DESIGN GUIDELINES
FOR BALD HEAD ASSOCIATION MEMBERS

25th Edition

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INTRODUCTION

Purpose of the Design Guidelines

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 Appendix C 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 drip-line communities, and homeowners do not own the land around their homes beyond the home's drip line. (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

Cape Fear Station

- Please refer to the Cape Fear Station "Lot Designation Sheet" at the beginning of the Cape Fear Station Section under Bald Head Architecture.

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.

"Drip-line" neighborhoods without a sub-association are Keeper's Landing, Surfman's Walk and Sumner's Crescent. These 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. 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.

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 Appendix F of these Guidelines 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

ARC review and approval is required before the removal of trees 3 inches in diameter measured 48" along the trunk from ground level, tree limbs of 3 inches or more in diameter, clustered growth vegetation 2 square feet 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 inch 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.

No activity/utilization is allowed on a vacant lot (see exceptions noted on page ten (10) 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 inch 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 as outlined in Appendix F of these Design Guidelines.

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 a 1 inch in diameter at 48 inches as measured along the trunk from ground level or any tree limb less than 3 inches 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 inches in diameter at 48 inches as measured from the base at ground level may be removed. ARC approval must be granted to remove any vegetation 3 inches 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 inches 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

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, review submittals, and complete site management and final required inspections. For submittal requirements or questions, contact the Bald Head Association to reach the ARC Coordinator.

The following rules 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 advantageous to use architects and designers who are familiar with coastal construction and the environmental requirements of Bald Head Island. 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 Coordinator, and an executed Pre-construction Site Management Compliance Form.
6. The owner should begin the review process early in the planning stages to accommodate the process and any unforeseen delays. Deadlines: All Draft submittals intended for the ARC agenda must be received by 1:00 pm, 14 days prior to the scheduled ARC meeting date. Draft and Preliminary submittals must include one full-size printed copy, an emailed PDF copy and an emailed AutoCAD-compatible copy. All Final Reviews require two full-size printed copies, an 11 x 17 printed copy, an emailed PDF copy and an emailed AutoCAD-compatible copy. Once approved, one of the full-size copies will be stamped and available for pick-up at the ARC office by the property owner or their designated builder. All Preliminary and Final submittals intended for the ARC agenda must be received by 1:00 pm, 21 days prior to the scheduled ARC meeting date.
7. Submittals received after the deadline or incomplete submittals will be deferred to the following meeting. Copies of submittal applications are provided in the Forms Section for reference, copying and use by the applicant.
8. **Fees:** Fees related to the Submittal Process may be found in Appendix A. Any submittal requiring a fee must include the fee in order to be considered complete. All fees are subject to annual review and update by the Board of Directors.
9. **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. Article 7 of the Covenants specifically addresses Design Guidelines (see Appendix G). Contact the ARC Coordinator with any questions.

Step Two Employ a registered surveyor to obtain a complete survey as required and described within the Draft Review Section. This survey must be less than two (2) years old and must include existing vegetation.

Step Three Discuss plans and visit the site with your architect/designer.

Step Four Draft Review: A draft plan submittal is required. This step will enable the ARC to consider the design aspects of the house and site. Revisions at this stage can save many hours of production time needed to meet preliminary submittal requirements. Submit one full-size printed copy, one emailed PDF copy and one emailed AutoCAD-compatible copy by 1:00 pm, 14 days before the regularly scheduled ARC meeting. The review fee is due with this submittal.

Step Five Preliminary Review: Submit one full-size printed copy, one emailed PDF copy and one emailed AutoCAD-compatible copy for Preliminary approval after

schematic design development by 1:00 pm, 21 days before the regularly scheduled ARC meeting.

Step Six Final Review: Revise as required indicating each change with a "revision cloud" and a written description attached to the Final application specifying all changes made and include a Scaled Landscape and Paint Application. Submit two full-size printed copies, one 11x17 printed copy, one emailed PDF copy and one emailed AutoCAD-compatible copy by 1:00 pm, 21 days before the regularly scheduled ARC meeting.

Step Seven Project approval by the ARC is valid for 24 months from the date of approval. If the Village of Bald Head Island building permit has not been issued and on-site construction has not begun within the 24-month approval period, the ARC approval expires. If ARC approval expires before the project has been started, the construction deposit will be returned.

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 Coordinator 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 Coordinator to begin the Pre-construction site management process. **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.

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 Coordinator within

15 days of the Certificate of Occupancy issuance date and no later than two (2) days before scheduling a final on-site project inspection with the ARC Coordinator.

The final on-site project inspection with the ARC Coordinator 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 Coordinator 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 on page 26. These conditions must be satisfied before the construction deposit may be returned.

***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.**

Requirements of the Submittal Process

1. Complete application submittals must be received by 1:00 pm, 14 days before a meeting for Draft Submittals and 21 Days before a meeting for Preliminary or Final Submittals.
2. Application submittals received after this specified deadline will be included on the agenda for the next regularly scheduled ARC meeting.
3. **Incomplete application submittals will not be included on the ARC agenda.**

Draft Review

This required first step has been established to give overall consensus on the general project plan. The architect/designer is highly encouraged to attend this session and is welcome to attend any additional reviews.

1. The Review Application for New Construction and the Architectural Questionnaire completed.
2. The appropriate Review Fee must be included with the application for the submittal to be considered complete.
3. Survey. Must be sealed by a registered North Carolina surveyor and scaled 1" = 10'0". It must include:
   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 inches in diameter measured 48" along the trunk from ground level and clustered growth vegetation 2 square feet or more at ground level, regardless of branching habits or diameter of the branches
   d) north arrow
   e) setback limits
   f) the survey must include the required sightline setback calculations for oceanfront properties (see Sightline Setback requirements page 129)
   g) the survey must be less than two (2) years old

4. Schematic Drawings:
   a) Site Plan at 1" = 10'
      1) north arrow
      2) property lines with dimensions and bearings
      3) existing and proposed contours

4) location of all trees to be removed that are over 3" in caliper at 48" height from grade (noted "removed")
5) roof plan shown to side at same scale
6) first floor elevation (FFE) indicated
7) setback limits shown
8) building accurately located from property line
9) overhangs indicated with dashed lines
10) drives and walks shown
11) FEMA Zone designation and Base Flood Elevation indicated

b) Floor Plans at minimum ¼" = 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

c) Elevations at ¼" = 1' 0". One for each major exposure including all accessory structures.
1) show how building relates to ground level
2) show screening type and location (this includes screening utilized for the HVAC and trash enclosures)
3) indicate overall height from ground to ridge of roof
4) indicate overall height from virgin low point under the house to ridge of roof
5) indicate relationship of finished first floor to FEMA flood elevation

Preliminary Review

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. Any additional drawings, beyond what is required, may be included only in the emailed PDF copy.

A Preliminary Review submittal has the following requirements:

1. The Review Application for New Construction and the completed Architectural Questionnaire.
2. The appropriate Review Fee must be included with the application for the submittal to be considered complete.
3. A survey that must be sealed 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 inches in diameter measured 48" along the trunk from ground level and clustered growth vegetation 2 square feet 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 Sightline Setback requirements page 129)

g. survey must be less than two (2) years old

4. Schematic Drawings:

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 inches in dimeter at 48" along the trunk from ground level and clustered growth vegetation 2 square feet or more at ground level

5) roof plans, including any accessory structures, shown to size at same scale

6) indicated first floor elevation (FFE)

7) shown 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 of non-stacked guest parking for two carts within setbacks (Cape Fear Station Lot designation guest parking may vary. See Appendix C)

12) the location and dimensions for drives and walks

13) the location of exterior showers, HVAC, and trash enclosures

14) the location of the electric meter, including any necessary platforms or steps (cannot be located in setback)

15) indicated exterior lighting locations and styles, honoring the Lighting Section directives of these Design Guidelines that prohibit exposed lights and require down shielding

16) FEMA Zone designation and indicated Base Flood Elevation

17) specified lay-down area for materials storage

18) specified limits of construction line (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.

19) the location of Village address bollard(s)

20) the location of the Village YES/NO garbage tag (see specific guidelines)

21) concrete or paver driveway apron at road edge

22) a data block added to the side of the plan that includes the following calculations: lot size, total impervious site coverage breakdown, total building coverage for all structures above 30 inches, heated square footage breakdown and calculations pertaining to the 50 percent rule, (if applicable) revealing the footprint and volume of each level

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) all fixtures, cabinets and appliances shown
6) overall limits of plans of first and second floors with complete floor plan dimensions
7) 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 ¼" = 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. 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) materials and design details for the trash, HVAC and outdoor shower enclosures (including access platform and stairs if required for HVAC/electric)
5) the overall height from ground to ridge of roof
6) the overall height from the virgin low point at the house footprint perimeter to ridge of roof
7) the dimensions of the eave and rake overhangs
8) the primary and secondary roof pitches
9) the relationship of finished first floor to FEMA flood elevation
10) the exterior lighting and fixture details

e. Wall Sections at ¾" = 1'0" scale

This page should include for the house and accessory building sections:

1) typical wall from ground to roof ridge details at a minimum scale of ¾" = 1'0"
2) overhang measurements
3) typical decks and railing details
4) typical screened porch details

f. Detail Plans at ¼" = 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

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.

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

A Final Review submittal has the following requirements:

1. The Review Application for New Construction and the Architectural Questionnaire in completed final form
2. The construction deposit and Property Owner's Agreement
3. The completed Roof / Paint / Color Application Form
4. The completed scaled Landscape Plan
5. Final Drawings:
    a. **Site Plan**
    Revised as required by the Preliminary Review indicating each change with a "revision cloud"
    b. **Floor Plans**
    Revised as required by the Preliminary Review indicating each change with a "revision cloud"
    c. **Roof Plans**
    Revised as required by the Preliminary Review indicating each change with a "revision cloud"
    d. **Elevations**
    Revised as required by the Preliminary Review indicating each change with a "revision cloud"
    e. **Wall Sections**
    Revised as required by the Preliminary Review indicating each change with a "revision cloud"

f. **Details Plans**
Revised as required by the Preliminary Review indicating each change with a "revision cloud"

g. **Electrical Plans**
Revised as required by the Preliminary Review indicating each change with a "revision cloud"

h. **Landscape Plan**

1) Date of plan preparation, project name, address and name of property owner, North arrow, graphic scale (the required sale is 1" = 10')
2) The site plan must include variety, size 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, stepping stones, 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 exotic. These percentage calculations are based on the total number of gallons of proposed plant material.

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.

1. All Preliminary Review requirements apply.
2. The location of any change should be indicated with a "revision cloud" on the same page as the originally approved drawing.
3. Each proposed change should be indicated with a "revision cloud" on any subsequent drawings.
4. Submittals should include the following:
    a. Change application
    b. Applicable review fee

c. one full-size printed copy of plans

d. one emailed PDF copy of plans

e. one emailed AutoCAD-compatible copy of plans

5. Deadline: complete submittals must be received by 1:00 pm, 14 days before the regularly scheduled ARC meeting in order to be placed on the agenda.

Renovation Review Process

As noted in Appendix G, the Covenants require in Article 7.4 that **"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:

1. The appropriate 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 to scale. The ARC may require an up-to-date site plan or "As Built" survey.
3. 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 Sightline Setback requirements page 129).
4. A submittal to expand, replace or add an accessory structure must include the height of the existing main structure. See accessory structure guideline requirements.
5. 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.
6. Material and color samples
7. A completed Paint Application Form with manufacturer's chips attached
8. The appropriate Review Fee

Renovation Categories:

Major Renovations: There are 2 categories of Major Renovations.

Category A - Additions of 250 or more heated sq. ft. or 500 or more unheated sq. ft.

Category B - Additions of less than 250 heated sq. ft. or 250- 500 unheated sq. ft.

Plan Requirements for Major Renovations:

- Two scaled full-size printed copies
- One 11 x 17 printed copy
- One emailed PDF copy
- One emailed AutoCAD-compatible copy, if available

Minor Renovations: There are 2 categories of Minor Renovations.

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

Category B - Replacement of an existing feature. e.g. garage door, front door, single window, etc.

Plan Requirements for Minor Renovations:

- One scaled full-size printed copy
- One 11 x 17 printed copy
- One emailed PDF copy
- One emailed AutoCAD-compatible copy, if available

Major Renovations typically involve additions of heated space; Minor Renovations typically do not involve heated space. Should more than 50% of an existing structure be removed or revised, it will be reviewed as new construction, subject to the New Construction Review Fee and current design guidelines. 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). **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 typically do not alter of 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 applicant rather than an architect/designer if these submittals are presented professionally and drawn to scale. Major Renovations will 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. The location of any change should be indicated with a "revision cloud" on the same page as the originally approved drawing. Each proposed change should be indicated with a "revision cloud" on any subsequent drawings. If the approved renovation on-site construction has not begun within the 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 Coordinator 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 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/Color Review

If an approved Paint Review application is on file, no approval shall be required to repaint the exterior of a structure with the originally approved color scheme. If an approved Paint Review application is NOT on file, one must be filed with the ARC for review and confirmation before proceeding to paint.

1. Changes to any exterior paint/stain or roof colors must be submitted to the ARC for a color review.
2. There is no charge for a color review.
3. An ARC Paint/Color application must be completed and include authentic manufacturer's color chips. The Paint/Color Application is available in the Forms section.
4. Once a painting project has commenced on a structure, it must be completed within three months (90 days). (Note: This includes power washing and prep work that has removed any exterior finish.)
5. Retaining siding in an unfinished state is not allowed unless the original approval from the ARC was for unfinished siding.

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.

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 building permit is granted.
- 1 year limit for major renovation projects beginning when 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 Coordinator by the project builder and conducted **within 30 days of the Certificate of Occupancy** issuance date.

NOTE: Adjustments may be considered by the ARC for inclement weather and extenuating circumstances.

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 applicant 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 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 course of 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 periodically may 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 or not a variance will be granted. This decision will be sent to the applicant in writing. Any variance granted by the ARC expires simultaneously with ARC project approval expiration.

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. These fines are authorized by the Amended Covenants of the BHA and the Planned Community Act Chapter 47F of the NC General Statutes. They become effective five days after the BHA Board's approval of the recommendations.

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 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.

APPENDICES

A - ARCHITECTURAL REVIEW COMMITTEE FEES & FORMS

REVIEW FEES FOR SINGLE FAMILY RESIDENCES

New Construction:

$ 3,000 New Construction Review Fee for up to three reviews (this includes any combination of Draft, Preliminary or Final review submittals). A new construction project may begin the review process as any of the three types of reviews.
$ 1,000 New Construction Review Fee for an additional review
$ 5,000 Refundable Construction Deposit

Major Renovations:
$ 2,000 Heated space of 250 sq. ft. or greater; non-heated space of 500 sq. ft. or greater
$ 1,000 Heated space of less than 250 sq. ft.; non-heated space of less than 500 sq. ft.

Minor Renovations:

$ 300 Non-heated space of less than 250 sq. ft., landscape changes and other renovations not categorized
$ 100 Design change of an existing feature, such as a door or window

Demolition: **$300** Main structure demolition project

No fee is required for a paint color change review or a decorative item/other review.

- Major Changes During Construction – Major Renovation Review Fee applies
- Minor Changes During Construction – Minor Renovation Review Fee applies
- ARC approval is required for all exterior changes and a submittal will not be placed on the ARC meeting agenda for review if it is incomplete. The appropriate review fee is part of a complete submission. If there is a question whether a change qualifies as a minor or major change, the ARC Coordinator will consult with the ARC Chair. Similarly, should a construction proposal not be addressed within one of the categories outlined above, fees will be assessed on a case-by-case and individual basis.
- Damages may be assessed and fines imposed of up to $100 per day per violation. These fines are authorized by the Amended Covenants of the BHA and the Planned Community Act Chapter 47F of the NC General Statutes.
- Fines become effective five days after the BHA Board's approval of the recommendations.

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 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 has been 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. If the fine(s) exceed(s) 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 Coordinator: Architectural Review Committee, P.O. Box 3030, Bald Head Island, North Carolina 28461-7000.**

ARCHITECTURAL REVIEW APPLICATION FOR NEW CONSTRUCTION

BHA ARCHITECTURAL REVIEW COMMITTEE (ARC)

PO Box 3030
Bald Head Island, North Carolina 28461-7000
Fran@BaldHeadAssociation.com / 910-457-4676, ext. 22 / 910-457-9021 Fax

Please check one: Date: _____

☐ **Draft Review Application**

☐ **Preliminary Review Application** ☐ **$3000 New Construction Review Fee**

☐ **Final Review Application** ☐ **$5000 New Construction Deposit**

Lot # _____ BHI House # _____ BHI Street Name _____

Property Owner _____

Mailing Address _____

_____

Telephone _____ Email _____

Architect/Designer _____

Mailing Address _____

_____

Telephone _____ Email _____

Builder _____

Mailing Address _____

_____

Telephone _____ Email _____

Surveyor _____

Telephone _____ Email _____

Landscape Designer _____

Telephone _____ Email _____

☐ Variance Requested (Describe on Architectural Questionnaire)

NEW CONSTRUCTION ARCHITECTURAL QUESTIONNAIRE

Form(s) to be completed, as required, by all architects/designers submitting documents for consideration at Draft, Preliminary and Final stages.

Lot # _____ BHI House # _____ BHI Street Name _____

Property Owner _____

Mailing Address _____

Telephone _____ Email _____

Architect/Designer _____

Mailing Address _____

Telephone _____ Email _____

1. Has the architect visited the site? ☐ Yes ☐ No
   Date of visit (required prior to submittal of major renovation or new construction) _____
2. Has the architect read the **current BHA Architectural Design Guidelines** and related **Protective Covenants** and designed the house accordingly?
   ☐ Yes ☐ No
3. Has the house been designed according to the State of North Carolina Residential Building Code, especially in regard to wind resistant construction? ☐ Yes ☐ No
4. Is the architect familiar with CAMA, FEMA and Village of Bald Head Island Zoning requirements for this site? ☐ Yes ☐ No
5. If applicable, what are the CAMA and FEMA restrictions for this property?
   _____
6. Are there 404 (regulated) wetlands on the property? ☐ Yes ☐ No
7. What is the FEMA Flood Zone for the Property? _____
8. Has the architect/designer attempted to minimize the amount of the site to be graded?
   ☐ Yes ☐ No
9. Has the architect/designer attempted to minimize the removal of, or damage to existing vegetation, especially plants of special concern? ☐ Yes ☐ No
10. Has the architect/designer taken views, orientation and location of adjoining buildings into consideration for the design of the house? ☐ Yes ☐ No
11. Has the house been staked out on the lot (required at Preliminary)?
    ☐ Yes ☐ No Date Staked _____ **(Trees to be removed must be tied with red surveyors tape)**

12. Type of lot:

- ☐ Corner
- ☐ Deeded site-specific building pad
- ☐ Estate
- ☐ Merged
- ☐ Standard
  - ☐ Cape Fear Station

Required setbacks:

Front _____

Side _____

Rear _____

Alley Easement _____

Other _____

13. Area of lot (sq. ft.) _____
14. Lowest natural point (virgin low) at perimeter of complete main structure (including stairs, decks, etc.) (MSL) _____
15. Mean finished grade within main structure footprint _____
16. Height of main structure (highest roof ridge) above virgin low point (max. 35') _____
17. First floor elevation (FFE) _____
    (Max of 2' above FEMA or 4' above average grade around perimeter of complete structure including stairs and decks, whichever is greater)
18. Lowest natural point (virgin low) at perimeter of crofter/garage (including stairs, decks, etc.) (MSL) _____
19. Height of crofter/garage (highest roof ridge) above virgin low point _____
20. Crofter/garage top of ground floor (slab) _____
21. Total proposed building coverage _____
    Total proposed impervious coverage _____
    Maximum building coverage allowed for lot_____
    Maximum impervious allowed for lot_____
22. Percentage of site to be graded _____
    (This area should be kept to a minimum and generally include only the building pad, drive and walk area. A minimum of 60% of the lot should remain undisturbed. 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. (see Grade - Site Grading section for more details).
23. Number of trees over 3" in caliper at 4' proposed to be removed _____
24. Roof pitch: Primary _____ Secondary _____
25. Eave overhang dimensions _____
    Rake overhang dimensions _____
26. Total allowable heated square footage _____
27. Total square footage main structure (heated/non-heated) _____/_____
28. Total square footage crofter/garage (heated/non-heated) _____/_____

29. Heated first floor area (main structure) _____
30. Heated second floor area (main structure) _____
31. Heated third floor area (main structure) _____
32. Total sq. ft. of screened porch _____ Screen Material _____
33. Total sq. ft. of deck and balconies _____
34. Percentage of covered porch (8' deep min.) if in front of dune ridge — must be 15% of the linear footage heated wall space on the first floor _____
35. Percentage of covered porch (8' deep min.) in East End neighborhoods must be 20% of the linear footage heated wall space on the first floor _____
36. Covered porch per Cape Fear Station requirements Front _____ Rear _____
37. 50% rule calculation (if on or in front of dune ridge)
    Area of grade level volume footprint (if usable) _____
    Area of first level volume footprint _____
    Area of second level volume footprint _____
    Second level percentage of first level (50% max.) _____
38. Are any variances from Architectural Review Committee requirements being requested under this application? ☐ Yes ☐ No If yes, please attach a letter of explanation for request _____
39. Shutter material: Plastic ___ Vinyl ___ Wood ___ Other _____ Color _____
    A physical sample must accompany any submittal that includes plastic or vinyl shutters.
40. Roof: Color _____ Type _____
    For guidance, see roofing color guidelines.
41. Are there any existing fences bordering property lines? ☐ Yes ☐ No
    (See fence guidelines)
42. Is there a concealment proposal on plans for storing a boat on the lot? (**Required** if owner intends to bring a boat to the island) ☐ Yes ☐ No
43. Location of YES/NO trash tag _____
44. **For Draft and/or Preliminary**:
    Has the architect/designer submitted one full-size printed copy, one emailed PDF copy and one AutoCAD- compatible copy? ☐ Yes ☐ No
    For Final Review:
    Has the architect/designer submitted two full-size printed copies, one 11" x 17" printed copy, one emailed PDF copy and one AutoCAD- compatible copy?
    ☐ Yes ☐ No
    Has the architect/designer submitted an original sealed topographical survey (less than two years old) by a registered land surveyor or civil engineer?
    ☐ Yes ☐ No (**Required at Draft Review**)
45. The survey and site plan include the required sightline setback calculations for oceanfront properties ☐ Yes ☐ No (**Required at Draft Review**)

46. If this property falls under the restrictions of a neighborhood sub-association, has a letter from that association, granting approval of the plan, been submitted with the application? ☐ Yes ☐ No
47. Does any portion of the proposed construction work involve work on property owned in whole or part by any person or entity other than the applicant property owner *(i.e.* an access easement to the ocean for which the walkway or structure is owned jointly with an adjacent owner or otherwise) ☐ Yes ☐ No
48. If the answer to question 43 is "yes", do you understand the written consent to the plans for any such construction work shall be required from that adjacent owner or other appropriate person before the ARC shall consider approval of any such work and it is the obligation of the Property Owner to obtain such written consent from the adjacent owner or other appropriate person and provide it to the ARC. ☐ Yes ☐ No

To the best of my knowledge, the foregoing statements are true.

