for view is not allowed on island except in the controlled area of clearing for fairway lots. Board approval is required for any clearing on BHA Common Area. Prior to any clearing for view please review [BHA Common Area Policy](#) for more details and contact the ARC Coordinator for more information.
6. **Canopy and Understory Trimming** – The cutting of the forest canopy, or the thinning of its understory, may expose remaining vegetation to harmful salt-laden winds, resulting in damage. For this reason, cutting and thinning should be kept to an absolute minimum. In addition to the negative impacts of salt spray, removing vegetation from the understory to “open up” one’s yard or landscape will also create new areas of light in the forest floor that cause vines and other plants that may not be wanted to take hold. This will also eliminate habitat that supports an interesting variety of wildlife. No canopy or understory trimming, and no vegetation removal are allowed on unimproved (vacant) lots. The practice of tree topping is not permitted.
7. **Dune Vegetation:** The removal of vegetation from any dune area is a critical issue. This vegetation (shrubs, grasses or vines) holds the dunes in place preventing erosion and storm damage. Due to the wind and salt environment, most of these plants never grow large enough to be subject to approvals for trees. However, they may be covered by additional ARC approval requirements regarding limbs, clustered growth or understory.
8. **Removal of Understory and Ground Cover** in naturalized areas on existing home sites is prohibited. Do not weed-eat or cut down naturalized areas of understory and ground cover. As a barrier island, understory and ground cover are critical elements to control erosion and protect birds and other wildlife.
9. **Mulch:** The BHA strongly recommends that mulch used comes from the island mulch site or be a pre-bagged product (see Glossary for mulch definition) to help control pests and plant +synthetic/artificial pine straw or mulch is not allowed. Mulch is not recommended for driveways.
10. **Pine straw:** Pine straw is expressly prohibited by the Village.

11. **Owners of homes in “drip-line” neighborhoods** without sub-associations (Keeper’s Landing, Sumner’s Crescent and Surfman’s Walk) do not own the land around their homes. This surrounding land is Bald Head Association common area, and all landscaping is done by landscape contractors hired by Bald Head Association. This includes all trimming, planting and tree removal. Owners may not trim trees, bushes, vines, grasses, etc. around their homes. If an owner feels that any vegetation needs to be trimmed or removed, contact the Bald Head Association for further details.
12. **Nothing may be affixed to a tree** or vegetation, including but not limited to trash tags, nails, screws and/or any type of fasteners.
13. **Grass:** Installation of turf grass lawns is not permitted. Use of native grasses that are naturally maintained provides a great addition to landscapes. (See [BHI Plant List.](#))
14. **Water:** Water requirements for plants should be planned during the first year while the plants become established. Vegetation must be sustained for a minimum of one year.
15. **Herbicides:** The use of herbicides is inconsistent with living in harmony with nature. Herbicides can damage the root zones of desirable trees and shrubs. The need for and use of herbicides may best be determined by landscape professionals.
16. **Avoid using bush-hogs** when removing vegetation since it is very easy to scrape and damage desirable trees and shrubs with heavy equipment and to increase undesirable compaction and root system damage.

Tree and Vegetation Removal/Mitigation

REQUIREMENTS

1. **For New Construction:** All existing trees 3" or greater in diameter, at 48" as measured along the trunk from the base of the tree at ground level, shall be entered on a tree survey and submitted to the ARC with proposed site plans. This survey shall depict the exact location, size and drip line or canopy line of the trees and clearly identify the trees that will be removed and the trees that will remain, along with a description of steps that will be taken to protect them. Additionally, for dune lot tree surveys, vegetation, (which exists as 2 sq. ft. or more of clustered growth at ground level regardless of branching habits or branch diameter) shall also be noted on the survey and if any of this type of vegetation is to be removed, it should be clearly identified.
2. **For existing homes:** ARC review and approval is required for the removal of trees 3" in diameter measured 48" along the trunk from ground level; tree limbs of 3" or more in diameter; clustered growth vegetation 2 sq. ft. or more at ground level regardless of branching habits or diameter. Within the understory, ARC approval is required to remove vegetation 1" or greater in diameter measured 48" along the trunk from ground level.
3. **For unimproved lots:** NO CLEARING, TRIMMING or REMOVAL OF VEGETATION is allowed on unimproved (vacant) lots, except as detailed in the Clearing, Trimming and Maintaining section in this document.