_____ _____

Architect/ Designer signature Date

MAJOR CHANGE APPLICATION

ARCHITECTURAL REVIEW APPLICATION

(For new work on existing homes or design changes during construction, see guidelines related to major changes for further clarification)

BHA ARCHITECTURAL REVIEW COMMITTEE (ARC)

PO Box 3030
Bald Head Island, North Carolina 28461-7000
Fran@BaldHeadAssociation.com / 910-457-4676, ext. 22 / 910-457-9021 Fax

Date _____

Lot # _____ **BHI House #** _____ **BHI Street Name** _____

Property Owner _____

Mailing Address _____

_____

Telephone _____ Email _____

Architect/Designer _____

Telephone _____ Email _____

Contractor/Representative _____

Telephone _____ Email _____

Change Descriptions _____

_____

_____

_____

_____

_____

_____

Please attach the required drawings MUST BE TO SCALE refer to the Design Guidelines. May include existing elevations, floor plans, site plan and proposed changes.

MAJOR CHANGE QUESTIONNAIRE

This questionnaire must be completed by the Property Owner or their representative and accompany the Major Change application form. If the renovation exceeds 50% of the existing main structure utilize the New Construction guidelines and application/questionnaire.

Lot # _____ BHI House # _____ BHI Street Name _____

Property Owner _____

Mailing Address _____

Telephone _____ Email _____

Project Representative _____

Telephone _____ Email _____

1. Are the proposed changes consistent with the **current BHA Architectural Design Guidelines** and related **Protective Covenants**?
   ☐ Yes ☐ No
2. Will the proposed changes impact existing vegetation? ☐ Yes ☐ No
   If the answer to this question is yes, list changes in existing vegetation:

   _____

   _____

   _____
3. If applicable, what are the CAMA and FEMA restrictions for this property?

   _____
4. What is the FEMA Flood Zone for the Property? _____
5. Existing height of main structure (highest roof ridge) virgin low point (max. 35') _____
6. If proposed changes include accessory structures (ie. crofter) include footprint square footage_____, height from virgin low to roof ridge _____
7. Area of lot (sq. ft.) _____
   Total proposed building coverage _____
   Total proposed impervious coverage _____
   Maximum building coverage allowed for lot_____
   Maximum impervious allowed for lot_____
8. Additional percentage of site to be graded _____
   (This area should be kept to a minimum and generally include only the building pad, drive and walk area. A minimum of 60% of the lot should remain undisturbed. 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. (see Grade - Site Grading section for more details).

9. Roof pitch: Primary _____ Secondary _____
10. Eave overhang dimensions _____ Rake overhang dimensions _____
11. Type of lot: Required setbacks:
    - ☐ Corner — Front _____
    - ☐ Deeded site-specific building pad — Side _____
    - ☐ Estate — Rear _____
    - ☐ Merged — Alley Easement _____
    - ☐ Standard — Other _____
    - ☐ Cape Fear Station
12. Total allowable heated square footage _____
13. The proposed changes are in compliance with the designated porch requirements? ☐ Yes ☐ No
14. The proposed changes are in compliance with the 50% rule calculation? ☐ Yes ☐ No
    If 50% rule applies, second level percentage of first level (50% max.) equals _____
15. Are any variances from Architectural Review Committee requirements being requested in this application? ☐ Yes ☐ No
    If yes, please attach a letter of explanation for request.
16. Has the architect/designer submitted one full-size printed copy, one 11" x 17" printed copy, one emailed PDF copy and one AutoCAD- compatible copy? ☐ Yes ☐ No
17. Do the proposed changes impact the required sightline setback calculations for oceanfront properties ☐ Yes ☐ No (If the answer is yes, an updated 'As Built' survey must accompany the submittal to assure compliance with the sightline requirements)
18. If this property falls under the restrictions of a neighborhood sub-association, has the required letter/notification from that association, granting approval of the proposed changes been included in the submittal to the BHA ARC? ☐ Yes ☐ No
19. Does any portion of the proposed construction work involve work on property owned in whole or part by any person or entity other than the applicant property owner *(i.e.* an access easement to the ocean for which the walkway or structure is owned jointly with an adjacent owner or otherwise) ☐ Yes ☐ No
20. If the answer to question 34. is "yes", do you understand the written consent to the plans for any such construction work shall be required from that adjacent owner or other appropriate person before the ARC shall consider approval of any such work and it is the obligation of the Property Owner to obtain such written consent from the adjacent owner or other appropriate person and provide it to the ARC. ☐ Yes ☐ No

To the best of my knowledge, the foregoing statements are true.

_____ _____

Property Owner or Representative signature Date

MINOR CHANGE APPLICATION

ARCHITECTURAL REVIEW APPLICATION

(For new work on existing homes or design changes during construction, see guidelines related to minor changes for further clarification)

BHA ARCHITECTURAL REVIEW COMMITTEE (ARC)

PO Box 3030
Bald Head Island, North Carolina 28461-7000
Fran@BaldHeadAssociation.com / 910-457-4676, ext. 22 / 910-457-9021 Fax

Date _____

Lot # _____ **BHI House #** _____ **BHI Street Name** _____

Property Owner _____

Mailing Address _____

_____

Telephone _____ Email _____

Architect/Designer _____

Telephone _____ Email _____

Contractor/Representative _____

Telephone _____ Email _____

Change Descriptions _____

_____

_____

_____

_____

_____

_____

Please attach the required drawings MUST BE TO SCALE refer to the Design Guidelines. May include existing elevations, floor plans, site plan and proposed changes.

MINOR CHANGE QUESTIONNAIRE

This questionnaire must be completed by the Property Owner or their representative and accompany the Minor Change application form.

Lot # _____ BHI House # _____ BHI Street Name _____

Property Owner _____

Mailing Address _____

Telephone _____ Email _____

Project Representative _____

Telephone _____ Email _____

1. Are the proposed changes consistent with the **current BHA Architectural Design Guidelines** and related **Protective Covenants**?
   ☐ Yes ☐ No
2. Will the proposed changes impact existing vegetation? ☐ Yes ☐ No
   If the answer to this question is yes, list changes in existing vegetation:

   _____

   _____

   _____

3. Type of lot:
   ☐ Corner
   ☐ Deeded site-specific building pad
   ☐ Estate
   ☐ Merged
   ☐ Standard
   ☐ Cape Fear Station

   Required setbacks:
   Front _____
   Side _____
   Rear _____
   Alley Easement _____
   Other _____
4. Total area of lot (sq. ft.) _____
5. Total proposed building coverage _____
   Total proposed impervious coverage _____
   Maximum building coverage allowed for lot_____
   Maximum impervious allowed for lot_____
6. Do the proposed changes affect the percentage of covered porch or the 50% rule calculation (if on or in front of dune ridge) ☐ Yes ☐ No
7. Are any variances from Architectural Review Committee requirements being requested under this application? ☐ Yes ☐ No
   If yes, please attach a letter of explanation for request.

8. The submittal includes one full-size scaled printed copy, one 11" x 17" printed copy, one emailed PDF copy and one AutoCAD- copy if available? ☐ Yes ☐ No
9. Do the proposed changes impact the required sightline setback calculations for oceanfront properties ☐ Yes ☐ No (If the answer is yes, an updated 'As Built' survey must accompany the submittal to assure compliance with the sightline requirements)
10. If this property falls under the restrictions of a neighborhood sub-association, has the required letter/notification from that association, granting approval of the proposed changes been included in the submittal to the BHA ARC? ☐ Yes ☐ No
11. Does any portion of the proposed construction work involve work on property owned in whole or part by any person or entity other than the applicant property owner *(i.e.* an access easement to the ocean for which the walkway or structure is owned jointly with an adjacent owner or otherwise) ☐ Yes ☐ No
12. If the answer to question 11. is "yes", do you understand the written consent to the plans for any such construction work shall be required from that adjacent owner or other appropriate person before the ARC shall consider approval of any such work and it is the obligation of the Property Owner to obtain such written consent from the adjacent owner or other appropriate person and provide it to the ARC. ☐ Yes ☐ No

To the best of my knowledge, the foregoing statements are true.

_____ _____

Property Owner or Representative signature Date

DECORATIVE ITEM / OTHER REVIEW APPLICATION

ARCHITECTURAL REVIEW APPLICATION

BHA ARCHITECTURAL REVIEW COMMITTEE (ARC)

PO Box 3030

Bald Head Island, North Carolina 28461-7000

Fran@BaldHeadAssociation.com / 910-457-4676, ext. 22 / 910-457-9021 Fax

Date _____

Lot # _____ **BHI House #** _____ **BHI Street Name** _____

Property Owner _____

Mailing Address _____

_____

Telephone _____ Email _____

Vendor _____

Mailing Address _____

_____

Telephone _____ Email _____

Description _____

_____

_____

_____

_____

_____

***Other: An exterior change item that costs less than $200, scaled drawing of proposed change is required.**

****Please attach sketch or photo of the decorative item and proposed location for item.**

DEMOLITION REVIEW APPLICATION

ARCHITECTURAL REVIEW APPLICATION

(For demolition of existing homes)

BHA ARCHITECTURAL REVIEW COMMITTEE (ARC)

PO Box 3030
Bald Head Island, North Carolina 28461-7000
Fran@BaldHeadAssociation.com / 910-457-4676, ext. 22 / 910-457-9021 Fax

Proposed project completion time frame: _____

Lot # _____ BHI house # _____ BHI Street Name _____

Property owner _____

Mailing address _____

Telephone _____ Email_____

Contractor _____

Telephone _____ Email_____

As the official on-site designee of the property owner, the contractor accepts responsibility for maintaining the approved site management plan throughout the demolition process. The ARC Coordinator is granted on site permission and will make site inspections periodically throughout the process to ensure compliance with the ARC approved site management plan. The ARC Coordinator may authorize minor adjustments to the approved site management plan; major changes require resubmittal to the ARC for approval.

Damages may be assessed and fines imposed of up to $100 per day per violation for non-compliance. These fines are authorized by the Amended Covenants of the Bald Head Association and the Planned Community Act Chapter 47F of the NC General Statutes. They become effective five days after the Bald Head Association Board's approval of the recommendations.

The completed demolition review application must include the following documentation:

_____ Verify that a new construction project has ARC approval and a Village issued permit for rebuilding the main structure on this site.

_____ If a new construction project is not currently ARC approved and/or Village building permit for the approved project has not been issued for this site, a landscape restoration plan is required.

_____ A copy of the proposed site plan including debris management plan.

_____ Include the planned protection of existing vegetation. The ARC Coordinator will determine if tree/vegetation protection is required before demolition begins.

_____ Limits of demolition fencing required. A forest lot requires the use of 36" high black silt fencing, and a non-forest lot requires the use of 48" high wooden sand fencing.

_____ Review fee.

FINAL INSPECTION CHECKLIST/REPORT

(FOR INTERNAL USE ONLY)

Owner _____ Architect/Designer _____

Builder _____ Lot # _____

Deposit Amount $_____ Date C.O. Issued _____

Date of inspection _____ 'AS BUILT' Survey submitted _____

Site Placement _____ Exterior Lighting _____

Elevations: Trash Enclosure _____

Front _____ HVAC Screened _____

Back _____ Driveway _____

Left Side _____ Concrete Apron _____

Right Side _____ Walkways _____

Garage/Crofter _____ Stairways _____

Fence: Design _____ Location _____ Finished sides face out _____ Paint/Color _____

Exterior Paint/Color:

Body _____ Address Bollard (front) _____

Trim _____ Address Bollard (rear alley) _____

Doors _____ Landscaping _____

Accents _____

Lattice _____

Roof _____

_____ Damage to alley asphalt, sidewalk or street asphalt

Other (Describe) _____

_____

_____

By: _____ _____

BHA ARC Coordinator Date

Deposit mailed: Date _____ $_____

PAINT/COLOR APPLICATION

ARCHITECTURAL REVIEW APPLICATION

PLEASE COMPLETE All PAGES

NOTE: Must complete application prior to submittal (must include roof sample and paint chips)

Date: _____

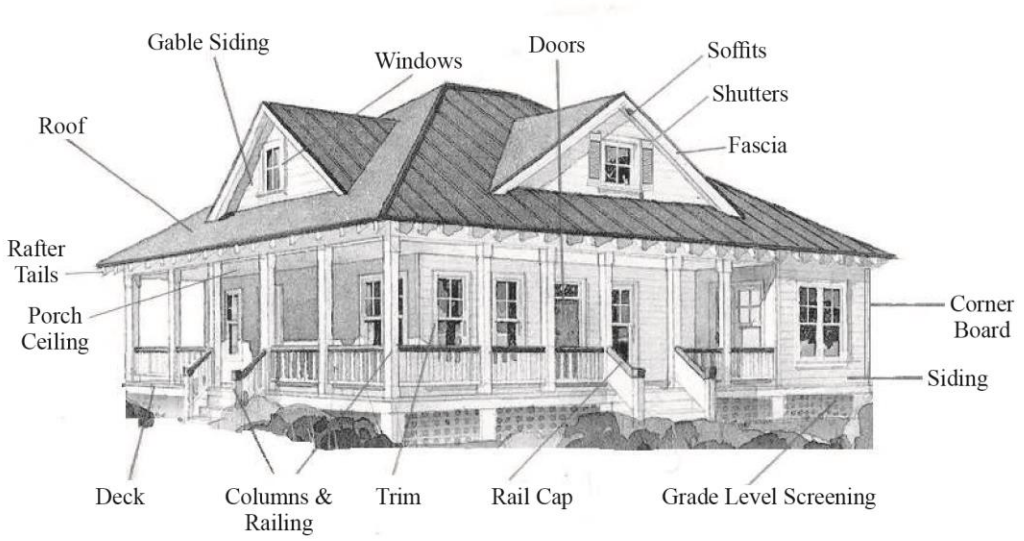
Lot # _____ BHI House # _____ BHI Street Name _____

Property Owner _____

Mailing Address _____

_____

Telephone _____ Email _____



_____

MANUFACTURER-PROVIDED ROOFING SAMPLE REQUIRED

Roof:

Color/Number _____

Manufacturer _____

Material _____

For guidance, see roofing color guidelines.

MUST ATTACH MANUFACTURER-PROVIDED PAINT CHIPS BELOW

Main body of the Bldg.:

Color/Number _____

Paint Mfg. _____

Rafters/ Soffits:

Color/Number _____

Paint Mfg. _____

Windows:

Color/Number _____

Paint Mfg. _____

Trim:

Color/Number _____

Paint Mfg. _____

Exterior Doors:

Color/Number _____

Paint Mfg. _____

Grade Level Screening:

Color/Number _____

Paint Mfg. _____

Porch Ceiling:

Color/Number _____

Paint Mfg. _____

Window Shutters

Color/Number _____

Paint Mfg. _____

HVAC Enclosure:

Color/Number _____

Paint Mfg. _____

Trash Enclosure:

Color/Number _____

Paint Mfg. _____

Deck:

Color/Number _____

Paint Mfg. _____

Columns and Railing:

Color/Number _____

Paint Mfg. _____

Garage Doors:

Color/Number _____

Paint Mfg. _____

Other Accents: _____

Rafter tails, cap rail, etc.

Color/Number _____

Paint Mfg. _____

PLEASE SEND TO THE ARCHITECTURAL REVIEW COORDINATOR

BHA ARCHITECTURAL REVIEW COMMITTEE (ARC)

PO Box 3030

Bald Head Island, North Carolina 28461-7000

Fran@BaldHeadAssociation.com / 910-457-4676, ext. 22 / 910-457-9021 Fax

PROPERTY OWNER'S AGREEMENT

- The original copy of the completed Property Owners agreement **must be submitted** with the Final Review application.
- The Property Owners agreement (all 4 pages) must be **completely** filled out and signatures notarized.
- The Property Owners agreement will be recorded at the Brunswick County Records Office and will transfer with the property.
- If the property is sold before the ARC final inspection has been successfully completed, the property owner of record at the time of the inspection is responsible for fulfilling the original agreement.
- Once the project is completed and the Property Owner agreement requirements are met, the Property Owner's Satisfaction Acknowledgement will be recorded at the Brunswick County Records Office and the construction deposit will be refunded to the property owner of record.

STATE OF NORTH CAROLINA

AGREEMENT

COUNTY OF BRUNSWICK

This Agreement is entered into the _____ day of _____, 20__ by and between

_____ , _____ (collectively "Property

Owner(s)") and Bald Head Association, a North Carolina non-profit corporation (the

"Association").

RECITALS

WHEREAS, Property Owner is the owner of the property identified and described in Exhibit A hereto (the "Property"); and

WHEREAS, an Architectural Review Committee (ARC) exists pursuant to authority vested by the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Bald Head Association (the "Covenants"), for the purpose of administering Bald Head Association Design Guidelines and reviewing all applications for new construction, exterior renovations, or site-work on any of the properties which are subject to the Covenants; and

WHEREAS, ARC approval is required prior to undertaking any new construction, exterior renovation, or site work and for any change to an approved plan, however insignificant, to ensure compliance with the Covenants or the Design Guidelines set forth therein; and

WHEREAS, Property Owner wishes to commence construction on the Property.

NOW THEREFORE, in consideration of the foregoing and the releases, covenants, representations and warranties contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged by the Parties, the Parties agree as follows:

1. Refundable Construction Deposit: Property Owner shall cause a construction deposit of $5000 to be paid to the Association, for purposes of ensuring compliance with the Covenants and Design Guidelines and reimbursing any administrative expenses, costs of repairing damage to Common Areas, fees, fines, and penalties incurred during the construction process. The Association shall refund the deposit in full upon completion of the project if:

a) The construction project on the Property has been completed in accordance with the ARC approved plans;

b) No Common Areas or right-of-way areas have been damaged or disturbed by construction;

c) No Covenants or Design Guidelines have been violated;

d) No deficits are remaining from the landscaping plan.

e) The Final Project Inspection Form has been 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. 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.

2. Property Owner's Other Obligations: Property Owner shall:

a) Become familiar with the requirements set forth in the Design Guidelines;

b) Submit any changes to any proposed plans for the property to the ARC for review;

c) Promptly remedy any violations of the Covenants or Design Guidelines;

d) Permit architect/designer _____to submit a proposal for work to begin on the property based upon a review of all drawings submitted for final review on _____, 20_____ and instructions to have the structure built as submitted if it is approved by the ARC;

e) Submit a copy of the *required* as-built survey to the ARC Coordinator within thirty (30) days of the Certificate of Occupancy issuance date to ensure that the residence is built according to the approved set of drawings;

f) Authorize Property Owner's architect/designer and builder to act in Property Owner's stead as Property Owner's representatives during the construction process;

g) Be responsible for the actions of Property Owner's architect/designer, builder, and other agents as Property Owner's duly-appointed representatives;

h) Permit the ARC Coordinator on-site access throughout the construction process;

i) Repair any damage to Common Areas or rights-of-way during the construction process;

j) Remit any amount assessed by the BHA Board as damages or fines, understanding that damages may be assessed and fines imposed of up to $100 per day per violation.

3. Property Owner(s) understand and agree in the event any portion of the proposed construction work involves work on property owned in whole or part by any person or entity other than the applicant property owner *(i.e.*, an access easement to the ocean for which the walkway or structure is owned jointly with an adjacent owner or otherwise) the written consent to the plans for any such construction work shall be required from that adjacent owner before the ARC shall consider approval of any such work. It shall be the obligation of the Property Owner to obtain such written consent from the adjacent owner or other such proper person and provide it to the ARC.

4. Transfer of Property: Should Property Owner sell the property before completion of the approved construction, Property Owner shall notify the purchaser of any ARC review process requirements and the existence of this Agreement. The Construction Deposit balance will be assigned to the new owner and will be subject to payment of any claims pre-dating the transfer of the property.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed effective the date specified above.

EXHIBIT A

Lot #_____, BHA, Bald Head Island, North Carolina, more commonly known and identified by its street address of _____.

PROPERTY OWNER

_____(SEAL)
Property Owner Signature

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public for the State of _____, County of _____, do hereby certify that _____ personally appeared before me this ____ day of _____, 20____, and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal this _____day of _____, 20____.

_____
Notary Public

My commission expires: _____

PROPERTY OWNER

_____(SEAL)
Property Owner Signature

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public for the State of _____, County of _____, do hereby certify that _____ personally appeared before me this ____ day of _____, 20____, and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal this _____day of _____, 20____.

_____
Notary Public
My commission expires: _____

BALD HEAD ASSOCIATION

_____

By:_____

Its:_____

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of _____County, North Carolina, do hereby certify that _____ personally came before me this day and acknowledged that she is _____ of Bald Head Association, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by the duly authorized agent.

WITNESS my hand and official seal this _____day of _____, 20__

_____

Notary Public

My commission expires: _____

PROPERTY OWNERS SATISFACTION ACKNOWLEDGEMENT

FOR INTERNAL USE ONLY

STATE OF _____

COUNTY OF _____

ACKNOWLEDGMENT

Bald Head Association, a North Carolina non-profit corporation (the "Association") hereby acknowledges that all conditions of the Agreement recorded in Book ____ at Page _____, Brunswick County Registry, have been fully satisfied.

IN WITNESS WHEREOF, the Bald Head Association has caused this Agreement to be executed effective the date specified above.

BALD HEAD ASSOCIATION

_____

By:_____

Its:_____

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public for the State of _____, County of _____, do hereby certify that _____ personally appeared before me this ____ day of _____, 20____, and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal this _____day of _____, 20__.

_____

Notary Public

My commission expires: _____

EXHIBIT A

Lot #___, BHA, Bald Head Island, North Carolina, more commonly known and identified by its street address of _____.