4. A minimum of 60% of the lot should remain undisturbed depending on the approved site plan. This percentage minimum is a general rule that may vary in application. The required percentage of undisturbed area may be greater for larger lots (greater than 10,500 sq. ft.) and less for smaller lots typical in Cape Fear Station. Safety concerns may require the removal of trees in undisturbed areas.
5. The ARC may require a mitigation rate of up to 100% for each inch of diameter of trees or vegetation to be removed.
6. All specimen trees shown on the tree survey outside of the building envelope shall be carefully protected from construction activities in any manner deemed appropriate by the ARC, including protective fencing. This fencing shall remain in place throughout the construction process.

Unauthorized Removal of Trees and Vegetation

The unauthorized removal of trees or clustered growth on any property is considered a serious event and violation. Both Village Ordinance and Association Design Guidelines restrict removal of trees and clustered growth. In some cases, you are required to get only ARC approval and in others you need both ARC and Village approval. Regarding the removal of trees, tree limbs, vegetation and clustered growth, in some instances the Association Design Guidelines requirements are stricter than the Village Ordinance. Failure to get ARC approval prior to removal may result in fines and mitigation.

Village Ordinance provides that removal of any tree or trees 3" or greater in diameter at 48" above grade requires permission and/or a landscape permit from the Village Building Inspector, even if the tree is determined to be dead or diseased. Per Village Ordinance, removal of branches of 5" or more in diameter also requires Village approval. ARC approval is required for the removal of trees 3" in diameter and understory vegetation 1" or greater in diameter measured 48 inches along the trunk from ground level, tree limbs of 3" or more in diameter and clustered growth vegetation 2 sq. ft. or more at ground level regardless of branching habits or diameter.

Please see [Village Ordinance on tree cutting and removal](#).

The ARC supports the process in the Village Ordinance but also requires its own approvals. Those removing trees or branches without first obtaining ARC approval and/or Village approval and landscaping permit will be required to obtain a Village landscaping permit, pay the required fine, and mitigate loss of such tree or trees. The Village Ordinance allows the Village to assess fines of \$500 per inch of diameter at 48" above grade of the cut tree. ARC fines may be imposed, and, in some cases, they may be levied in addition to Village fines.

If mitigation is required, the property owner may be required to plant a tree(s) of like kind and of the same size as the cut tree(s) within 180 days of the fine, guaranteeing the tree to survive for one year after the planting date.

The Building Inspector must approve the location(s) of the planted tree(s). The ARC also has the discretion to require submittal of a landscaping plan to the ARC for approval.

In the case of "competing trees", the Building Inspector shall make a decision of which tree to remove. The removal of dead trees requires the same ARC and Village approvals as live trees but

does not require a Village contractor permit. If a decision by the Building Inspector is disputed, the property owner must provide sufficient evidence to show the tree is dead, represents a danger to individuals or property or that the tree is diseased and will not live.

Removal or altering vegetation of any size on Common Area requires permission of the BHA Board of Directors or its designated committee. Violation of this requirement may result in penalties and fines being imposed for trespassing/vandalism of private property, as authorized by the Village Ordinances.

Plant List Information

See [BHI plant lists here](#). Lists are based upon plants that have been found to be native to Bald Head Island, native to North Carolina and examples of some of the non-native plants that have been planted on the island. The distinction between native and non-native species is important because native species have generally adapted and evolved with the competing species, predators and diseases of an area over many centuries or longer. BHI native plants support indigenous wildlife, habitats, ecosystem function and ecosystem services. There are suggestions for which plants typically do well in the various micro-island environments. The “please don’t plant me” list also includes common non-native invasive plants.

In reviewing landscape plans, the ARC will consider plants not on these lists provided they are not considered invasive or aggressive.

Special Note for lots bordering the BHI Golf Course, greenswards, and surroundings – Certain plants should be avoided along golf course lots that border lagoons and adjoin the golf course including Torpedo Grass, Common Reed (Phragmites), Greenbriar (Smilax), Poison Ivy, Virginia Creeper and Muscadine Grape. While most of these plants are native to BHI and are important to the ecology, all these plants have a history of quickly encroaching onto the golf course environment and surroundings. Every effort should be made to eliminate these plants from adjoining golf course lots. Decorative grasses that are native to North Carolina and the southeastern coast are encouraged because of their effectiveness in stabilizing sand from strong winds.

GLOSSARY

404 line – Wetland line referring to the Section 404 Permit Program of the Federal Governments Clean Water Act. This is an Army Corps of Engineers jurisdictional line.

Accessory Building – Any building that is subordinate and not connected/integrated into the main building and the use of which is incidental to the use of the main structure or the use of the land. Non-conditioned, conditioned, covered or latticed connectors (where allowed) will not be considered as incorporating the accessory building into the main structure. Examples: Crofter, Guest House, Studio, Garage. These buildings cannot have a working stovetop and cannot be rented as a separate unit from the house. (see Accessory Building section of this document).

Accessory Structure – Any non-conditioned structure subordinate to the main building on a property and not connected to the main building. Examples: Gazebo, Outdoor Shower, Garbage Enclosure.

Alley Easement Area – The area between the property line and the alley easement line.

Alley Easement Line – Line delineating the limit of the alley right of way.

Arbor – An area shaded by trees, shrubs or vines on a latticework structure.

Architectural Typology – A set of form-based requirements that collectively create a recognizable consistency and commonality of architectural organization and massing.

Bay – A subordinate, secondary form projecting outward from a primary perimeter wall.

Bay, Stoop and Overhang Area – An area between the façade line and the front or side setbacks where bays, stoops or overhangs may encroach on the setback.

Beach Access – Any built element or path that assists in non-vehicular access to the beach.

Breakaway wall – A non-structural enclosure below the floodplain as defined by Building Code and FEMA.

Building Height – Total Building Height is measured from the Virgin Low Point at the perimeter of the building to the highest point of the roof. The Virgin Low Point will be interpolated by the ARC using the required tree and topographic survey provided by a licensed NC surveyor at the time of submission.

Bulkhead – A vertical wall of any height designed or intended to retain earth at the edge of a wetland, marsh or water body.

Caliper – Diameter of a living tree, this is measured using an instrument called a caliper, hence the name.

CAMA – CAMA is the Coastal Area Management Act of the Division of Environmental Quality of the State of North Carolina.

Casement – A window sash that opens on hinges at the sides.

Clustered Growth – ARC approval is required prior to the removal of any clustered growth vegetation covering 2 sq. ft. or more at ground level regardless of branching habits or diameter.

Coastal Zone (AE) – This zone is the Area of Environmental Concern, as defined by CAMA. Properties in this zone can be affected by rising, slow moving or standing water and are typically beach or marsh properties.

Coastal Zone (VE) – This is the zone subjected to wave action (velocity) ocean hazard areas as defined by CAMA. Typically refers to beach properties.

Conceal – To hide behind grade-level screening within the footprint of a structure, as specified within these Design Guidelines or to keep completely from sight of any public road or fairway view by vegetation, natural terrain or other solution approved by the ARC.

Conditioned Space – Any weather-tight, fully enclosed space that meets all the Building Code standards of occupied space that is habitable and is heated or cooled. The Board reserves the right to count such space absent conditioning equipment if it meets the standard in every way but equipment.

Conditioned Square Footage – The conditioned square footage of each level is the sum of the conditioned areas on that level measured at the floor level to the exterior finished surface of the outside walls. The conditioned square footage calculation is based on the American National Standards Institute's (ANSI) method for calculating conditioned square footage for single-family residences.

Conservation Area – A designated area of environmental preservation with restricted development due to the necessity of maintenance, stabilization, renourishment or dune reconstruction of the beach. Access to this area is only allowed for studies and the activities of beach care mentioned above.

Cupola – A dome, especially a small dome on a circular or polygonal base crowning a roof or turret (usually only decorative in modern homes, older cupolas can be reached by stairs).

Deck – A roofless, outdoor floored area that adjoins a house.

Defined Bed – The manipulation or disturbance of the native ground plane in order to create a spatial relationship within a defined area for non-native and/or indigenous plantings.

Development – Any man-made change to a property, its land, its buildings or its existing structures.

Dormer – See pictorial example and definition in this glossary under Roof Terminology.

Divided Lites – A description of a window separated into panes by muntins or other forms of dividers.