SITE MANAGEMENT COMPLIANCE FORM
ARC Coordinator, 910-457-4676 ext.22

Date building permit issued: _____

Lot # _____ BHI house # _____ BHI Street Name _____

Property owner _____

Mailing address _____

Telephone _____ Email_____

Builder _____

Mailing address _____

Telephone _____ Email_____

As the official on site representative of the property owner, the builder accepts responsibility for maintaining this Site Management Plan throughout the building process. The ARC Coordinator is granted on site permission and will make site inspections periodically throughout the building process to insure compliance with this Site Management Plan. <u>The builder is responsible for contacting the ARC Coordinator to schedule required site visits and the completion of the three step site management form.</u> The ARC Coordinator may authorize minor adjustments to the approved site plan; major changes require resubmittal to the ARC for approval.

Damages may be assessed and fines imposed of up to $100 per day per violation for non-compliance. These fines are authorized by the Amended Covenants of the Bald Head Association and the Planned Community Act Chapter 47F of the NC General Statutes. They become effective five days after the Bald Head Association Board's approval of the recommendations.

_____ _____ _____ _____

ARC Coordinator Date Builder Date

1ST SITE VISIT – SCHEDULED WITH ARC COORDINATOR BEFORE LAND IS CLEARED

_____ A copy of the approved site plan is attached.
_____ The building corners are indicated by survey stakes, the trees are tagged for removal and the tree/vegetation removal is verified.
_____ The approved site plan is reviewed and updated with required adjustments. This form is agreed to be the project Site Management Plan. Discuss protection of remaining trees.
_____ The ARC Coordinator will determine if tree/vegetation protection is required before the land is cleared.

NOTES: _____

_____

_____

_____ _____

ARC Coordinator Date Builder Date

2ND SITE VISIT – SCHEDULED WITH ARC COORDINATOR BEFORE PILINGS ARE INSTALLED

_____ The land has been cleared approximately 6 feet around the building pad.
_____ The surveyor has set the final house corner stakes in preparation for piling installation.
_____ Protective wood sand fencing has been installed 2 feet from and around the base of the trunk or vegetation to be protected per the site plan.
_____ Review and update the Site Management Plan.

NOTES: _____

_____

_____

_____ _____

ARC Coordinator Date Builder Date

Exception: Tree protection that impedes the piling installation process will be noted on the Site Management Plan. Any delay of specific tree protection must be approved by the ARC Coordinator.

3RD SITE VISIT - SCHEDULED WITH ARC COORDINATOR AFTER PILINGS ARE INSTALLED AND BEFORE OTHER MATERIALS ARE DELIVERED

_____ Limits of construction fencing have been installed.

_____ 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.

_____ The dumpster location has been designated.

_____ The portable restroom location has been designated.

_____ The Site Management Plan is reviewed and updated if necessary.

_____ Although tree protection would be ideal if installed at the drip line of the remaining trees, it is recognized that this may not always be possible. On site, the ARC Coordinator will discuss with the builder any additional required tree/vegetation protection on a case-by-case basis when drip line is not possible.

_____ The driveway has been stabilized and _____ material has been used.

_____ The materials lay-down area has been determined and marked on the Site Management Plan.

NOTES: _____

_____

_____

_____ _____

ARC Coordinator Date Builder Date

B - 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. These 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, large vertical windows and inviting porches.

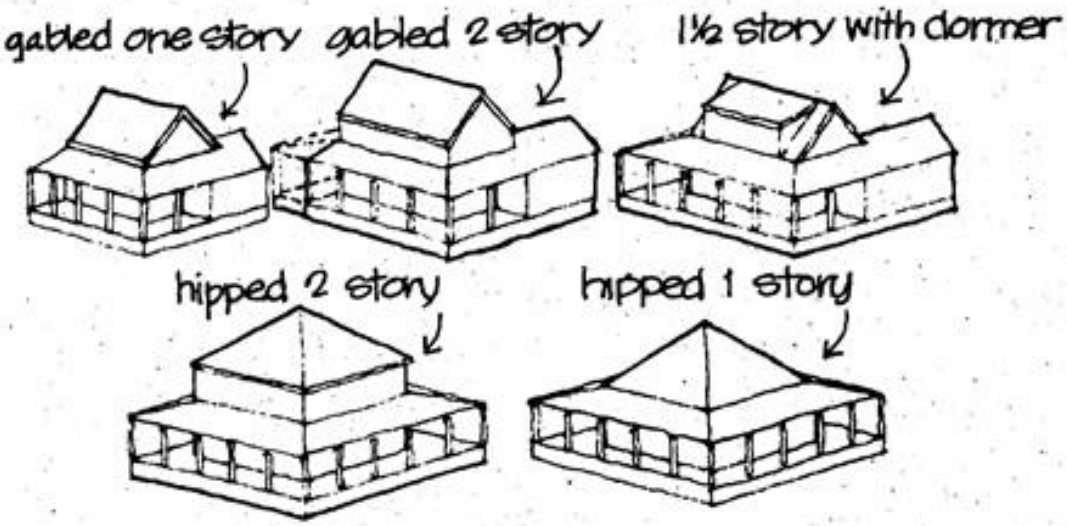
Other characteristics of this coastal architecture include steep roofs, cedar shakes, dormers, open rafter tails, large overhangs, minimal ornamentation and variation in overall shape and massing. Natural materials are strongly encouraged. Many homes feature expanses of decking and glass. Climate tempering is achieved with wrap-around porches to shade the summer sun, operable shutters to provide shade and admit breezes, lattice work and sun screens 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 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.

COTTAGE FORMS



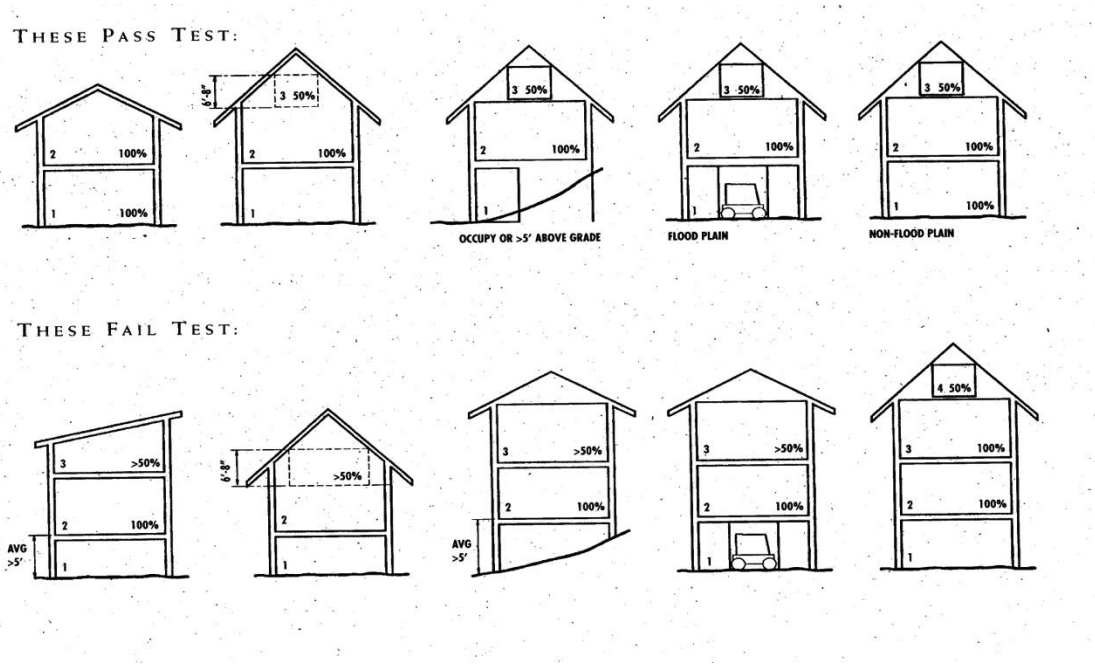
The 50% Rule (One and One-half Story Rule)

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 story.
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. The structure will not be required to meet the 50% rule if the first floor elevation is less than five feet off average grade around the perimeter of the structure. The perimeter of the structure includes attached decks, porches, staircases, etc.
4. If the architectural program is separated into more than one detached building, the 50% Rule will be applied to the main structure(s).
5. 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.



C – CAPE FEAR STATION

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 **Appendix D** section of 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. In order 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 **Appendix D** section of 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 Definitions

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.

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.

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

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.

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

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.

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.

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.

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.

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

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.

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.

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.

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.

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

Cape Fear Station Beach Lot

These rules apply to any residential lots with the "Beach (B)" designation.

1. Overall Size Restrictions:

Coverage - Total impervious coverage is designated in the recorded covenants as 5500 sq ft.

Square Footage - Minimum heated square footage is 2,000. Maximum total heated square footage is 6,000.

2. All Building:

Uses - Single-family residence is the only permitted use.

Setbacks - See attached drawings for general information. See subdivision plat for specific designated setbacks.

Front setback- 35 feet minimum –80 feet maximum from front property line. Except for garage and accessory buildings (See Accessory Buildings/Garages section). The front façade must be 40% of lot width.

Side setback- 15 feet on South side

10 feet on the North side

Rear setback- 20 feet off the conservation easement line

1 ½ Story rule - All homes in front of the shear zone must comply with the 1 ½ story rule.

Porches -

Length- The porch requirement is for the first story porch on the West, South and East sides. The length of the required porch is a minimum of 50% of the total first floor conditioned wall at the building perimeter. (North side is allowed but not required. North side is in the perimeter calculation but does not count towards the 50% required.)

Depth- Required depth is 8 feet minimum. Bays are permitted to encroach up to 40% of the depth to a maximum of 50% of the overall porch length and still qualify toward the required length calculation. Bays must be built at least 24" from corner of structure.

Height- 1 story minimum

3. Sitework

Walkways - Walkways to beach are only permitted at the discretion of the ARC. The intent is to cluster walkways between lots and leave maximum open space between walkways. Walkways are to be placed within 10 feet of the adjoining lot line, paired up in the following manner: 4004 & 4006, 4008 & 4010, 4012 & 4014, 4016 & 4018, 4020 & 4022, 4024 &

4026, 4028 & 4030, 4032 & 4034. Lot 4002 walkway is to be placed within 10 feet of the south lot line.

Fences - Fences are required to follow along the front and side property lines up to front line of the main structure. They will not be permitted in the conservation easement area. Please see the "Fence Section" of this document for additional specifications.

Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height- 36 inches maximum.

Trellises -Trellises are permitted anywhere on the site except conservation easement areas. Heights shall not exceed 10 feet.

Gazebos - Gazebos are permitted 10 feet from the front and North side, 15 feet on the South side and 20 feet off the rear. Height from grade to the highest point of structure must not exceed 14 feet.

4. Accessory Buildings/ Garages

Accessory buildings/garages are allowed to encroach in the 35 feet main building setback on the street side as long as they meet a minimum setback of 10 feet from the street. The accessory building must be between a 10 feet minimum side yard and a 40 feet maximum from the North property line. Garages are not allowed under the house. Accessary buildings may include garages, bedrooms, guest cottages, crofters, enclosed storage and workshops; however, the use must be associated with the main structure and may not be leased or rented separately from the main structure. Any accessory building may be attached to the main building by roof, deck or porch but the walls between the main building and the out building may not meet. These walls must be separated by a breezeway or porch at least 8 feet minimum between the West sidewall of main structure and the East sidewall of the accessory building. The North end wall of the connecting porch or deck may be closed with windows, louvers, lattice or screen, but shall not be enclosed or air- conditioned.

Uses - all uses must be single-family uses in conjunction with the main structure.

Setbacks -

Front setbacks-10 feet

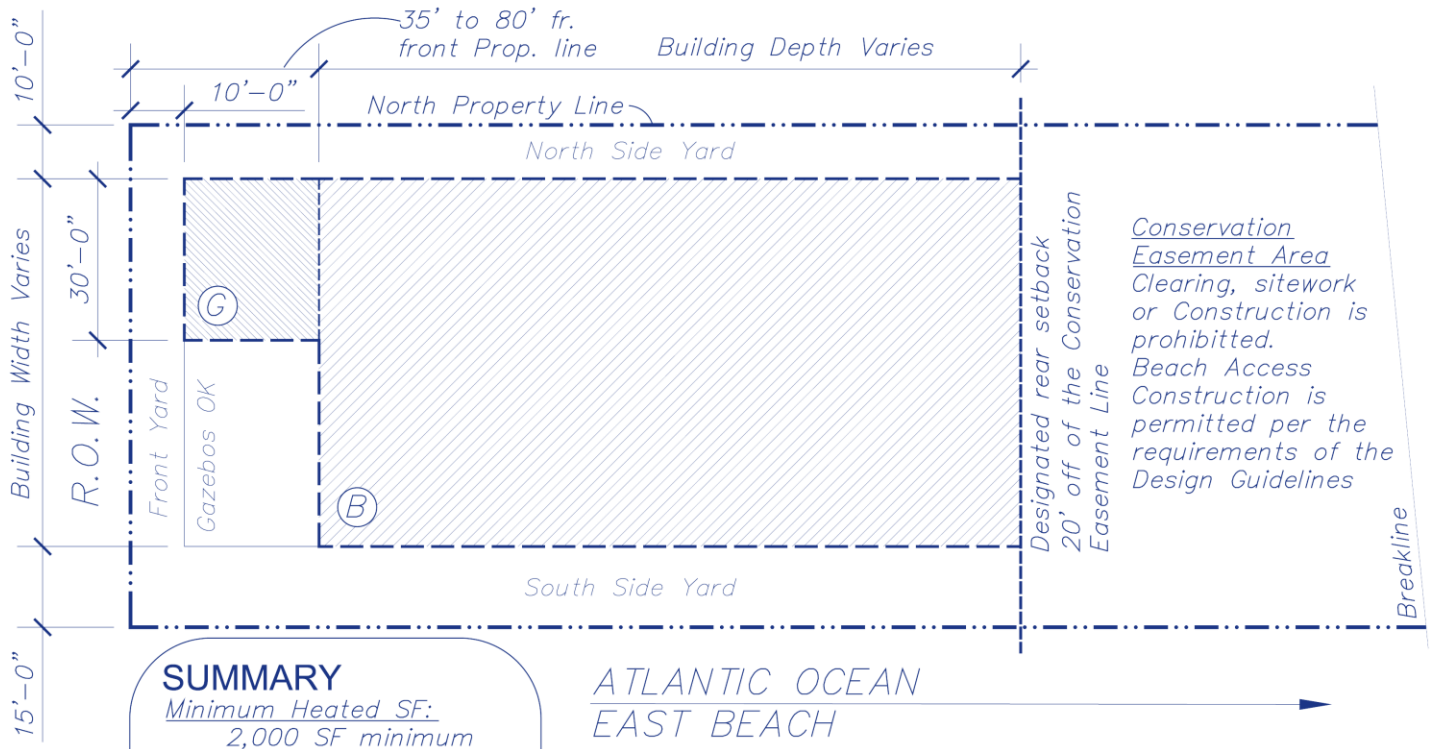
North side setback - 10 feet

South side setback - 40 feet from North property line

Height - Maximum 25 feet

Porch - If two story, the second story must have access porch on the South side, 50 % of length of the South wall and a minimum of 4 feet deep.

Beach Lots



SUMMARY

Minimum Heated SF:
2,000 SF minimum

Maximum Heated SF:
6,000 SF maximum

Frontage:
40% of Lot width

Porch:
50% of Perimeter of bldg. E/S/W sides only
See Design Guidelines

Lot coverage:
See Covenants

Fence Line:
Along front and side property lines up to the front line of the main house.

GARAGE/OUTBUILDING AREA (G)

MAIN BUILDING AREA (B)

B

CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Beach

Cape Fear Station Cottage Lot

These rules apply to any residential lots with "Cottage (C)" designation.

1. Overall Size restrictions

Coverage - Total impervious coverage is designated in the recorded covenants.

Lot 5701 is allowed 3500 sq. ft. and Lot 5731 is allowed 3000 sq. ft.

All other Cottage Lots are allowed 2500 sq. ft. of impervious coverage.

Square Footage - Minimum heated square footage is 700. Maximum total heated square footage is 40% of lot area (up to 2,000 square feet).

2. Main building:

Uses - Single-family residence is the only permitted use.

Setbacks -

Front setback- 10 feet

Side setback- 5 feet (10 feet on corners)

Rear setback-10 feet off of the property line or Alley easement line (whichever is more).

Houses with Alley easements in the side or rear shall use the easement line as their setback line. If Alley way is to the side then 10 feet is side yard setback (alley side only) and 5 feet to rear. Garage parking area shall extend a maximum of 25 feet from Alley easement line where available or anywhere on the building area when alley access is not available.

Porches - A minimum porch of a 100 square feet of one story, visible from the street is required.

3. Sitework

Fences - Fences shall follow property and easement lines. Please see the "Fence Section" of this document for additional specifications.

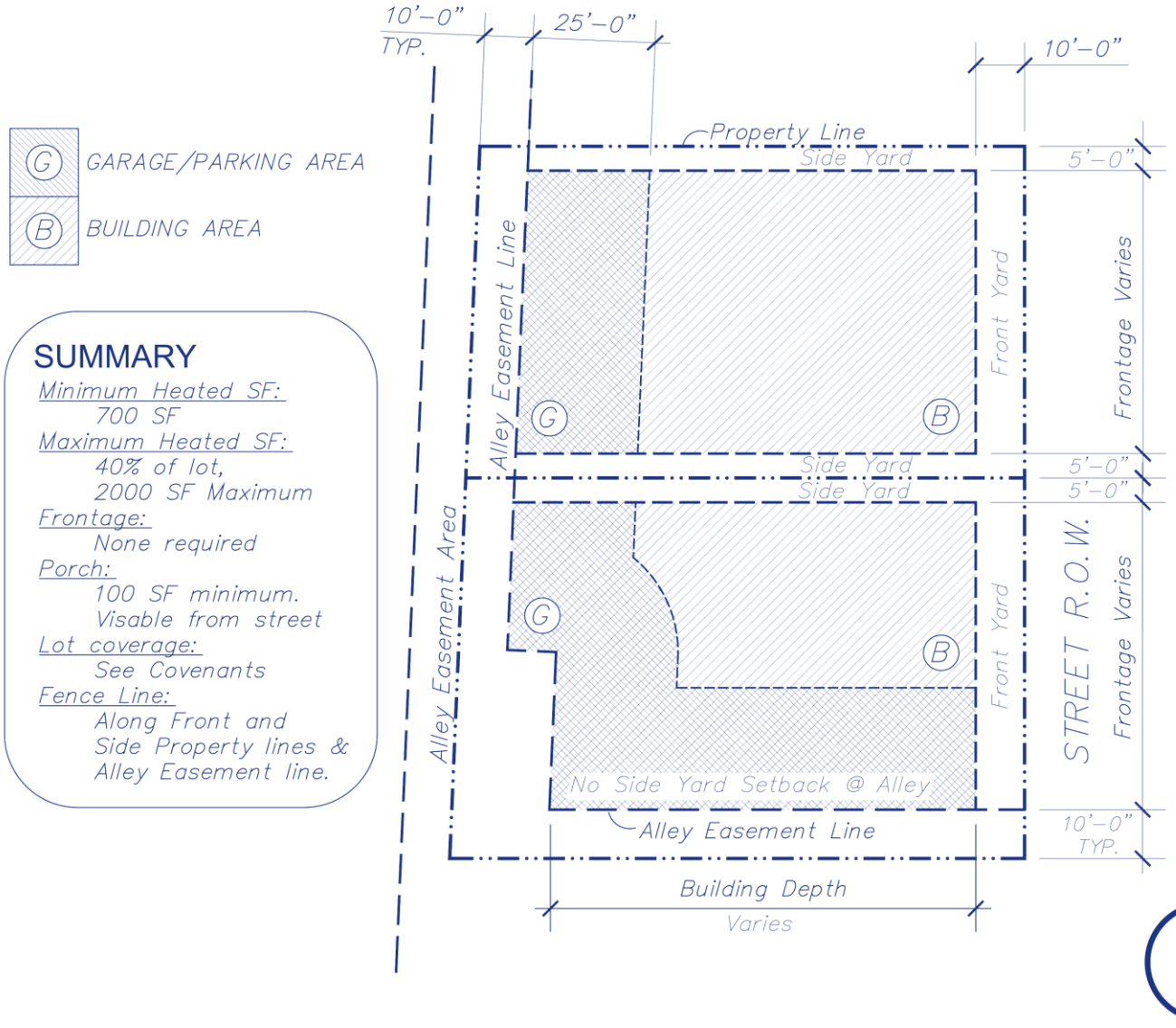
Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height- 30 inches minimum, 48 inches maximum.

4. **Accessory Buildings/ Garages**

Parking/garages/crofters are allowed within the designated "Garage" area.

Cottage Lots



G GARAGE/PARKING AREA

B BUILDING AREA

SUMMARY

Minimum Heated SF:
700 SF

Maximum Heated SF:
40% of lot,
2000 SF Maximum

Frontage:
None required

Porch:
100 SF minimum.
Visable from street

Lot coverage:
See Covenants

Fence Line:
Along Front and Side Property lines & Alley Easement line.

CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Cottage

Cape Fear Station Creek Lot

These rules apply to any residential lots with the "Creek (CR)" designations.

1. Overall Size Restrictions

Coverage - Impervious coverage is designated in the recorded covenants.

Lot 6000 is allowed 3000 sq ft

Even lots 6002-6026 are allowed 4000 sq ft

Even lots 6028-6040 are allowed 4500 sq ft

Even lots 6042-6044 are allowed 5000 sq ft

Square Footage - Minimum heated square footage is 1,600. Maximum total square footage is 40% of the total lot (up to 3,500 square feet).

2. Main building:

Uses - Single-family residence only.

Setback -

Front setback- 10 feet minimum, 40 feet maximum

Side setback-5 feet

Required street frontage - The building shall extend a minimum of 40% of the property line frontage (24 feet minimum). Frontage shall be perpendicular to side property line.

Porches -

Length-The porches shall extend along 60% of the required street frontage or 24 feet minimum.

Depth-Required depth is 8 feet minimum. Bays are permitted to encroach up to 40% of the depth to a maximum of 50% of the overall porch length as measured on the building wall and must be at least 2 feet from the corner of the porch.

Height-1 story minimum

Enclosure-The porch shall remain unheated but can be enclosed up to 50% of its total length. Permitted methods of enclosure are:

a. Insect screening,

b. Wood shutters, louvers or lattice

3. Sitework

Fences - Shall follow front property line and extend 50 feet on side property line. Additional fencing is allowed but not required. Please see the "Fence Section" of this document for additional specifications.

Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height- 30 inches minimum, 48 inches maximum.

4. Accessory Buildings/Garages

Parking/garages, crofters etc. are allowed within the designated setback.

Creek Lots

(B) BUILDING AREA

(F) FRONTAGE AREA

SUMMARY

Minimum Heated SF:
1,600 SF

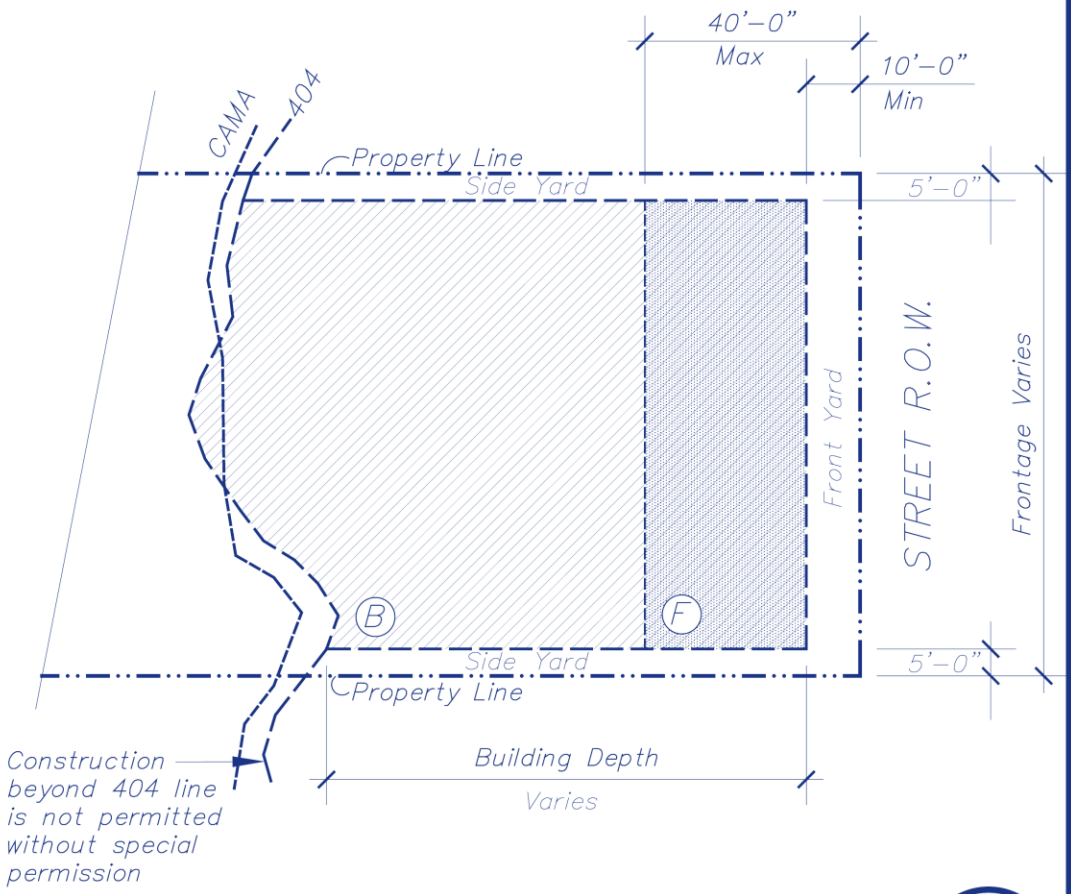
Maximum Heated SF:
40% of Lot area,
3,500 SF maximum.

Frontage:
40% of lot frontage
or 24' minimum.

Porch:
60% of the required
frontage or 24'min.
1 story.

Lot coverage:
See Covenants

Fence Line:
Front Property line &
50' on side Property
line



CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Creek

Cape Fear Station Creek Manor Lot

These rules apply to any residential lots with the "Creek Manor (CRM)" designation.

1. Overall Size Restrictions:

Coverage - Total impervious coverage is designated in the recorded covenants.

All Creek Manor Lots are allowed 5500 sq ft.

Square Footage - Minimum heated square footage is 2,000. Maximum heated square footage is 40% of lot area (up to 6,000 square feet).

2. All buildings:

Uses - Single-family residence is the only permitted use.

Setbacks - See attached drawings for general information. See subdivision plat for specific designated setbacks.

Front setback-see plat

Side setback-10 feet

3. Sitework

Fences - Fences shall be permitted at the discretion of the ARC. They will not be allowed to run along the perimeter of the property. The fence shall define and create space rather than define the edge of the property. Fences running along 50% or more of any property line are prohibited. No fences are allowed on front lot line or along the front 20' of side lot lines. Please see the "Fence Section" of this document for additional specifications. All fences are reviewed and approved by the ARC.

Height- 30 inches minimum, 48 inches maximum.

4. Accessory Buildings/Garages

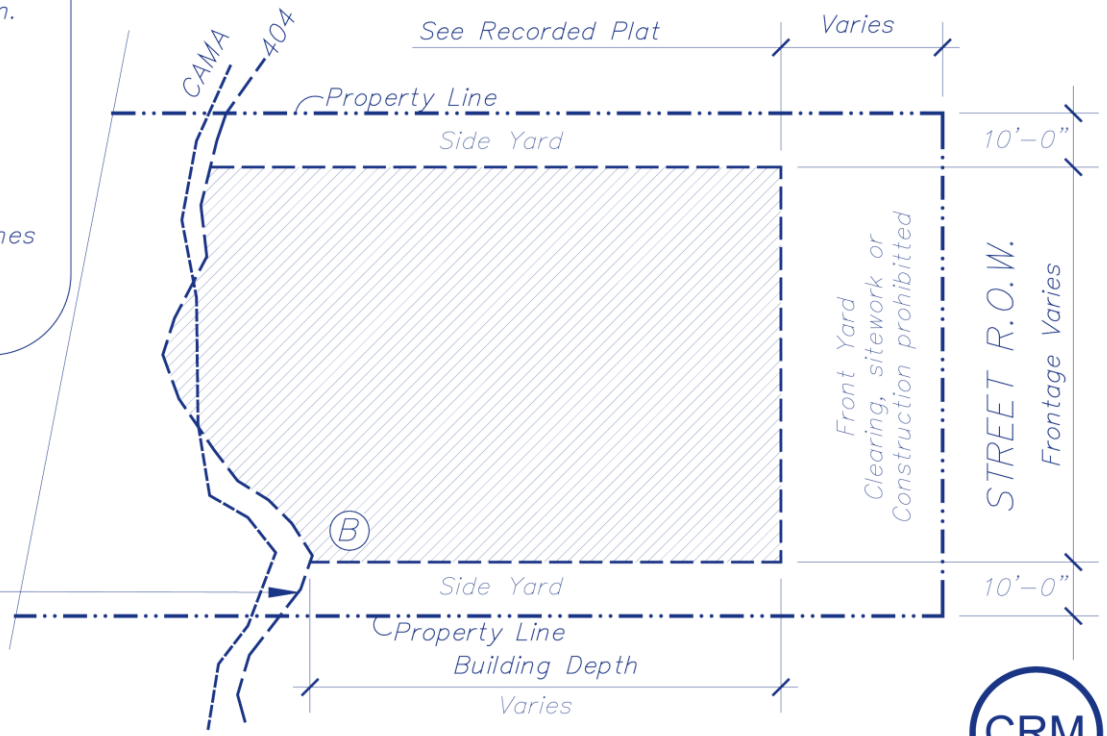
Accessory buildings or garages are allowed anywhere within the designated setbacks.

Creek Manor Lots

B BUILDING AREA

SUMMARY

Minimum Heated SF:
2,000 SF
Maximum Heated SF:
40% of Lot area,
6,000 SF maximum.
Frontage:
None Required
Porch:
None Required
Lot coverage:
See Covenants
Fence Line:
See Design Guidelines



CAPE FEAR STATION
BALD HEAD ISLAND, N.C.
July 1, 2017
SITEPLAN
Lot Typologies
Design Guidelines
Creek Manor
CRM

Cape Fear Station Dune Ridge Lot

These rules apply to any residential lots with the "Dune Ridge (DR)" designation.

1. Overall Size restrictions

Coverage - Total impervious coverage is designated in the recorded covenants.

All Dune Ridge Lots are allowed 5500 sq ft.

Square Footage - Minimum heated square footage is 1,800 sq ft.

2. All buildings

Uses - Single-family residence is the only permitted use.

Setbacks - See attached drawings for general information. See subdivision plat for specific designated setbacks.

Front setback-See Village Zoning Ordinances, Chapter 32, Section 127, Table 1.

Side setback- See Village Zoning Ordinances, Chapter 32, Section 127, Table 1.

Rear setback- See Village Zoning Ordinances, Chapter 32, Section 127, Table 1.

Porches

Length-The porch requirement is for the first story porch on the South and East sides. The length of the required porch is a minimum of 40% of the total first floor conditioned wall at the building perimeter.

Depth-Required depth is 8 feet minimum. Bays are permitted to encroach up to 40 % of the depth to a maximum of 50% of the overall porch length and still qualify toward the required length calculation. Bays must be built at least 24" from corner of structure.

Height-1 story minimum

1 ½ Story rule - All homes in front of the shear zone must comply with the 1 ½ story rule.

3. Sitework

Fences - Fences shall be permitted at the discretion of the ARC. The fence shall define and create space rather than define the edge of the property. Fences running along 50% or more of property line are prohibited. Please see the "Fence Section" of this document for additional specifications.

Height- 30 inches minimum, 48 inches maximum.

Trellises - Trellises are permitted anywhere on the site. Heights shall not exceed 10 feet.

4. Accessory Buildings / Garages

In order to fit structures within the unique topography and vegetation of these lots, auxiliary buildings are encouraged. These buildings may include garages, bedrooms, guest cottages, crofters, enclosed storage, studios and workshops; however, the use must be associated with the main structure and may not be leased or rented separately from the main structure. All structures must comply with the main structure setbacks.

Uses-All uses must be single-family uses in conjunction with the main structure.

Height- Maximum 25 feet

Cape Fear Station House Lots

These rules apply to any residential lots with "House (H)" designation.

1. **Overall Size restrictions**

Coverage - Impervious coverage is designated in the recorded covenants.

Odd lots 4205-4219, 5001-5007, lot 5455 and even lots 4306-4308 and lot 4312 are allowed 3500 sq. ft.

All other House Lots are allowed 3000 sq. ft.

Square Footage - Minimum heated square footage is 1,000. Maximum total heated square footage is 30% of total lot area (up to 3,000 square feet), unless 30% of total lot area is less than 2000 sq. ft. and then the maximum is 2000 sq. ft.

2. **Main building:**

Uses - Single family residence only.

Setback Zones - Required

Front setback - 10 feet minimum and 20 feet maximum.

Side setback -5 feet (10 feet at corners)

Rear setback - 10 feet off of the property line or Alley easement line (whichever is greater).

Required street frontage - The building shall extend along a minimum of 40% of the property line frontage or 24 feet minimum.

Front Porches -

Length -The porches shall extend along a minimum 60% of the required street frontage (24 feet minimum).

Depth - Required minimum depth is 8 feet. Bays are permitted to encroach up to 40% of the depth to a maximum of 50% of the overall porch length as measured on the building wall and must be at least 2 feet from the corner of the porch.

Height -1 story minimum

Enclosure -The required portion of the porch shall remain unheated and cannot be enclosed or screened.

3. **Sitework**

Fences - Fences shall be built along the front and side property lines as well at the Alley easement line. Please see the "Fence Section" of this document for specifications.

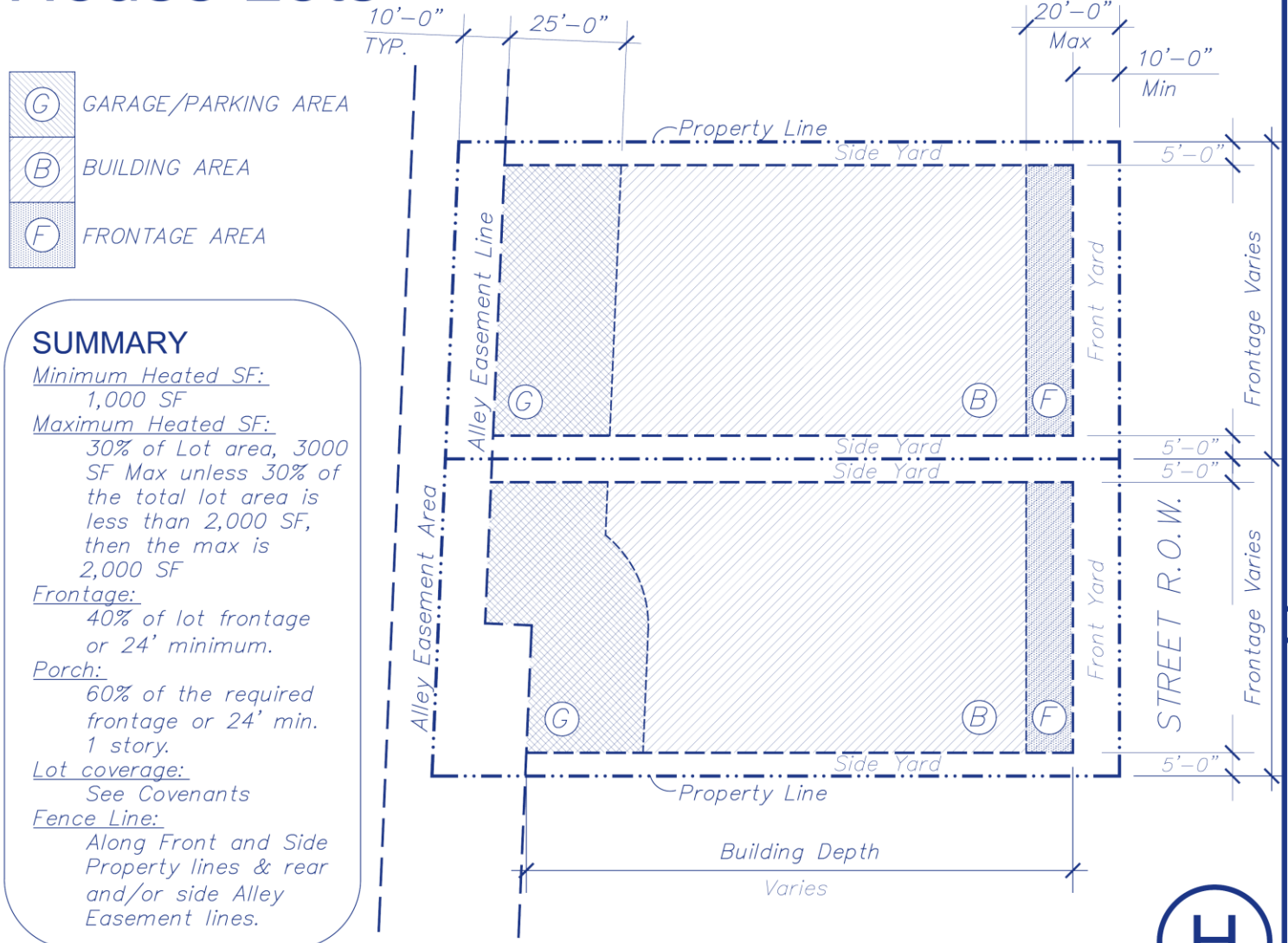
Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height – 30 inches minimum, 48 inches maximum.

4. **Accessory Building/Garage/parking area -** Garage/parking area shall extend a maximum of 25 feet off the Alley easement line.

   Accessory buildings – Guest houses/studios/gazebos etc. may be anywhere within the building area.

House Lots



G GARAGE/PARKING AREA

B BUILDING AREA

F FRONTAGE AREA

SUMMARY

Minimum Heated SF:
1,000 SF

Maximum Heated SF:
30% of Lot area, 3000 SF Max unless 30% of the total lot area is less than 2,000 SF, then the max is 2,000 SF

Frontage:
40% of lot frontage or 24' minimum.

Porch:
60% of the required frontage or 24' min. 1 story.

Lot coverage:
See Covenants

Fence Line:
Along Front and Side Property lines & rear and/or side Alley Easement lines.

CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

House

Cape Fear Station House Orchard Lots

These rules apply to any residential lots with "House Orchard (HO)" designation.

1. **Overall Size restrictions**

   Coverage - Impervious coverage is designated in the recorded covenants.

   All House Orchard Lots are allowed 3000 sq ft.

   Square Footage - Minimum heated square footage is 1,000. Maximum total heated square footage is 30% of total lot area (up to 3,000 square feet), unless 30% of the total lot area is less than 2,000 sq. ft., then the max is 2,000 sq. ft.

2. **Main building:**

   Uses - Single-family residence only.

   Setback Zones - Required

   Front setback- 10 feet minimum and 20 feet maximum.

   Side setback-5 feet (10 feet at corners)

   Rear setback- 10 feet off of the property line or Alley easement line (whichever is greater).

   Required street frontage - The building shall extend along a minimum of 40% of the property line frontage or 24 feet minimum.

   Front Porches -

   Length- The porches shall extend along a minimum 60% of the required street frontage (24 feet minimum).

   Depth- Required minimum depth is 8 feet. Bays are permitted to encroach up to 40% of the depth to a maximum of 50% of the overall porch length as measured on the building wall and must be at least 2 feet from the corner of the porch.

   Height- 1 story minimum

   Enclosure- The required portion of the porch shall remain unheated and cannot be enclosed or screened.

3. **Sitework**

   Fences - Fences shall be built along the front and side property lines as well at the Alley easement line. For lots fronting on Kinnakeet Way, the front fences shall be built a minimum of 0'-4' feet back from the front property line. Please see the "Fence Section" of this document for additional specifications.

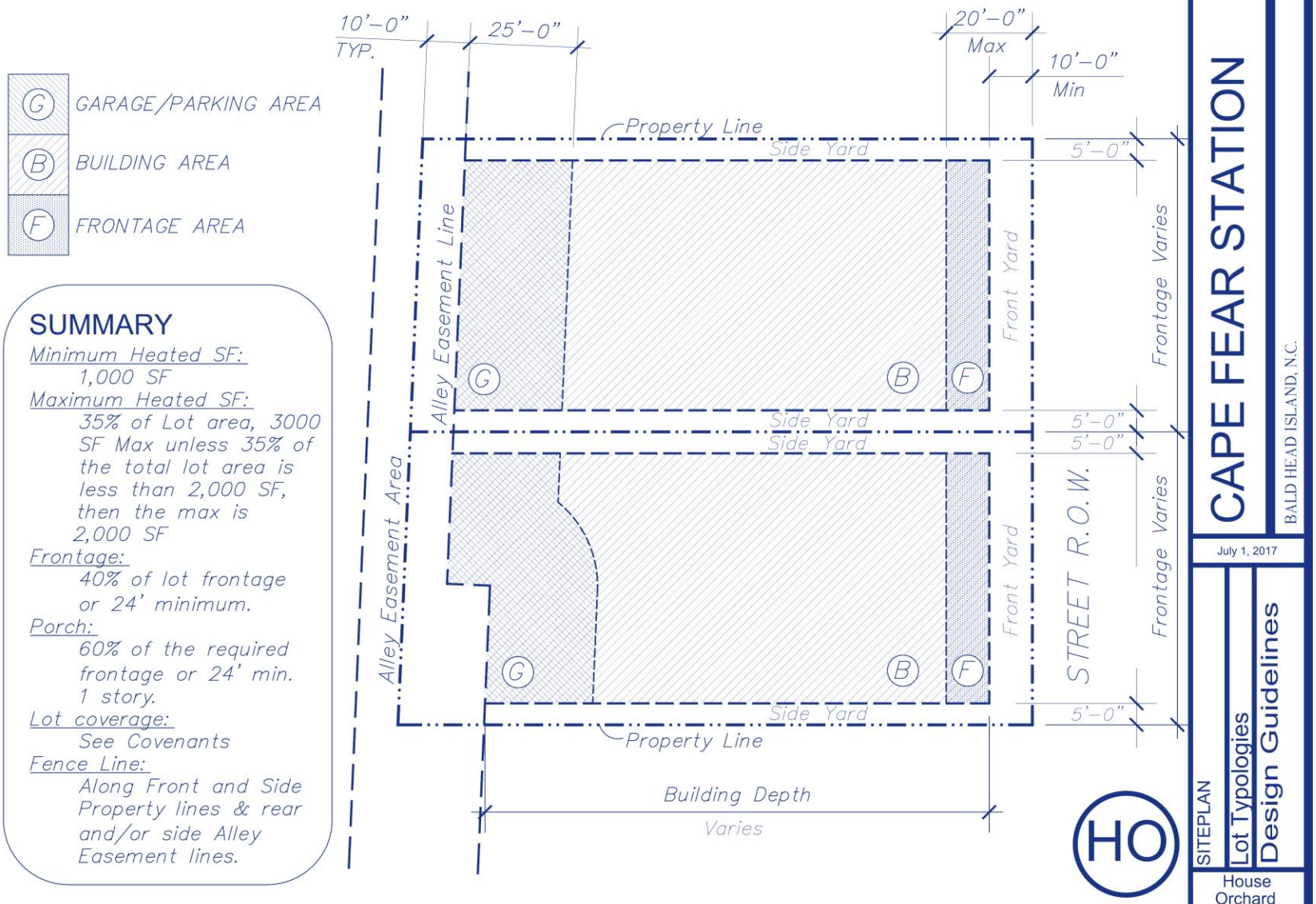
   Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have

his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height- 30 inches minimum, 48 inches maximum.

4. Accessory Building/Garage/parking area - Garage/parking area shall extend a maximum of 25 feet off the Alley easement line. Accessory buildings – guest houses/studios/gazebos etc. may be anywhere within the building area.

House Orchard Lots



SUMMARY

Minimum Heated SF:
1,000 SF

Maximum Heated SF:
35% of Lot area, 3000 SF Max unless 35% of the total lot area is less than 2,000 SF, then the max is 2,000 SF

Frontage:
40% of lot frontage or 24' minimum.

Porch:
60% of the required frontage or 24' min. 1 story.

Lot coverage:
See Covenants

Fence Line:
Along Front and Side Property lines & rear and/or side Alley Easement lines.

CAPE FEAR STATION
BALD HEAD ISLAND, N.C.
July 1, 2017
SITEPLAN
Lot Typologies
Design Guidelines
House Orchard

Cape Fear Station Manor Lot

These rules apply to any residential lots with the "Manor (M)" designation.

1. Overall Size restrictions

Coverage - Total impervious coverage is designated in the recorded covenants.

Lots 5569 and 5571 are allowed 2000 sq. ft.

Lots 5565 and 5567 are allowed 2200 sq. ft.

Lot 5573 is allowed 2400 sq. ft.