Drip Line – Drip-line communities are areas where property owners' own structures: houses, garages, and crofters and the ground under these structures to the drip line where water dripping off the roof would land. Typically, in these communities, they also own and must maintain walkways, decks, stairs, fences and lights, which are beyond the drip line, and are built for their use only, as opposed to the use of the entire neighborhood. Individual property owners do not own the land under decks, walkways and stairs or any land around or in the vicinity of their houses. Drip line is sometimes referred to as drip edge.

Dune, Frontal – The first mounds of sand located landward of the ocean beach with sufficient vegetation, height and configuration to offer protection from ocean storms.

Dune Ridge – The dune ridge on Bald Head Island is the raised ridge of land that runs from West to East across the island. It is a structure, like most dune ridges, that has built up over many decades. Its main function is to form a protection from wind and water for the Maritime Forest.

Façade Line – A line for placing the primary front surface of the house. This line is very similar to the Frontage Line but is used for the Sideyard typologies.

FEMA – Federal Emergency Management Agency.

Fenestration – The arrangement and design of windows and doors in a building.

FIRM – Flood Insurance Rate Map.

Flood Elevation – The projected water level in a hundred-year flood as stipulated by the Federal Emergency Management Agency (FEMA) on their Flood Insurance Rate Map (FIRM).

Frontage – The line where the primary face of a building fronts on the public way, space or realm.

Gable – See pictorial example and definition in this glossary under Roof Terminology.

Garage – An accessory structure for parking carts with cart access. Some typologies have a designated garage area within which any garage and/or parking must be placed.

Grade, Average – Grade is simply the topography of a lot or the ground surface of a lot. Average grade is the sum of the varying elevations of the ground around the perimeter of the building including, but not limited to decks, staircases, porches, etc. and then divided by the number of elevation changes included in the calculations.

Grade, Mean Finished – Mean finished grade is the same thing as finished average grade. This is found by adding the varying elevations around the perimeter of the building, after grading is complete, and dividing that to find the mean finished grade.

Grade (Verb) – To prepare the topography of a lot for construction by leveling or building up different areas on the lot.

Hardship – A condition specific to or unique to a property where the ARC determines that a rule or guideline cannot be fairly or equally applied as intended without causing a disproportionate burden to the development of the property. Examples: Unusual topography or size of lot.

Impervious Coverage – In relation to construction, this is the area of the property covered by structures or materials that do not allow water to penetrate or percolate into the ground. For example, this would include any covered structures, paved or graveled walkways/driveways or decking without sufficient spacing between the boards (less than ¼ inch). It would also include marl, for though water can penetrate marl, it does not percolate into the spaces of the ground beneath quickly enough to earn a pervious rating however, a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least 4" thick over a geotextile fabric is considered pervious. **These guidelines include the building footprint (with cantilevered elements), not the roof overhangs.**

Invasive plants – Non-Native plants, not native to BHI that have the potential to spread. Invasive species are a major threat to our environment because they (1) can change habitats and alter ecosystem function and ecosystem services and (2) crowd out or replace native species.

Knox Box – Powered by one master key, this secure box enables first responder rapid access while minimizing property damage. The Knox Box must be located on the back side of the street address bollard facing the house.

Limited Common Area – Those portions of the Common Area that serve only a limited number of Units and which may include, but specifically is not limited to, walkways, parking buildings or areas serving only specified lots and such other similar areas as may be designated by the Association. The Limited Common Area will be managed and maintained by the Association at the expense of only the Owners of Units served thereby. Service Areas, as defined herein, are included within the term Limited Common Area.

Main Structure/Building – This refers to the main living unit on the lot. The main living unit may not exceed 35' in height.

Mulch – In addition to mulch produced on island, the BHA recommends the use of natural wood mulch distributed by various processing facilities as a pre-bagged product. Typically, this type of mulch is sold at hardware and home improvement stores and garden centers. Mulch is encouraged only for temporary stabilization of disturbed areas and new plants.

Muntin – A strip separating panes of glass in a sash.

Native plants – For the purposes of these Design Guidelines, native plants are plants that occur naturally in a particular location without direct or indirect human intervention. The distinction between native and non- native species is important because native species have generally adapted and evolved with the competing species, predators and diseases of an area over many centuries or longer. BHI native plants support indigenous wildlife, habitats, ecosystem function and ecosystem services.

Naturalized Area – An area of native vegetation that consists of undisturbed understory and ground cover. Removal of understory and ground cover in naturalized areas on existing home sites is prohibited. New construction projects must avoid damaging naturalized areas outside the limits of construction fencing. If during the construction process damage to a naturalized area occurs, the area must be restored to its native state.