Lot 5563 is allowed 2700 sq. ft.

Lots 3601, 5027, 5454, 5470 and 5472 are allowed 3000 sq. ft.

Lots 5446, 5448, 5464, and 5468 are allowed 3800 sq. ft.

Odd Lots 5017-5025 are allowed 3950 sq. ft.

All other Manor Lots are allowed 3500 sq. ft.

Square Footage - Minimum heated square footage is 1,600. Maximum heated square footage is 30% of lot area (up to 3,500 square feet).

2. All buildings:

Uses - Single-family residence is the only permitted use.

Setbacks - See attached drawings for general information. See subdivision plat for specific designated setbacks.

Front setback- 20 feet. Bays, stoops, overhangs and porches may project up to 10 feet in front of this line.

Side setback- 10 feet

Rear setback- 10 feet from property line

3. Sitework

Fences - Fences shall be permitted at the discretion of the ARC. They will not be allowed to run along the perimeter of the property. The fence shall define and create space rather than define the edge of the property. Fences running along 50% or more of property line are prohibited. Please see the "Fence Section" of this document for additional specifications.

Height- 30 inches minimum, 48 inches maximum.

4. Accessory Buildings / Garages

Accessory buildings or garages are allowed anywhere within the designated setbacks.

Manor Lots

(B) BUILDING AREA

(S) STOOP, BAY AND OVERHANG AREA

SUMMARY

Minimum Heated SF:
1,600 SF

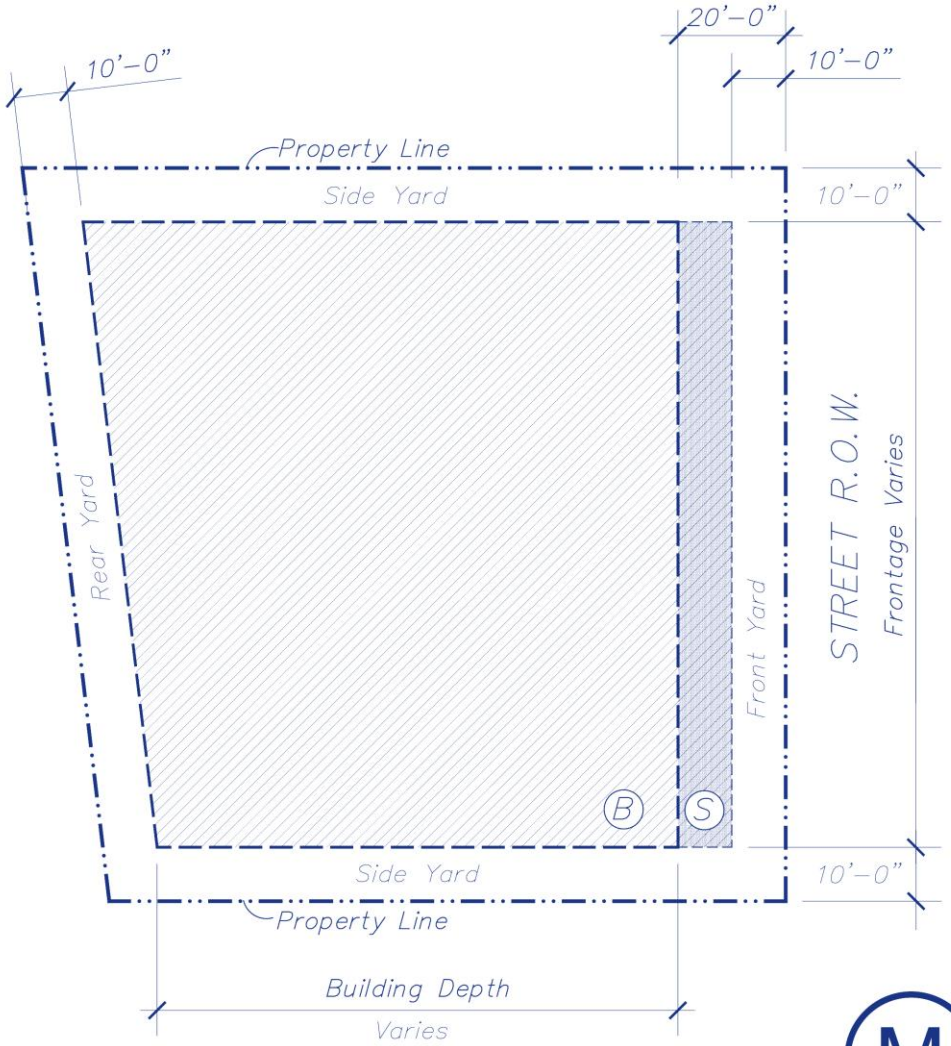
Maximum Heated SF:
30% of Lot area,
3,500 SF Max.

Frontage:
None Required

Porch:
None Required

Lot coverage:
See Covenants

Fence Line:
See Guidelines



CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Manor

Cape Fear Station Maritime View

These rules apply to any residential lots with the "Maritime View (MV)" designations.

1. Overall Size Restrictions

Coverage - Impervious coverage is designated in the recorded covenants.

All Maritime View lots are allowed 3750 sq. ft.

Square Footage - Minimum heated square footage is 1,600. Maximum total square footage is 40% of the total lot (up to 3,500 square feet).

2. Main building:

Uses - Single-family residence only.

Setback -

Front setback- 10 feet minimum, 30 feet maximum

Street Side setback-10 feet minimum, 30 feet maximum

Side setback-10 feet

Rear setback-10 feet from the property line or the designated shear zone.

Required street frontage - The building shall extend a minimum of 40% of the property line frontage (24 feet minimum). Frontage shall be parallel to the street.

1 ½ Story Rule - All homes must comply with the 1½ story rule.

Porches -

First Floor Porch Length- The first floor porch shall wrap the corner along the South East Beach Drive or Station House Way. See the attached site diagrams for required porch locations and dimensions. No other building can be built in front of this area.

Depth- Required depth is 8 feet minimum. Bays are permitted to encroach up to 40% of the depth to a maximum of 50% of the overall porch length as measured on the building wall and must be at least 2 feet from the corner of the porch.

Height- Required first floor.

Enclosure-The porch shall remain unheated but can be enclosed up to 50% of its total length. The front door cannot be screened. Permitted methods of enclosure are:

a. Insect screening,

b. Wood shutters, louvers or lattice

3. Sitework

Fences -Shall follow entire perimeter on South East Beach Dr., Station House Way and between the lots. Fences are not allowed into the shear zone. Please see the "Fence Section" of this document for additional specifications.

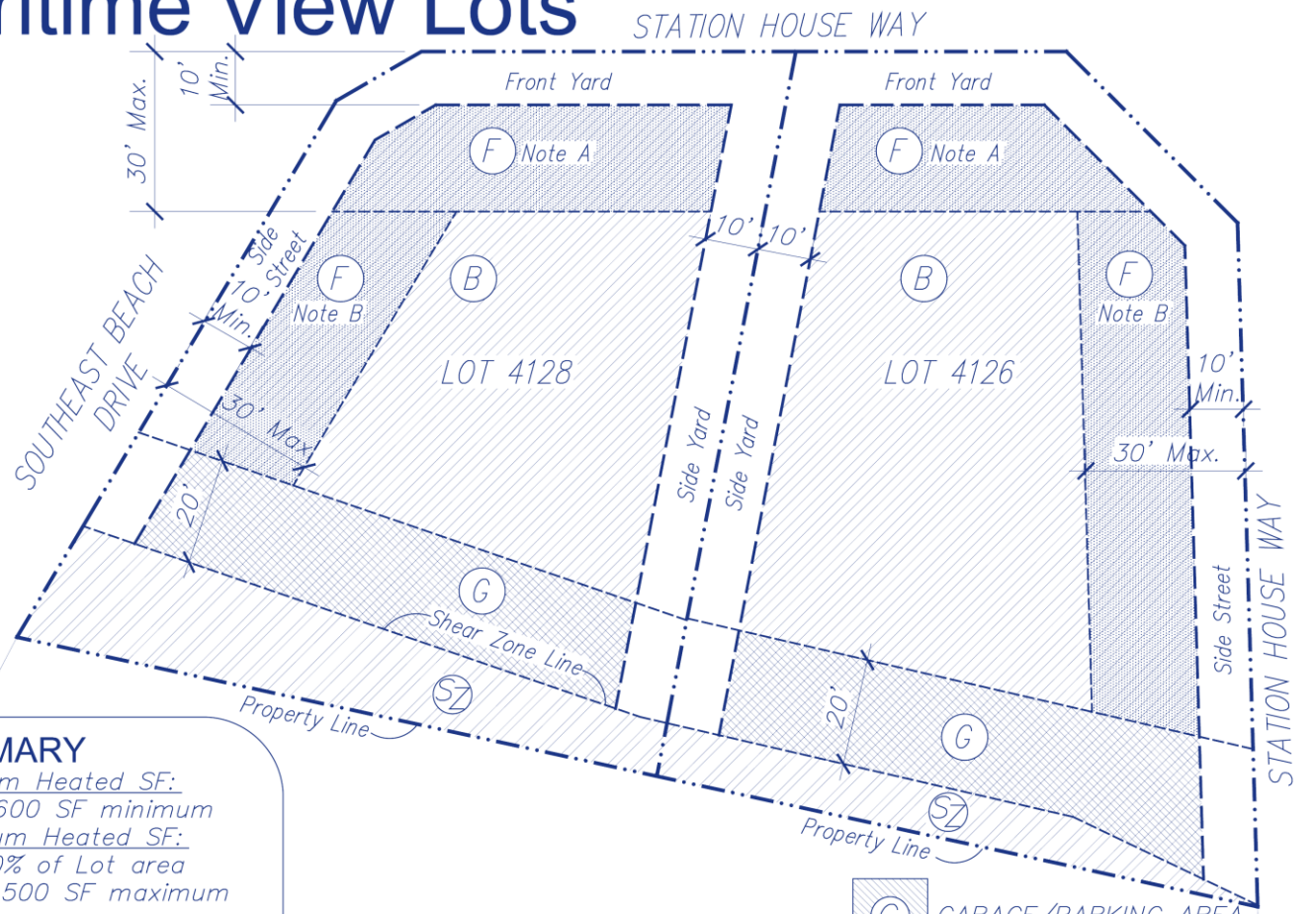
Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height - 30 inches minimum, 48 inches maximum.

4. Accessory Buildings/Garages

Parking/garages, crofters etc. are allowed within the designated garage area as a separate building. See diagram for designated areas.

Maritime View Lots



SUMMARY

Minimum Heated SF:
1,600 SF minimum

Maximum Heated SF:
40% of Lot area
3,500 SF maximum

Frontage:
40% of Lot frontage
24' minimum

Porch:
See Design Guidelines

Lot coverage:
See Covenants

Fence Line:
See Design Guidelines

Note A: One Story wrap porch required in this area, minimum length of 24' and a minimum depth of 8'.

Note B: One story wrap porch required in this area, minimum length of 16' and a minimum depth of 8'.

G GARAGE/PARKING AREA

B BUILDING AREA

F FRONTAGE AREA

SZ SHEAR ZONE

MV

CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Maritime View

Cape Fear Station Maritime Watch Lot

These rules apply to any residential lots with the "Maritime Watch (MW)" designations.

1. Overall Size Restrictions

Coverage - Impervious coverage as designated in the recorded covenants.

All Maritime Watch lots are allowed 3750 sq. ft.

Square Footage - Minimum heated square footage is 1,600. Maximum total square footage is 40% of the total lot (up to 3,500 square feet).

2. Main building:

Uses - Single-family residence only.

Setback -

Front setback- 10 feet minimum, 50 feet maximum

Side setback- 5 feet

Required street frontage - The building shall extend a minimum of 40% of the property line frontage (24 feet minimum). Frontage shall be parallel (within 15 degrees) to the street.

Porches -

Front Porch Length- The first floor porch shall extend along 25% of the required street frontage or 16' feet minimum.

Rear Porch Length- The second floor porch shall extend along 40% of the required street frontage or 24' feet minimum.

Depth- Required depth is 8 feet minimum. Bays are permitted to encroach up to 40% of the depth to a maximum of 50% of the overall porch length as measured on the building wall and must be at least 2 feet from the corner of the porch.

Height- Rear porch required on second level.

Enclosure- The porch shall remain unheated but can be enclosed up to 50% of its total length. Permitted methods of enclosure are:

a. Insect screening,
b. Wood shutters, louvers or lattice

3. Sitework

Fences - Shall follow front property line and extend to the building face as a minimum. Additional fencing is allowed but not required. Cannot extend into the shear zone. Please see the "Fence Section" of this document for additional specifications.

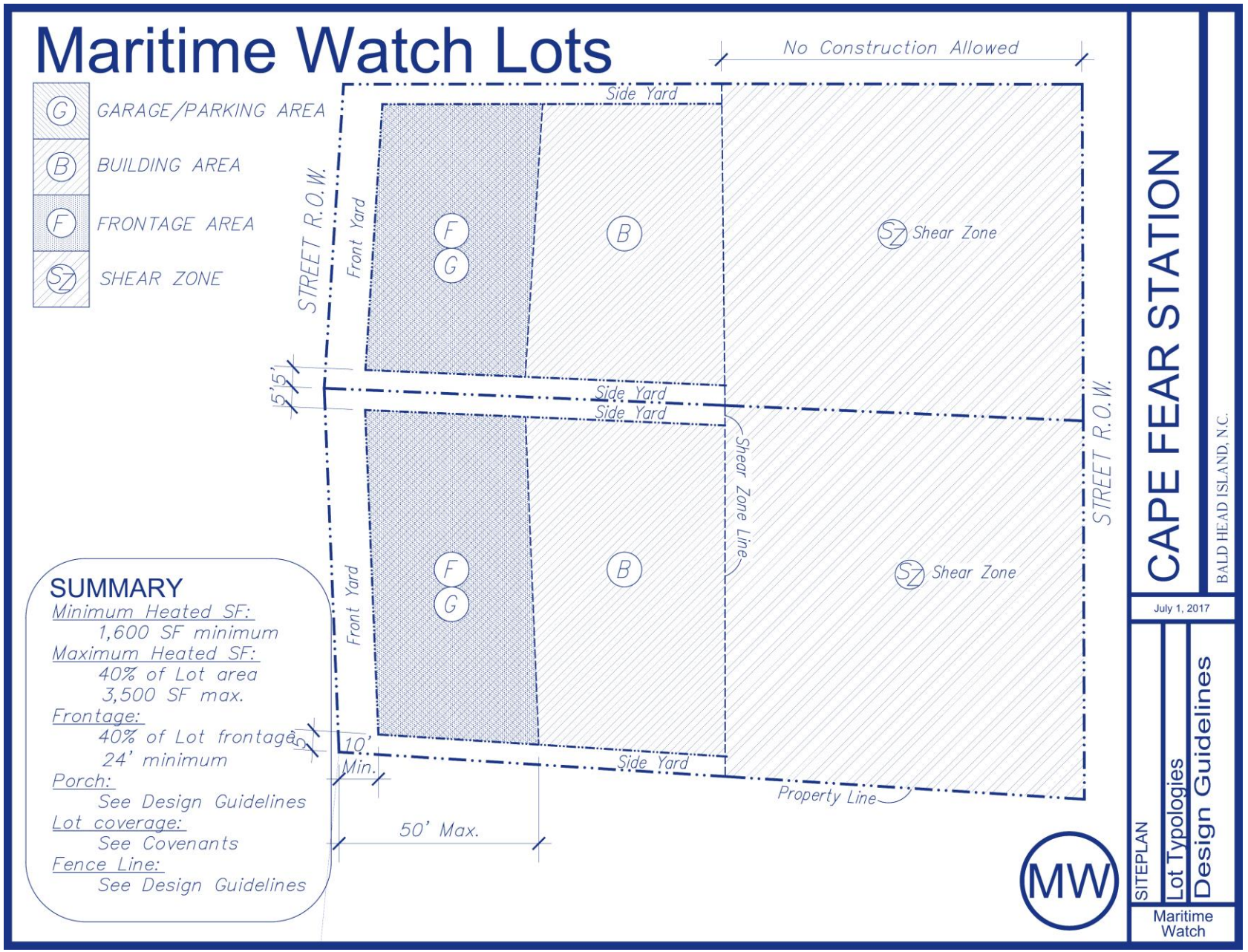
Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height - 30 inches minimum, 48 inches maximum.

4. Accessory Buildings/Garages

Parking/garages, crofters etc. are allowed within the designated setback as a separate building. The structure must be detached and at least 3 feet away from the main structure.

Maritime Watch Lots



Cape Fear Station Shoals Watch Beach Lot

These rules apply to any residential lots with the "Beach (WB)" designation.

1. Overall Size Restrictions:

Coverage - Total impervious coverage is designated in the recorded covenants.

All Shoals Watch Beach lots are allowed 5500 sq ft.

Square Footage - Minimum heated square footage is 2,000. Maximum total heated square footage is 6,000.

2. All Building:

Uses - Single-family residence is the only permitted use.

Setbacks - See attached drawings for general information. See subdivision plat for specific designated setbacks.

Front setback- 30 feet minimum –80 feet maximum from front property line, except for garage and accessory buildings. The front façade must include a portion of the required first level porch.

Side setback- 15 feet on East side
10 feet on the West side

Rear setback- Varies, see plat.

Required street frontage - At minimum, the building shall front 40% of the property line frontage. For purposes of this calculation covered porches as well as conditioned spaces will be included.

1 ½ Story rule - All homes in front of the shear zone must comply with the 1 ½ story rule.

Porches

Length- The porch requirement is for a first story porch on the North, South and East sides. The length of the required porch is a minimum of 50% of the total first floor-conditioned wall at the building perimeter.

(West side is allowed but not required. West side is in the perimeter heated wall calculation but does not count towards the 50% required porch minimum.)

Depth- Required depth is 8 feet minimum. Bays are permitted to encroach up to 40 % of the depth to a maximum of 50% of the overall porch length and still qualify toward the required length calculation. Bays must be built at least 24" from corner of structure.

Height- 1 story minimum

3. Sitework

Walkways - Walkways to beach are only permitted at the discretion of the ARC. The intent is to cluster walkways between lots and leave maximum open space between walkways. Walkways are to be placed within 10 feet of the adjoining lot line, paired up in the following manner: 3210 & 3212, 3214 & 3216, 3218 & 3220, 3222 & 3224, 3226 & 3228. The joint walkway across easement, shared with neighbor, must attach to and not obstruct beach access.

Trellises - Trellises are permitted anywhere on the site except conservation easement area. Heights shall not exceed 10 feet.

Gazebos - Gazebos are permitted 10 feet from the front and North side, 15 feet on the South side, and 20 feet off the rear side up to the conservation easement. Height from grade to the highest point of structure must not exceed 14 feet.

4. Accessory Buildings/ Garages

Accessory buildings/garages are allowed to encroach in the 30 feet main building setback on the street side as long as they meet a minimum setback of 10 feet from the street. The accessory building must be between a 10 feet minimum side yard and a 60 feet maximum from the west property line. These buildings may include garages, bedrooms, guest cottages, crofters, enclosed storage and workshops; however, the use must be associated with the main structure and may not be leased or rented separately from the main structure. Garages are not allowed under the main house structure. Any accessory building may be attached to the main building by roof, deck or porch, but the walls of heated space between the main building and the out building may not meet. These walls must be separated by a breezeway or porch at least 8 feet minimum between North sidewall of main structure and the South sidewall of the accessory building. The West end wall of the connecting porch or deck may be closed with windows, louvers, lattice or screen, but shall not be enclosed or air-conditioned. Other auxiliary buildings are allowed on the site; however, they must not encroach on setbacks or the conservation easement.

Uses - All uses must be single-family uses in conjunction with the main structure.

Setbacks -

Front setbacks -10 feet
West Side setback - 10 feet
East Side setback - 40 feet from West property line

Height - Maximum 25 feet

Porch - If two story, the second story must have access to the porch on the East side, be 50% of the length of the East wall and a minimum of 4 feet deep.

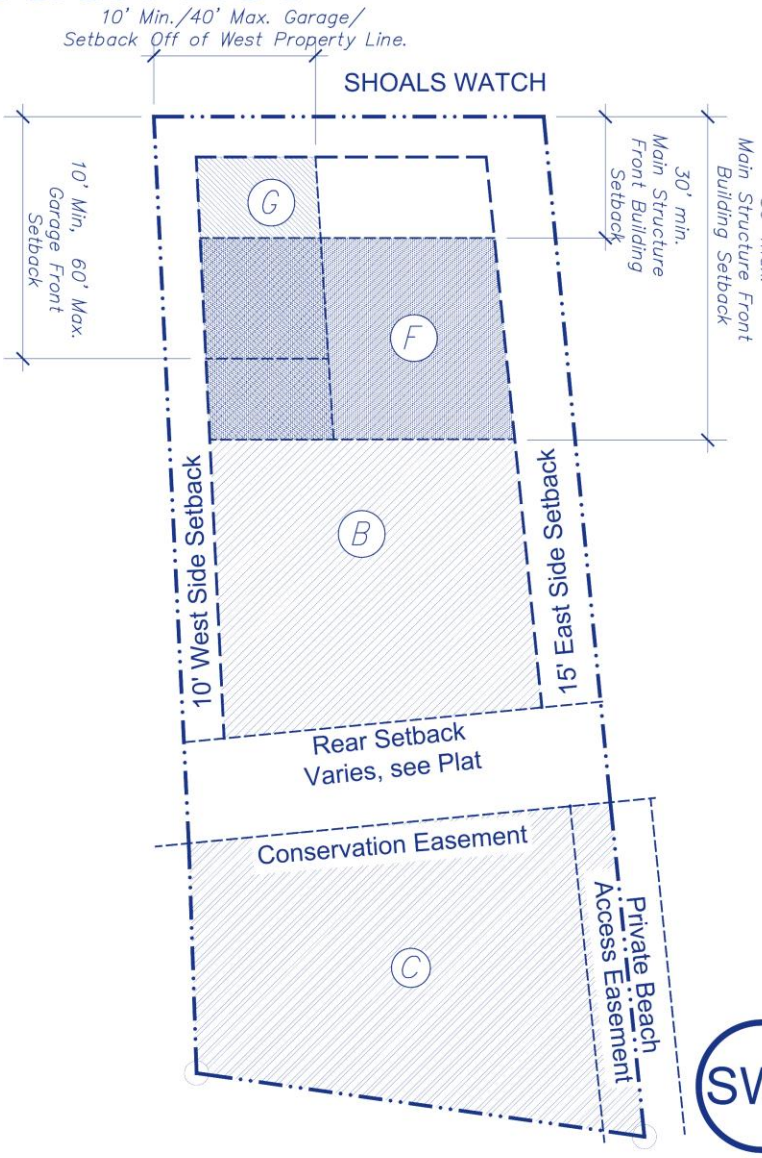
Shoals Watch Beach Lot

G GARAGE/PARKING AREA

B BUILDING AREA

F FRONTAGE AREA

C CONSERVATION AREA



SUMMARY

Minimum Heated SF:
2,000 SF minimum

Maximum Heated SF:
6,000 SF maximum

Frontage:
40% of Lot frontage

Porch:
See Design Guidelines

Lot coverage:
See Covenants

Fence Line:
See Design Guidelines

CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Shoals Watch Beach Lot

Cape Fear Station Shoals Watch Estate Lot

These rules apply to any residential lots with the "Estate" designation.

1. Overall Size Restrictions:

Coverage - Total impervious coverage is designated in the recorded covenants.

All Shoals Watch Estate lots are allowed 6500 sq. ft.

Square Footage - Minimum heated square footage is 2,000. Maximum total heated square footage is 6,000 for the primary structure and 3,000 for secondary structures.

2. All Building:

Uses - Single-family residence is the only permitted use.

Setbacks - See attached drawings for general information. See subdivision plat for specific designated setbacks.

1 ½ Story rule - All homes in front to the shear zone must comply with the 1 ½ story rule.

Porches -

Length- The porch requirement is for the first story porch on the North, South and East sides. The length of the required porch is a minimum of 50% of the total first floor conditioned wall at the building perimeter. (West side is allowed but not required. West side is in the perimeter heated-wall calculation but does not count towards the 50% required porch minimum.)

Depth- Required depth is 8 feet minimum. Bays are permitted to encroach up to 40 % of the depth to a maximum of 50% of the overall porch length and still qualify toward the required length calculation. Bays must be built at least 24" from corner of structure.

Height- 1 story minimum

3. Sitework

Walkways - Walkways to the beach are only permitted at the discretion of the ARC.

Trellises - Trellises are permitted anywhere on the site except on the conservation easement area. Heights shall not exceed 10 feet.

Gazebos - Gazebos are permitted in the allocated gazebo area.

4. Accessory Buildings/ Garages

These buildings may include garages, bedrooms, guest cottages, crofters, enclosed storage and workshops; however, the use must be associated with the main structure and may not be leased or rented separately from the main structure. Garages are not allowed under the main house structure. Any accessory building may be attached to the main building by roof, deck or porch, but the walls of heated space between the main building and the out building may not meet. These walls must be separated by a breezeway or porch at least 8 feet minimum between North sidewall of main structure and the South sidewall of the accessory building. The West end wall of the connecting porch or deck may be closed with windows, louvers, lattice or screen, but shall not be enclosed or air-conditioned. Other auxiliary buildings are allowed on the site; however, they must not encroach on setbacks or the conservation easement.

Uses - All uses must be single-family uses in conjunction with the main structure.

Height - Maximum 25 feet

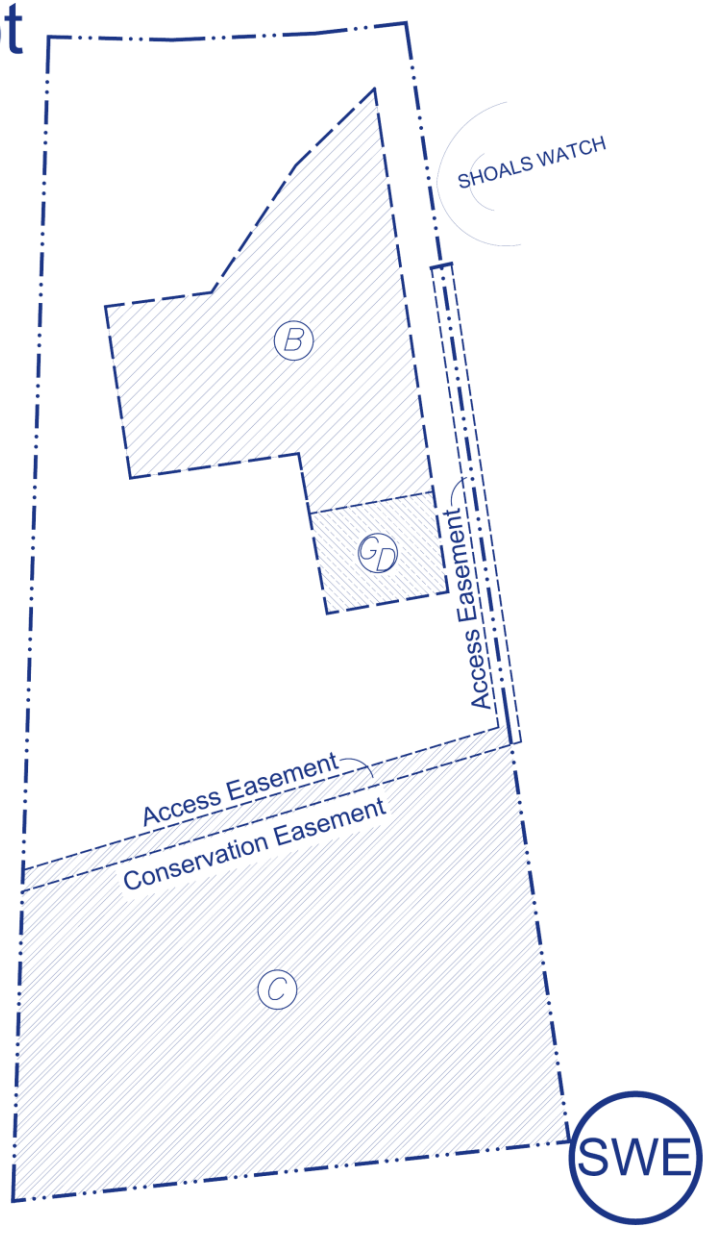
Porch - If two story, the second story must have an access to the porch on the East side, be 50 % of the length of the East wall and a minimum of 4 feet deep.

Shoals Watch Estate Lot

B BUILDING AREA

C CONSERVATION AREA

GD GAZEBO/DECK AREA



SUMMARY

Minimum Heated SF:
2,000 SF minimum

Maximum Heated SF:
6,000 SF Maximum Primary Structure
3,000 SF Maximum Secondary Structure

Porch:
See Design Guidelines

Lot coverage:
See Covenants

CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Shoals Watch Estate Lot

Cape Fear Station Shoals Watch Manor Lot

These rules apply to any residential lots with the "Manor (WM)" designation.

1. Overall Size restrictions

Coverage - Total impervious coverage is designated in the recorded covenants.

Lot 3211 and 3213 are allowed 4000 sq. ft.

Lot 3215 is allowed 4000 sq. ft.

Square Footage -

Lot 3211: Minimum heated square footage is 1,500. Maximum heated square footage is 3500.

Lot 3213: Minimum heated square footage is 1,500. Maximum heated square footage is 3500.

Lot 3215: Minimum heated square footage is 1200. Maximum heated square footage is 3000.

2. All buildings

Uses - Single-family residence is the only permitted use.

Setbacks - See attached drawings for general information. See subdivision plat for specific designated setbacks.

Front setback- 10 feet.

Side setback- Varies, see subdivision plat.

Rear setback- Varies, see subdivision plat.

Porches - An 8' deep by minimum 24' width porch shall be built fronting Shoals Watch Way.

50% Rule - The Shoals Watch Manor lots must comply with the 50% Rule due to the visibility created by the higher dune ridge location. The exemption to the 50% rule listed in the Design Guidelines regarding the first-floor elevation under the 50% Rule requirement number three (3) does not apply to the Shoals Watch Manor Lots.

3. Sitework

Fences - Fences shall be permitted at the discretion of the ARC. The fence shall define and create space rather than define the edge of the property. Fences running along 50% or more of property line are prohibited. Please see the "Fence Section" of this document for additional specifications.

Height- 30 inches minimum, 48 inches maximum.

4. Accessory Buildings/Garages

In order to fit structures within the unique topography and vegetation of these lots, auxiliary buildings are encouraged. Up to two auxiliary buildings will be allowed in addition to the main structure. These buildings may include garages, bedrooms, guest cottages, crofters, enclosed storage, studios and workshops; however, the use must be associated with the main structure and may not be leased or rented separately from the main structure. Garages are not allowed under the main structure. Such structures shall not share a common roof with the main structure, but consideration may be given to connecting architectural elements such as trellis or covered walkways. All structures must comply with established setbacks.

Shoals Watch Manor Lot

B BUILDING AREA

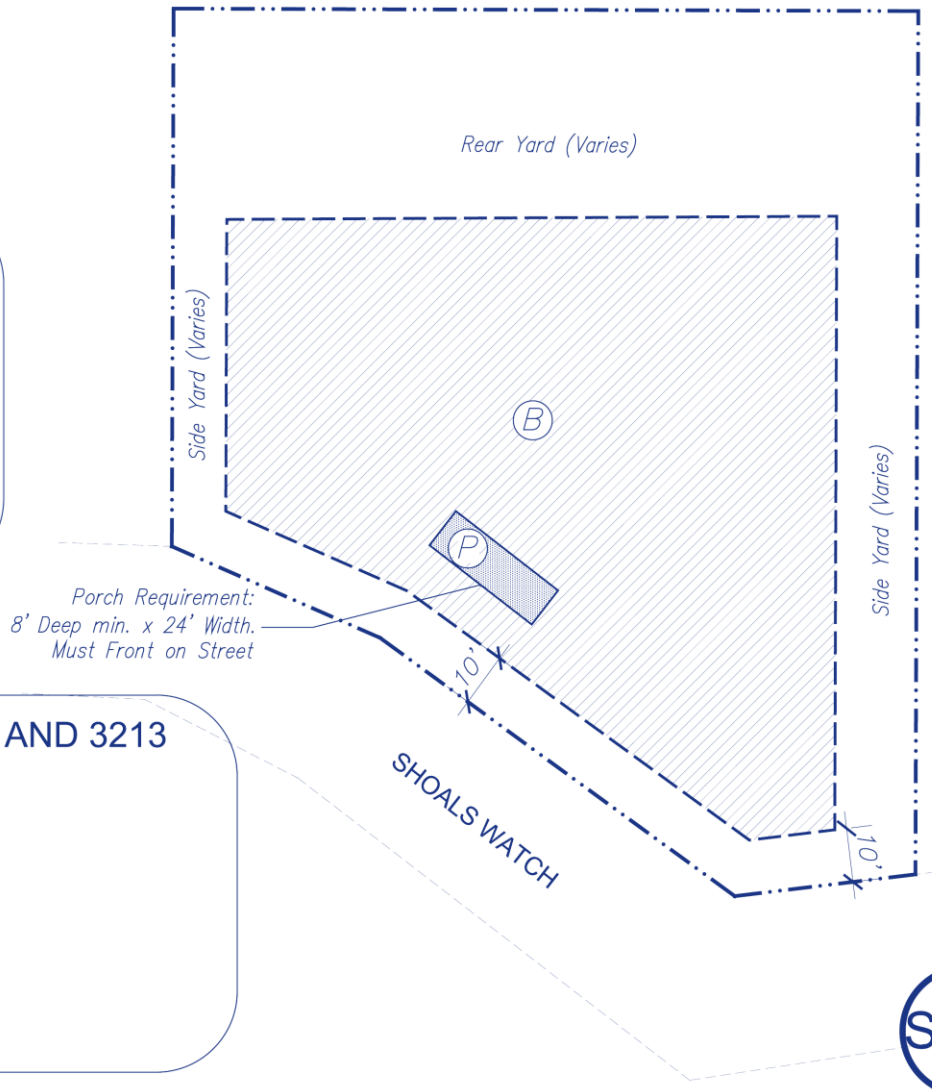
P PORCH

SUMMARY LOT 3215

Minimum Heated SF:
1,200 SF minimum
Maximum Heated SF:
3,000 SF max.
Porch:
See Design Guidelines
Lot coverage:
See Covenants
Fence Line:
See Design Guidelines

SUMMARY LOTS 3211 AND 3213

Minimum Heated SF:
1,500 SF minimum
Maximum Heated SF:
3,500 SF max.
Porch:
See Design Guidelines
Lot coverage:
See Covenants
Fence Line:
See Design Guidelines



CAPE FEAR STATION
BALD HEAD ISLAND, N.C.
July 1, 2017
SITEPLAN
Lot Typologies
Design Guidelines
Shoals Watch Manor Lot

Cape Fear Station Sideyard Lot

These rules apply to any residential lots with "Sideyard (S)" designation.

1. Overall Size Restrictions:

Coverage - Impervious coverage is designated in the recorded covenants

Lot 5703 is allowed 4000 sq. ft.

All other Sideyard lots are allowed 3000 sq. ft.

Square Footage - Minimum heated square feet is 1,000. Maximum heated square feet is 30% of the total lot area (up to 3,000 square feet).

2. Main building:

Uses - Single-family residence only.

Setbacks -

Façade line- Primary front surface of the house (façade) shall be 15 - 20 feet from the property line (façade line). One story bays, stoops and overhangs may project up to 5 feet in front of this line. The side porch must be set between 12 and 36 inches behind this line.

Front setback- 10 feet minimum from front property line.

Small side setback- 5 feet (10 feet on corners). Bays are permitted to encroach into the small side setback up to 2 feet maximum. Overhangs are allowed to encroach into the small side setback up to 3 feet.

Garden side setback- 20 feet (note: garden side is South East side of lot). Overhangs are allowed to encroach into the garden side setback up to 3 feet.

Rear setback- 10 feet off of the property line.

Required street frontage - The building shall extend a minimum of 20% of the property line frontage. Ratio and proportion of street frontage divided between street façade and porch is a critical element of this type. The side porch width must be between 25% and 35% of the built street front. Minimum porch width is 6 feet.

Front Entrance - The street facing end of the side porch should appear to be the main entrance to the house. This provides a welcoming connection between the house and the street.

Fenestration - Window openings on the 5 feet small side setback shall not exceed 20% of entire surface.

Porches -

Width- The porches shall extend at least 6 feet along the required street frontage.

Depth- Required minimum depth is 18 feet along the side of house that faces garden sideyard. Porch must begin between 12 and 36 inches behind the façade line.

Height- 2 story minimum

Exceptions: One of the following two options can be selected to reduce porch size:

a. Bays are permitted to encroach up to 40% of the porch width to a maximum of 40% of the overall porch length. No bays may be closer than 3 feet from corner of porch or 16 feet from entrance end of lower porch.
b. 20% of the lower porch and 50 % of the upper porch may be conditioned space provided the first 18 feet off of the street side is open.

Railings - Due to the unique typology of the sideyard house design, full cable railings are not appropriate unless they are a combined wood and cable railing system. The wood members should reinforce and help create the appearance of a more traditional wooden sideyard railing system

Enclosure -The required portion of the porch shall remain unheated but the second level can be enclosed with:

a. Insect screening,
b. Wood shutters, louvers and lattice

3. Sitework

Fences -

Small Side Yard- On the small side yard side of the house, no fence is allowed the length of the house or the length of any accessory buildings in line with the house.

Back- At the back of the house or other accessory building, the fence ties to the building and runs to the Alley Easement line. At the Alley Easement line, the fence turns 90 degrees and runs along the Alley Easement line to the property line to meet the adjacent property's fence.

Front- At the front of the house, the fence ties to both sides of the house running parallel to the façade line and in-line with the side porch street entrance (door). Both sides run from there to the property lines to meet adjacent property fences.

Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

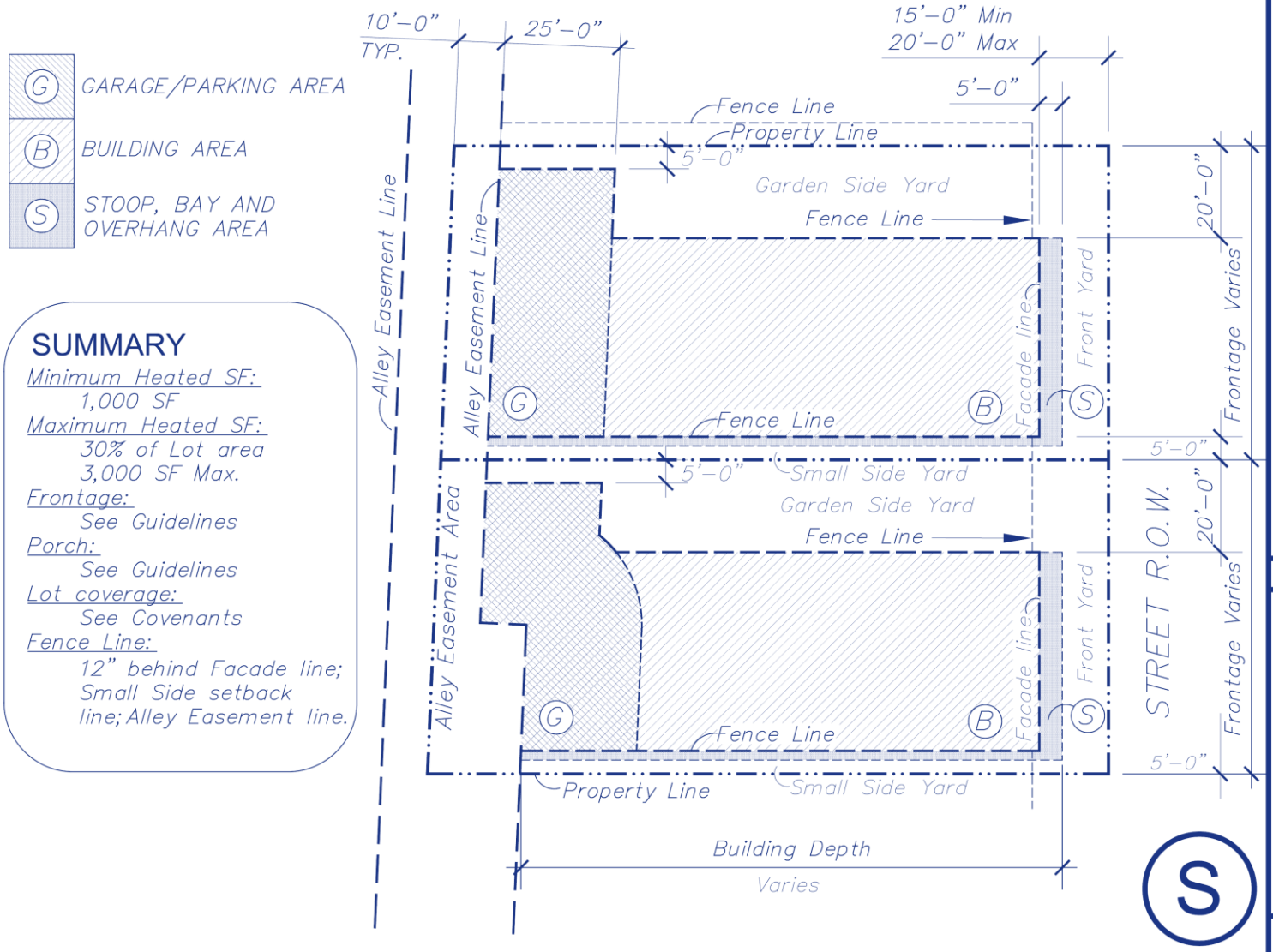
Height- 36 inches minimum, 48 inches maximum on small side yard.

Trellises, arbors, pergolas are permitted anywhere within the building area.

4. Accessory Buildings/Garages

Garages, crofters etc. are allowed within the designated area extending a maximum of 25 ft. from the alley easement line as a separate building.

Sideyard Lots



SUMMARY

Minimum Heated SF:
1,000 SF

Maximum Heated SF:
30% of Lot area
3,000 SF Max.

Frontage:
See Guidelines

Porch:
See Guidelines

Lot coverage:
See Covenants

Fence Line:
12" behind Facade line; Small Side setback line; Alley Easement line.

CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Sideyard

Cape Fear Station Towncenter Sideyard Lot

These rules apply to any residential lots with "Towncenter Sideyard (TS)" designation.

1. Overall Size Restrictions:

Coverage - Impervious coverage is designated in the recorded covenants.

Odd lots 3707-3723 are allowed 2500 sq. ft.

Even lots 3704-3718 are allowed 4200 sq. ft.

Square Footage for Even numbered Lots between 3704 and 3718 - Minimum heated square feet is 1,000. Maximum heated square feet allowed is 35% of the total lot area (up to 3,500 square feet), unless 35% of the total lot area is less than 2,000 sq. ft., then the max is 2,000.

Square Footage for Odd numbered Lots between 3707 and 3723 - Minimum heated square feet is 1,000. Maximum heated square feet allowed is 35% of the total lot area (up to 3,000 square feet), unless 35% of the total lot area is less than 2,000 sq. ft., then the max is 2,000.

2. Main building:

Uses - Single-family residence only.

Setbacks -

Façade line- Primary front surface of the house (façade) shall be 10 –20 feet from the property line. One story bays, stoops, overhangs and porches may project up to 5 feet in front of this line. The side porch must be set between 12 and 36 inches behind the primary facade line.

Front setback- 10 feet minimum from front property line.

Small side setback- 5 feet (10 feet on corners)- bays are permitted to encroach into the small side setback up to 2 feet maximum. Overhangs are allowed to encroach into the small side setback up to 3 feet.

Garden side setback- 20 feet (note: garden side is South East side of lot). Overhangs are allowed to encroach into the garden side setback up to 3 feet.

Rear setback- 10 feet off property line.

Required street frontage - The building shall extend a minimum of 20% of the property line frontage. Ratio and proportion of street frontage divided between street façade and porch is a critical element of this type. The side porch width must be between 25% and 35% of the built street front. Minimum porch width is 6 feet.

Front Entrance - The street facing end of the side porch should appear to be the main entrance to the house. This provides a welcoming connection between the house and the street.

Fenestration - Window openings on the 5 feet small side setback shall not exceed 20% of entire surface.

Porches -

Width- The porches shall extend at least 6 feet along the required street frontage.

Depth- Required minimum depth is 18 feet along the side of house that faces garden sideyard. Porch must begin between 12 and 36 inches behind the façade line.

Height- 2 story minimum

Exceptions: One of the following two options can be selected to reduce porch size:

a. Bays are permitted to encroach up to 40% of the porch width to a maximum of 40% of the overall porch length. No bays may be closer than 3 feet from corner of porch or 16 feet from entrance end of lower porch.
b. 20% of the lower porch and 50 % of the upper porch may be conditioned space provided the first 18 feet off of the street side is open.