Non-Native plants – For the purposes of these Design Guidelines, any plants not native to BHI or North Carolina are considered non-native. Though these plants may be found on the island, it does not mean they originated on the island.

Pergola – An arbor with an open roof of rafters supported by posts or columns.

Porch – A covered deck attached to a building; may be open or partly enclosed.

Rake – A rake is the sloped sides at the end of a gable roof forming a triangle. Most gable rakes have overhangs, extending the roof beyond the end of the house. These rake ends usually have a soffit on the underneath side to enclose the framing and a fascia or trim board to cover the outside edge of the slope.

Retaining Wall – A vertical wall of any height designed or intended to retain earth.

Service Area – Portions of the Common Area located within the property described in [EXHIBIT B](#) attached to the Covenants which are reserved for the exclusive use of one or more, but fewer than all, of the owners.

Setback – An area created by offsetting a distance from the front, side and/or rear property lines. See the specifics of the property's location and the property's required building typology to determine the size of the setbacks and what built elements are permitted to encroach in the setbacks.

Shear Zone – The “shear zone” is the ocean-facing edge of maritime forest vegetation that is exposed to salt laden air. This vegetation is “sheared” by the salt spray causing it to grow at a slant, leaning away from the oceanfront. Historically it was thought that the slanted, or sheared, growth was caused by wind, but it has been proven to be the result of salt spray. The dunes, dune grasses and plants that are closer to the ocean protect the maritime forest by creating a layer of foliage that helps block the salt spray. Removal of any “shear zone” or oceanfront vegetation during construction opens holes that allow salt spray to penetrate—damaging plants that were previously protected.

Shed – See pictorial example under Roof Terminology.

Sightline setback – This setback applies to all new construction homes and oceanside additions to existing homes on the oceanfront lots. In all cases a new oceanfront house or addition shall be no closer to the waterline than the average of the houses on the three adjoining lots on both sides of the house. Oceanfront decks elevated higher than 18” above finish grade shall be no closer to the waterline than the average of elevated oceanfront decks on the three adjoining lots on both sides of the house.

If there are no houses on the first three adjoining lots on each side of the reference house, the location of the house or addition shall be unrestricted by this sightline setback. If there are no oceanfront decks on the first three adjoining lots on each side of the reference house, the location of the oceanfront deck for the reference house shall be unrestricted by this sightline setback.

Soffit – See pictorial example under Roof Terminology.

Stoop – An uncovered stair and/or landing at the entry of a building.

Tree Canopy – The outermost perimeter of a tree's leaves. The tree's drip line.

Trellis – Any structure made of pieces arranged in a crossing pattern to form a ladder for climbing plants.

Understory – Understory is an underlying layer of vegetation, especially the plants that grow beneath a forest's canopy. Forest density plays a large role in protecting individual trees from being uprooted during storms and hurricanes. Understory is an important component to the survival and health of the ecology of BHI. ARC approval is required prior to the removal of vegetation 1" or greater in diameter measured 48" along the trunk from ground level. See exception noted in item 2 (Lot clearing for survey or staking) under the heading Clearing, Trimming and Maintaining requirements.

Unit – Portion of the Properties, whether improved or unimproved, which may be independently owned and conveyed, and which is intended for development, use and occupancy. A “Lot” is a Unit. The term will refer to the land, if any, which is part of the Unit as well as any improvements

thereon, including the Living Unit. Nonresidential areas may have more than one Unit assigned to it by the Board as provided in Section 2.3. Unimproved Unit means a vacant Lot with no completed structure built upon it. Improved Unit means a Unit with a completed structure built upon it for which the Village of Bald Head has issued a certificate of occupancy.

Virgin Low Point – The low point before any grading or human manipulation occurs as shown on a topographic survey produced by a licensed NC surveyor.

Waterfront Property – A property from which a perpendicular line drawn from the mid-point of the water-facing property line will reach the mean low tide line without crossing any portion of any adjacent property.

ROOF TERMINOLOGY

The image to the right includes pictorial definitions of:

Gable, Dormer, Valley, Ridge, Rake, Eave and Shed

Further Description:

Gable – The triangular upper-portion of a wall at the end of a pitched roof

Dormer – A small house-like structure that projects from a roof and includes a window