Enclosure- The required portion of the porch shall remain unheated but the second level can be enclosed with:

a. Insect screening,
b. Wood shutters, louvers and lattice

Railings - Due to the unique typology of the sideyard house design, full cable railings are not appropriate unless they are a combined wood and cable railing system. The wood members should reinforce and help create the appearance of a more traditional wooden sideyard railing system

3. Sitework

Fences -

Small Side Yard- On the small side yard side of the house no fence is allowed the length of the house or the length of any accessory buildings in line with the house.

Back- At the back of the house or other accessory building, the fence ties to the building and runs to the alley easement line. At the alley easement line, the fence turns 90 degrees and runs along the alley easement line to the property line to meet the adjacent property's fence.

Front- At the front of the house, the fence ties to both sides of the house running parallel to the façade line and in line with the side porch street entrance (door). Both sides run from there to the property lines to meet adjacent property fences.

Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height- 36 inches minimum, 48 inches maximum on side yard.

Trellises, arbors, pergolas - are permitted anywhere within the building area.

4. Accessory Buildings /Garages

Garage, crofters etc. are allowed within the designated area extending a maximum of 35 ft. off the alley or conservation easement line as a separate building.

Towncenter Sideyard Lots

G GARAGE/PARKING AREA

B BUILDING AREA

S STOOP, BAY AND OVERHANG AREA

SUMMARY

Minimum Heated SF:
1,000 SF

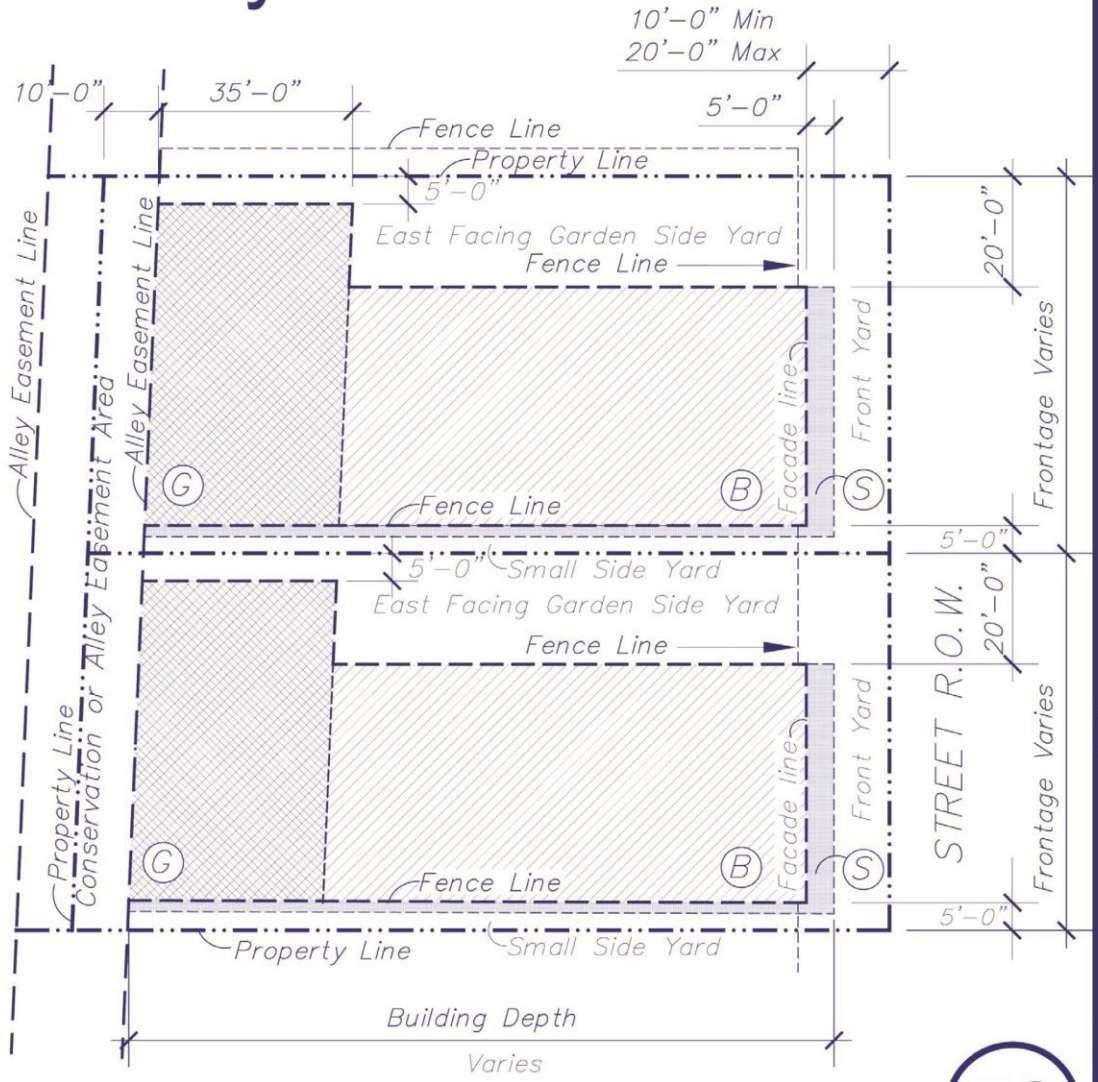
Maximum Heated SF:
Even numbered Lots: 35% of total Lot area up to 3,500 SF
Odd numbered Lots: 35% of total Lot area up to 3,000 SF
In either case, if calculated maximum is less than 2,000 SF then the max shall be 2,000 SF

Frontage:
See Design Guidelines

Porch:
See Design Guidelines

Lot coverage:
See Covenants

Fence Line:
See Design Guidelines



Note: Lots south of Federal Road are a mirrored version of the diagram above.

TS

CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Towncenter Sideyard

Cape Fear Station Village Common Lots

These rules apply to any residential lots with the "Village Common (VC)"designation.

1. **Overall Size restrictions**

   Coverage - Impervious coverage is designated in the recorded covenants.

   All Village Common lots are allowed 3500 sq. ft.

   Square Footage - Minimum heated square footage is 1,600 per lot. Maximum heated square footage is 5,000 per lot.

2. **Main building:**

   Uses - Single-family residence only.

   Setbacks -

   Front setback- 10 feet minimum and 20 feet maximum

   Side setbacks- 5 feet (10 feet at corners)

   Rear setback-10 feet off of the property line or alley easement line (whichever is greater).

   Required street frontage - At minimum, the building shall front 50% of the property line frontage (up to 50 feet). For purposes of this calculation covered porches as well as conditioned spaces will be included.

   Front Porches - Shall be a minimum of 500 square feet total for two levels as measured up to 12' deep and must comply with the following specifications:

   Length- First floor porches shall extend 100% of the required street frontage. Second floor porches shall extend a minimum of 50% of the required street frontage.

   Depth- Required minimum depth is 8 feet. Bays are permitted to encroach up to 40% of the porch depth to a maximum of 50% of the overall porch length as measured on the building wall. Bays shall be at least 2 feet from the corner of the porch. The first and second floor porches must be the same depth with the exception that the second floor porch may be less deep than the first floor porch provided the roof of the second floor porch is the same or greater than the first floor porch.

   Height- The porch must be a minimum of 2 stories as a Double Gallery.

   Enclosure- The required first level porch shall have no enclosure. The required second floor porch can be enclosed up to 100% of its total length. Such enclosures shall be unconditioned. Permitted methods of enclosure are:

   a. Insect screening,
   b. Wood shutters, louvers and lattice

3. Sitework

Fences - Fences shall be built along the front and side property lines as well at the alley easement line. Please see the "Fence Section" of this document for specifications.

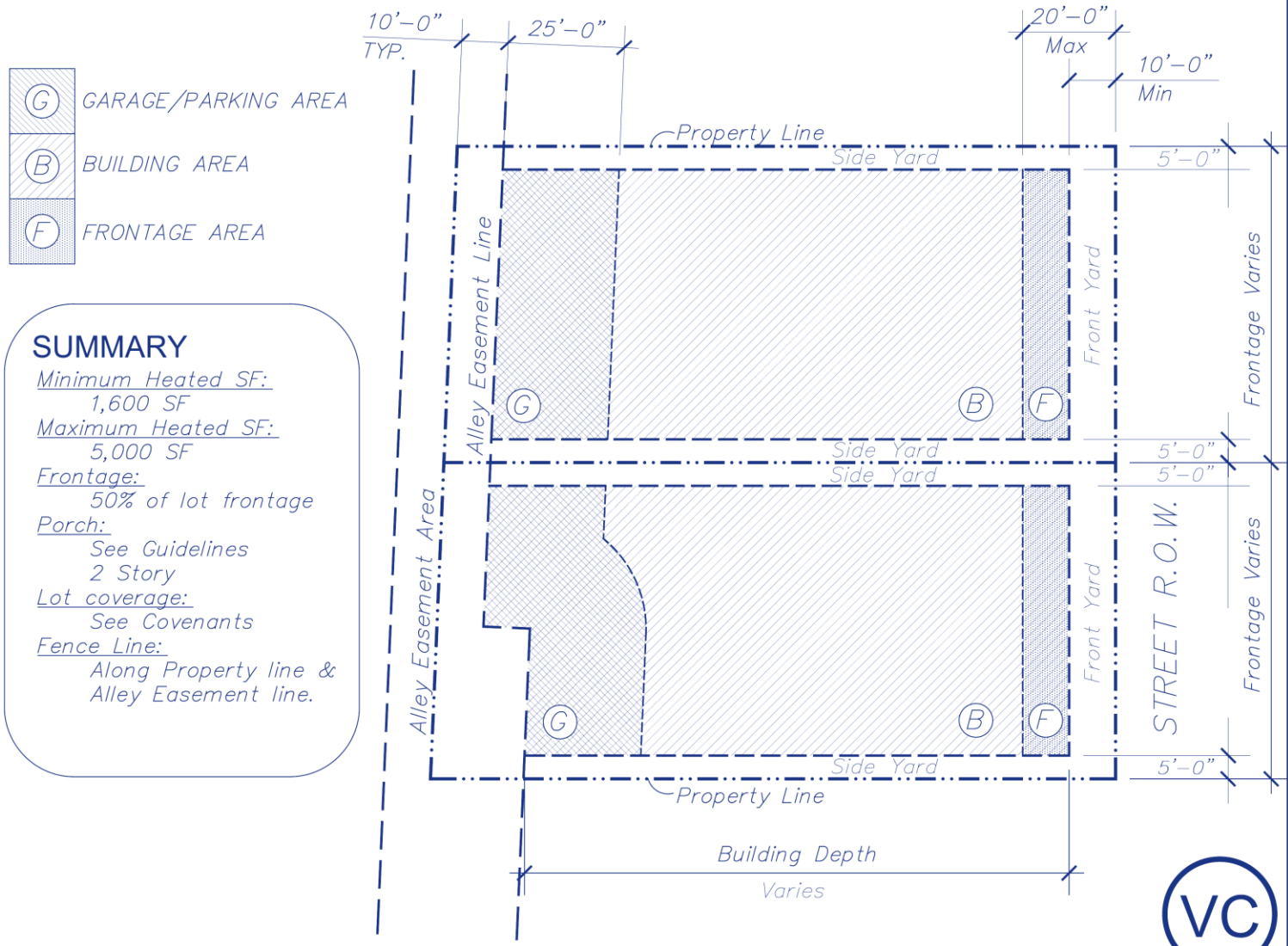
Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height- 30 inches minimum, 48 inches maximum.

4. Accessory Building/Garage/parking area

The garage/parking/crofter area shall extend a maximum of 25 feet off the alley easement line.

Village Commons Lots



SUMMARY

Minimum Heated SF:
1,600 SF

Maximum Heated SF:
5,000 SF

Frontage:
50% of lot frontage

Porch:
See Guidelines
2 Story

Lot coverage:
See Covenants

Fence Line:
Along Property line & Alley Easement line.

CAPE FEAR STATION
BALD HEAD ISLAND, N.C.
July 1, 2017
SITEPLAN
Lot Typologies
Design Guidelines
Village Commons

Cape Fear Station Village Common Interior Lots

These rules apply to any residential lots with the "Village Common Interior" (VCI) designation.

1. Overall Size restrictions

Coverage - Total impervious coverage is designated in the recorded covenants.

Lot 5400 is allowed 3000 sq. ft.

Lot 5450 and 5500 are allowed 4200 sq. ft.

Square Footage - Minimum heated area is 1,600 square feet per lot. Maximum heated area is 5,000 square feet for lots 5450 and 5500 and 4,500 square feet for lot 5400.

2. Main building:

Uses - Single-family residence only.

Setbacks -

Front setback- 10 feet minimum

Side setbacks- 5 feet (10 feet at corner lots)

Rear setback- 10 feet off of the property line

Porch setback- 30 feet maximum from rear commons property line

Required Common frontage - At minimum, the main building shall front 50% of the property line. For purposes of this calculation covered porches as well as conditioned spaces will be included.

Front Porches -

Length- First floor street front porches shall extend 24 feet minimum. Second floor front porches are allowed but not required.

Depth- Required minimum depth is 8 feet. Bays are permitted to encroach up to 40% of the porch depth to a maximum of 50% of the overall porch length as measured on the building wall. Bays shall be at least 2 feet from the corner of the porch.

Height- First floor minimum

Enclosure- The required first floor front porch shall have no enclosure.

Rear Common Porches - Shall be a minimum of 500 square feet total for each level and must comply with the following specifications:

Length- First floor rear porch shall extend 100% of the required rear commons frontage. Second floor rear porches shall extend a minimum of 50% of the required rear common frontage.

Depth- Required minimum depth is 8 feet. Bays are permitted to encroach up to 40% of the porch depth to a maximum of 50% of the overall porch length as measured on the building wall. Bays shall be at least 2 feet from the corner of the porch. The first and second floor porches must be the same depth with the exception that the second floor porch may be less deep than the first floor porch provided the roof of the second floor porch is the same or greater than the first floor porch.

Height- The porch must be a minimum of 2 stories as a Double Gallery.

Enclosure- The required first floor rear porch shall have no enclosure. The required second floor rear porch can be enclosed up to 100% of its total length. Such enclosures shall be unconditioned. Permitted methods of enclosure are:

a. Insect screening

b. Wood shutters, louvers and lattice

3. Sitework

Fences - Fences shall be built along the entire perimeter.

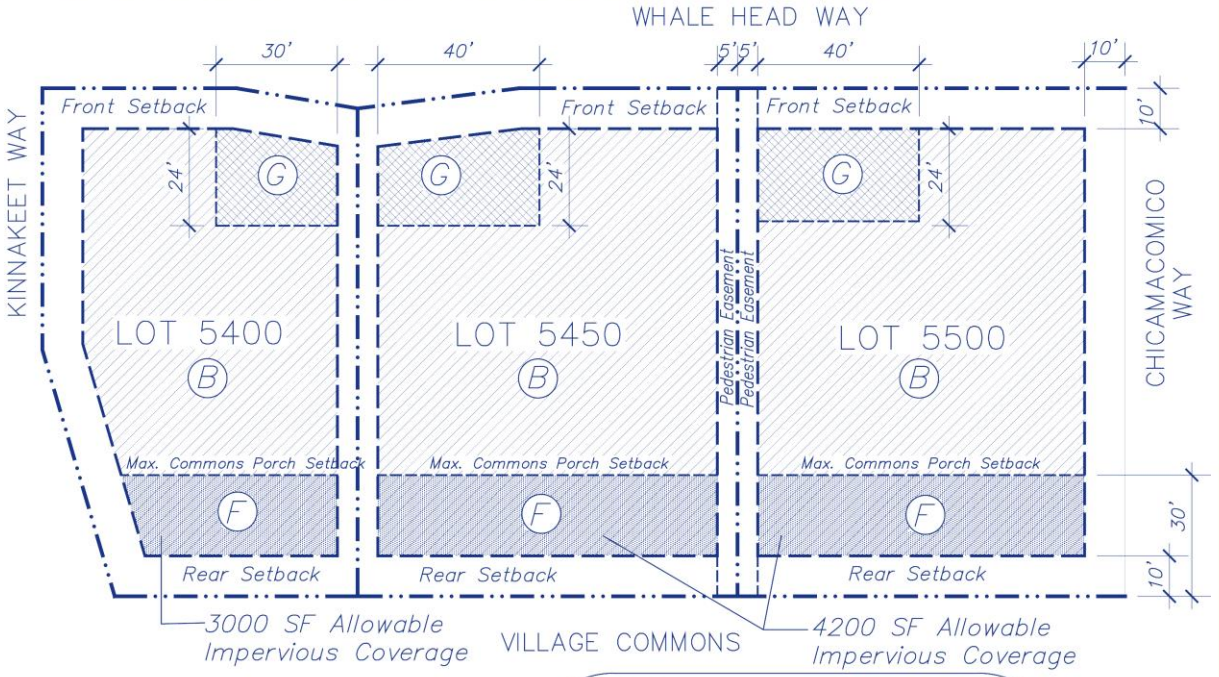
Once a fence has been built along a side property line, no additional fence may be built between the adjacent properties. It is the responsibility of each property owner to have his/her architect/designer transition any new fence to any existing fences and to adjust to the grade. All fences are reviewed and approved by the ARC.

Height- 30 inches minimum, 48 inches maximum.

4. Garage/parking area

The garage/parking/crofter must be built in the designated garage area.

Village Commons Interior Lots



G GARAGE/PARKING AREA

B BUILDING AREA

F FRONTAGE AREA

SUMMARY

Minimum Heated SF:
1,600 SF minimum

Maximum Heated SF:
Lots 5450 & 5500: 5,000 SF maximum
Lot 5400: 4,500 SF

Commons Frontage:
50% of rear property line

Porch:
See Design Guidelines

Coverage:
See Covenants

Fence Line:
Entire Perimeter

VCI

CAPE FEAR STATION

BALD HEAD ISLAND, N.C.

July 1, 2017

SITEPLAN

Lot Typologies

Design Guidelines

Village Commons Interior

Cape Fear Station - Keeper's Landing

These rules apply to all residential units with the "Keeper's Landing" (KL) designation.

1. Overall Size Restrictions

Coverage - Impervious coverage shall be as designated in the recorded covenants for *CFS Multi-Family 4*. No additional impervious coverage is allowed.

Square Footage - Minimum and maximum heated square footage is:

Hatteras (Units 1 and 2) – 900 to 1200;

Cedar Island and Cedar Island R (Units 3, 10, 12, 13, 16, 17, and18) - 1200 to 1500;

Corrolla and Corrolla R (Units 4, 5, 6, 11, 14, and 15) – 2000 to 2400;

Manteo (Units 7, 8, and 9) –900 to 1200;

Bodie (Units19, 20, 23, and 24) – 600 to 900;

Lookout (Units 21 and 22) – 1200 to 1500;

Core Bank and Core Bank R (Units 28, 31, and 32) – 2100 to 2500;

Expanded Corebank and Expanded Corebank R (Units 25, 26, 27, 29, 30 and 33) - 2400 to 3000.

2. All Buildings

Uses - Single family residential is the only permitted use.

Additions/Changes - All proposed construction must occur within the building "drip line" as depicted on the as-built survey attached to the deed and shall be compatible with the existing architecture. Special attention will be paid to scale, massing and proportion for proposed improvements. Replacements or additions will match existing materials and color treatments.

Porches - Conversion of open porches to screened porches shall be at the sole and unlimited discretion of the ARC.

Setbacks - Location of buildings are designated on recorded plat.

Rebuilding - If the unit's improvements are destroyed due to catastrophic circumstances, they must be rebuilt using the original approved plans on file with the ARC and must be on the same building "footprint".

3. Sitework

Landscaping - With the exception of decorative landscaping within the building "drip line" as depicted on the as-built survey, the POA is responsible for common area

landscaping outside the “drip line”. The POA will attempt to preserve existing flora and increase the productive natural systems of the particular mini-environment with natural landscaping. This means, for the most part, that native plants will be allowed to flourish on their own accord. Owner-Members of the Association are not permitted to install, plant, trim or remove any trees, plants or vegetation in common areas.

4. Accessory Buildings/Garages

a. Garages and/or crofters are allowed only within the designated area shown on the as-built survey for the unit. Crofters are not permitted on units 27 through 32.
b. In the case of attached garages, if either owner wishes to add a second story crofter, the other owner must agree and attached crofters must be added to both garages, subject to approval by the ARC.
c. The heated square footage of a crofter counts toward the overall maximum heated square footage allowed for the unit.

Cape Fear Station - Sumner's Crescent

These rules apply to all residential units with the "Sumner's Crescent" (SC) designation.

1. Overall Size Restrictions

Coverage - Impervious coverage shall be as designated in the recorded covenants for Multi-Family 2. No additional impervious coverage is allowed.

Square Footage - Maximum heated square footage is:

Crescent Cottage (Units 1, 3, 5, 7, 11, 15, 17, and 19) - 1,200;
Breech's Buoy (Units 2 and 16) – 2,000;
Boatswain and Boatswain 2 (Units 4, 6, and 12) – 2,000;
Key Post (Units 8, 10, and 14) – 2,000.

2. All Buildings

Uses - Single family residential is the only permitted use.

Additions/Changes - All proposed construction must occur within the building "drip line" as depicted on the as-built survey attached to the deed and shall be compatible with the existing architecture. Special attention will be paid to scale, massing and proportion for proposed improvements. Replacements or additions will match existing materials and color treatments.

Porches - Conversion of open porches to screened porches shall be at the sole and unlimited discretion of the ARC.

Setbacks - Location of buildings are designated on recorded plat.

Rebuilding - If the unit's improvements are destroyed due to catastrophic circumstances, they must be rebuilt using the original approved plans on file with the ARC and must be on the same building "footprint".

3. Sitework

Landscaping - With the exception of decorative landscaping within the building "drip line" as depicted on the as-built survey, the POA is responsible for common area landscaping outside the "drip line". The POA will attempt to preserve existing flora and increase the productive natural systems of the particular mini-environment with natural landscaping. This means, for the most part, that native plants will be allowed to flourish on their own accord. Owner-Members of the Association are not permitted to install, plant, trim, or remove any trees, plants or vegetation in common areas.

4. Accessory Buildings/Garages

Garages and/or crofters are allowed only within the designated area shown on the as-built survey for the unit. The heated square footage of a crofter counts toward the overall maximum heated square footage allowed for the unit.

Cape Fear Station - Surfman's Walk Cottages

These rules apply to all residential units with the "Surfman's Walk Cottage" (SW) designation.

1. Overall Size Restrictions

Coverage - Impervious coverage shall be as designated in the recorded covenants for Multi-Family 3. No additional impervious coverage is allowed.

Square Footage - Minimum heated square footage is 1,250. Maximum total heated square footage is 1,300.

2. All Buildings

Uses - Single family residential is the only permitted use.

Additions/Changes - All proposed construction must occur within the limits of the building "drip line" as depicted on the recorded plat or, if the building location was adjusted for specific site conditions, as originally constructed, and shall be compatible with the existing architecture. Special attention will be paid to scale, massing and proportion for proposed improvements. Replacements or additions must match existing materials and color treatments.

Porches - Conversion of open porches to screened porches shall be at the sole and unlimited discretion of the ARC.

Setbacks - Location of buildings are designated on recorded plat.

Rebuilding - If the unit's improvements are destroyed due to catastrophic circumstances, they must be rebuilt using the original approved plans on file with the ARC and must be on the same building "footprint".

3. Sitework

Landscaping - With the exception of decorative landscaping within the building "drip line" as depicted on the recorded plat or (if adjusted for site conditions) as originally constructed, the POA is responsible for common area landscaping outside the "drip line". The POA will attempt to preserve existing flora and increase the productive natural systems of the particular mini-environment with natural landscaping. This means, for the most part, that native plants will be allowed to flourish on their own accord. Owner-Members of the Association are not permitted to install, plant, trim or remove any trees, plants or vegetation in common areas.

4. Accessory Buildings/Garages

Garages and/or crofters are allowed only within the designated building pads for each unit shown on the recorded plat.

D – 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, weather vanes and cupolas may project above the 25 feet maximum height with the written permission of the ARC. ***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 square feet or ten (10) percent 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 guidelines for additional vacant lot restrictions and guidelines.

Beach Accesses

Beach access structures must follow the requirements outlined within the Bald Head Association Common Area Policy, Appendix F, and the Village Ordinance 2001-047, Appendix G. 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 Appendix C – Cape Fear Station for additional restrictions.

Boats

Boats must be concealed from any public road or fairway view by 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. New construction projects see Architectural Questionnaire, under Forms section.

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 be 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 planters, statuary, water features, feeders, wind chimes, birdbaths 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-foot minimum width at the interface and tapered to meet a driveway width of 8-foot 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.
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.
6. All existing improved properties and new construction projects must provide for resident cart parking in a cart garage or 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 lot designations.
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. Chain link fencing is not permitted.
6. Electric fencing is not permitted.
7. The maximum height is 48 inches and the minimum height of 24" for residential fencing.
8. 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.
9. The finished side of the fence must face outward.
10. 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 feet 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 feet 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 feet above mean sea level (AMSL), the lowest elevation (virgin low point) shall be considered 5feet AMSL.
2. For homes outside the VE Coastal Hazard zone area, first floor elevations will be restricted to a maximum of 2 feet above the **actual** Federal Emergency Management Agency (FEMA) base flood elevation above mean sea level (AMSL), or a maximum of 4 feet 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 feet 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 feet 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 examine particularly 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 avoid standing water. Any elevation less than 8 feet 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.

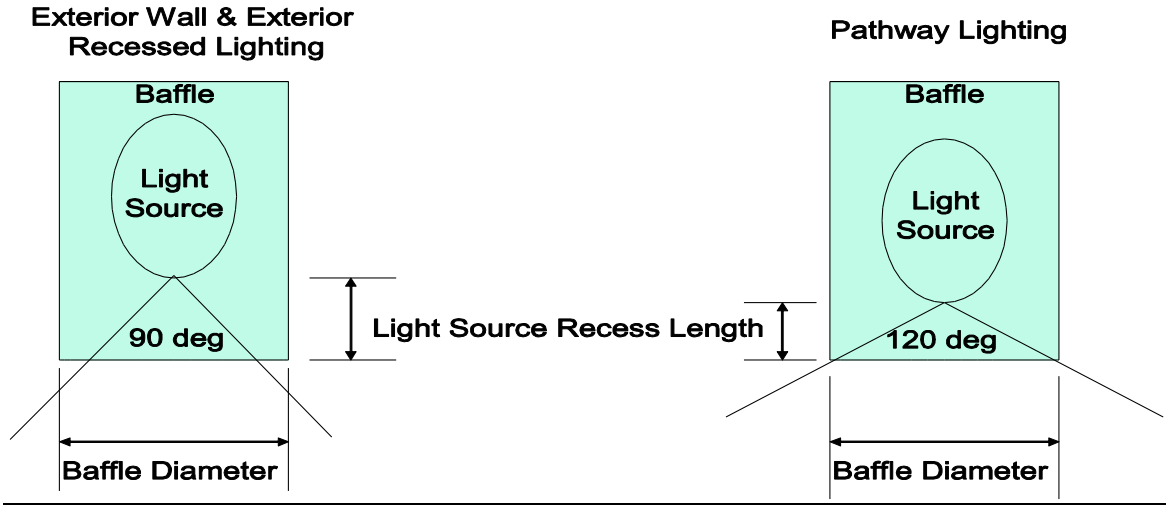
Lighting (Exterior)

Light pollution is avoidable. Homes on the island must be extremely frugal with exterior lighting. 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 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.

REQUIREMENTS:

1. All exterior lighting fixtures, regardless of design, are subject to ARC approval.
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.
5. All pathway low-luminary 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 eighteen inches (18") above grade as measured from the top of the light fixture.

6. 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.
7. Pathway or stairway lighting fixtures 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. The reduced baffling cannot result in direct visualization. This light style must be reviewed and approved by the ARC and must be used sparingly.
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.



Baffle diameter	Source recess length from bottom of baffle	
	90 degree spread	120 degree spread
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.

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 attached to a completed Paint/Color Application and submitted to the ARC for approval.

REQUIREMENTS

The main body paint colors must be earth tones such as soft greens, greys or browns that are of subdued hue intensity and light to medium value unless otherwise approved by the ARC. Natural weathering will also be considered. Bright tropical and pastel hues are not generally acceptable for body colors, but may be considered for accents unless otherwise approved by the ARC.

The ARC Coordinator has a book of suggested color schemes that offer guidance in color selection.

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 foundation 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. These colors may be of higher hue intensity and value.
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 of colors complementary to the island environment. Examples of these colors include beiges, grays and soft greens. Metal roofs are acceptable, but it is important to consider reflective qualities and choose softer, darker 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. 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.

2. 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.

3. 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.

4. Pool or spa/hot tub enclosures including, but not limited to, tents, canopies, screen cages, netting, etc. are not allowed.

5. 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-foot 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-foot 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 Lot Designation guideline requirements (Appendix C). 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 inches x 8 inches.
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, but as a courtesy to others, it is requested that basketball hoops not be left permanently in the yard. Please remove them when not in use and store where they are not within view of the street or surrounding neighbors.

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 inches in 12 inches.
2. The pitch of a hip roof may be reduced to 6 inches in 12 inches.
3. Minimal slope on secondary roofs must be 4 inches in 12 inches.
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 inches minimum and rake overhangs of all structures shall be 12 inches 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 two feet higher than any structure within ten feet 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 of colors complementary to the island environment. Examples of these colors include beiges, grays and soft greens. Metal roofs are acceptable, but it is important to consider reflective qualities and choose softer, darker 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.
13. Any roof patch repair must be undetectable and consistent in appearance with the existing roofing when completed.
14. Cape Fear Station exceptions apply.

Satellite Dishes and External Antennas

REQUIREMENTS

Satellite dishes and external antennas over a meter (approx. 39 inches) 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 can 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 Cape Fear Station "Lot Designation Sheet" at the beginning of the Cape Fear Station Section (Appendix C) to determine the lot designation and Covenants and guidelines applicable to these lots.

1. Minimum standard setbacks are:
    a. **Side yards** - 10 feet
    b. **Rear yard** - 10 feet
    c. **Front yard** - 35 feet (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 feet) if the side property line of the lot is less than 10 feet 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, harbor and ocean/river sides.
2. Overhangs are not allowed in the setbacks.
3. Listed below are structures that 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 feet 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 feet in height.

g. Wood walkways (not beach accesses) must not exceed 4 feet in width and 16 inches 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.
2. Only transparent window-shielding systems that are flat and not corrugated are allowed on a permanent basis.

Temporary Storm-Protection Shutters

1. Temporary shutters used as a storm protection measure must be removed in a timely manner after the danger has passed. Any attachments used with the temporary panels must be concealed from view when the panels are not installed.

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 two square feet 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 Appendix 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:

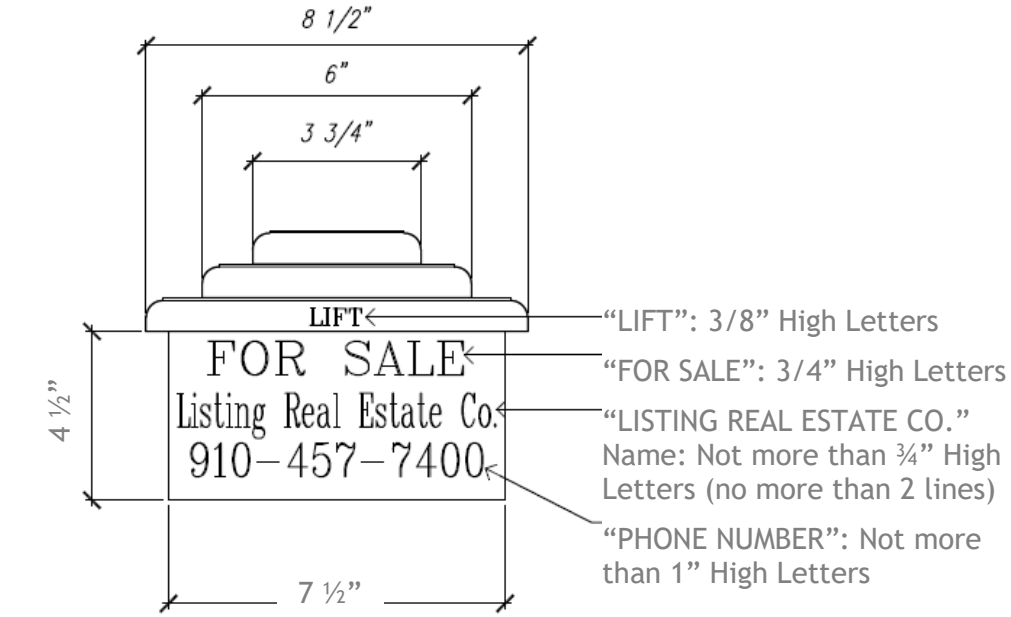
1. All material 1 X (cut to suit)
2. Text: white vinyl applied lettering in Adobe Garamond Pro Bold font
3. Background: either PMS # 2915 OR 782 Blue Belle by Benjamin Moore
4. This item is to be placed on top of a Village standard address bollard.
    a. If the property for sale is unimproved (no house) and there is no existing bollard, the property owner / realtor may use the Village bollard standard without the routed /

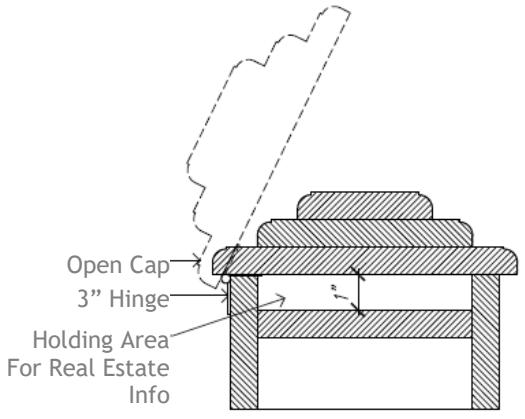
sandblasted numbers, though the number specification is strongly encouraged for emergency service purposes.

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.

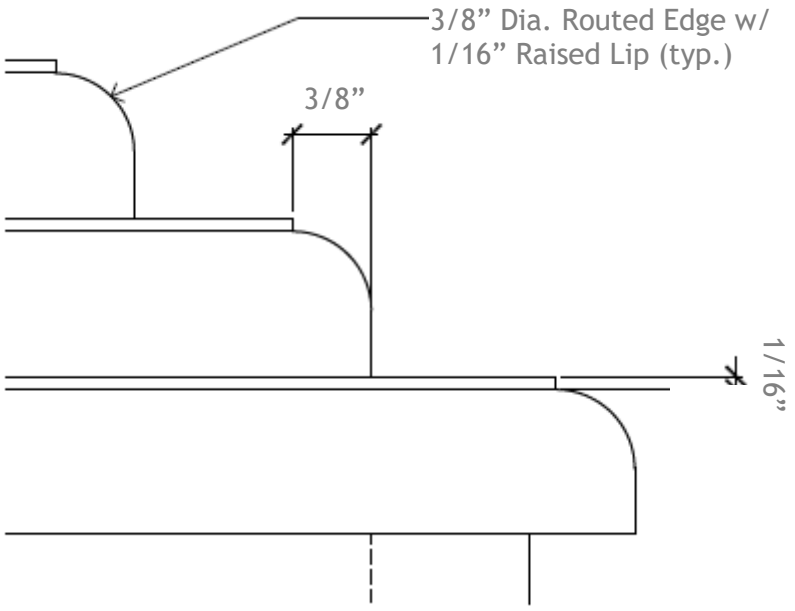
5. The hinge and "Lift" verbiage on the lip of the cap are not required features of the bollard cap; the cap top may be fixed in place with no holding area. However, if the hinge feature is desired on the bollard cap by the property owner / realtor, it must follow these specifications.

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.



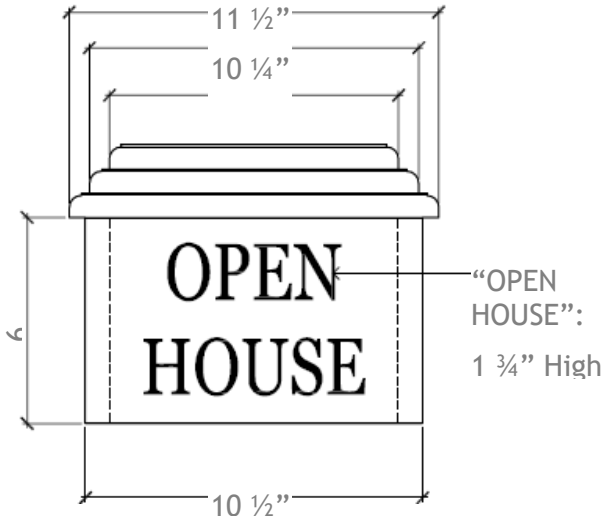


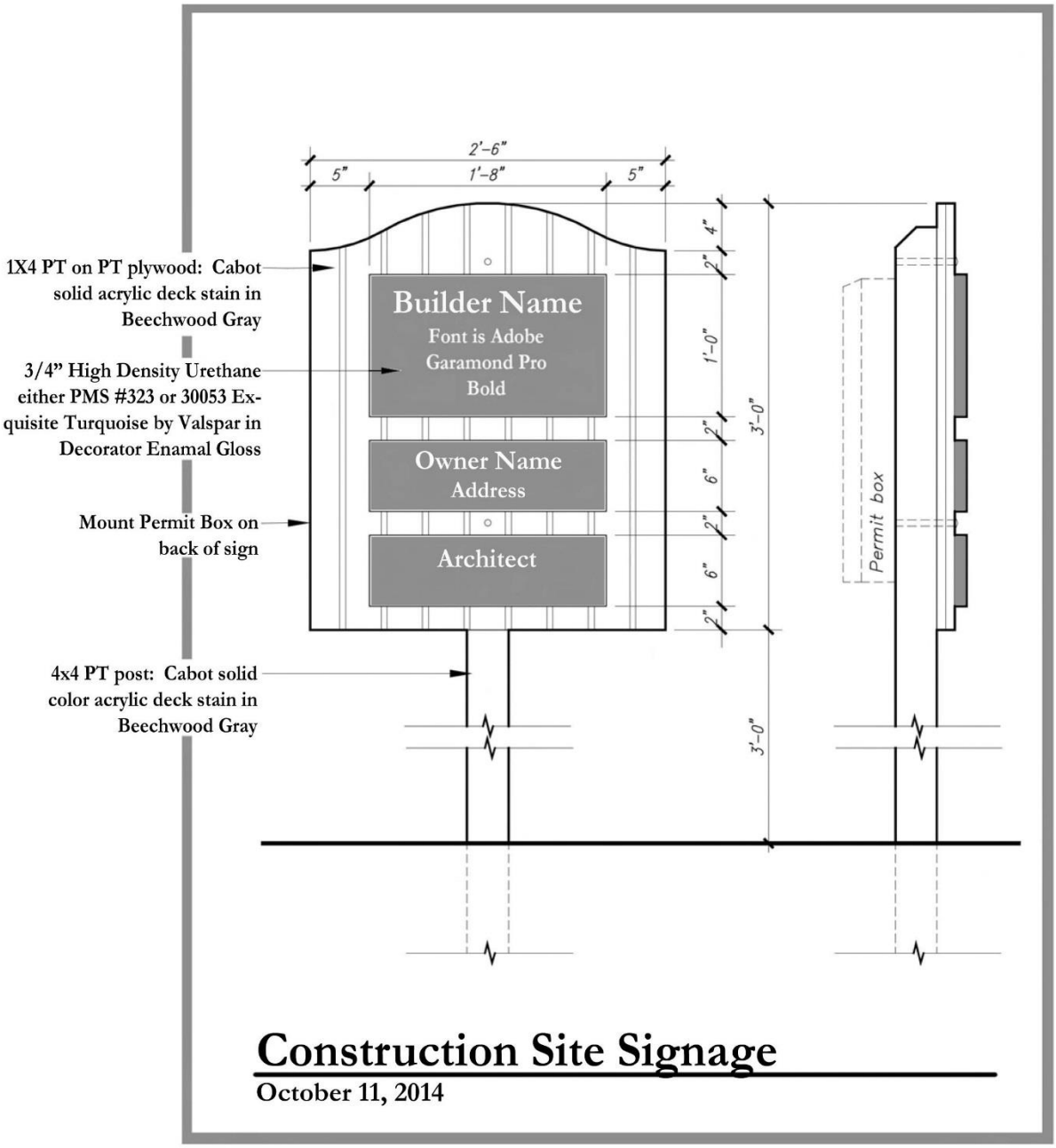
Detail for “For Sale” and “Open House” Bollard Caps:



“OPEN HOUSE” BOLLARD CAP NOTES:

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.





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 FEET 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.

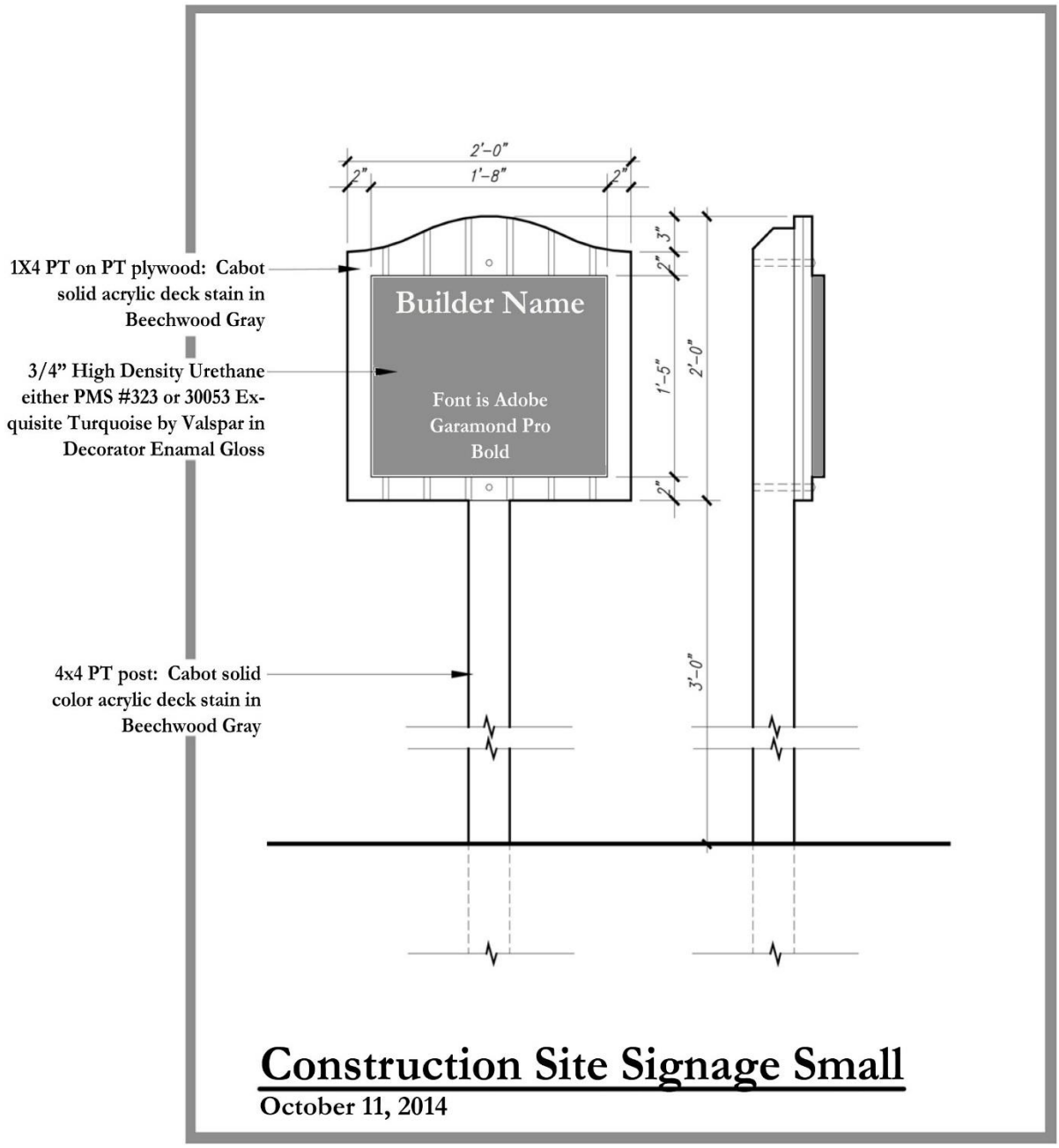
On the middle plaque it is acceptable to use the owner's last name only and then "Residence" / "Cottage" (i.e. – Smith Residence) and street address.

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

Blank plaques must be mounted as place-holders 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.

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 FEET AWAY FROM THE EDGE OF THE

ASPHALT UNLESS OTHERWISE APPROVED BY THE ARC DUE TO SITE LIMITATIONS.

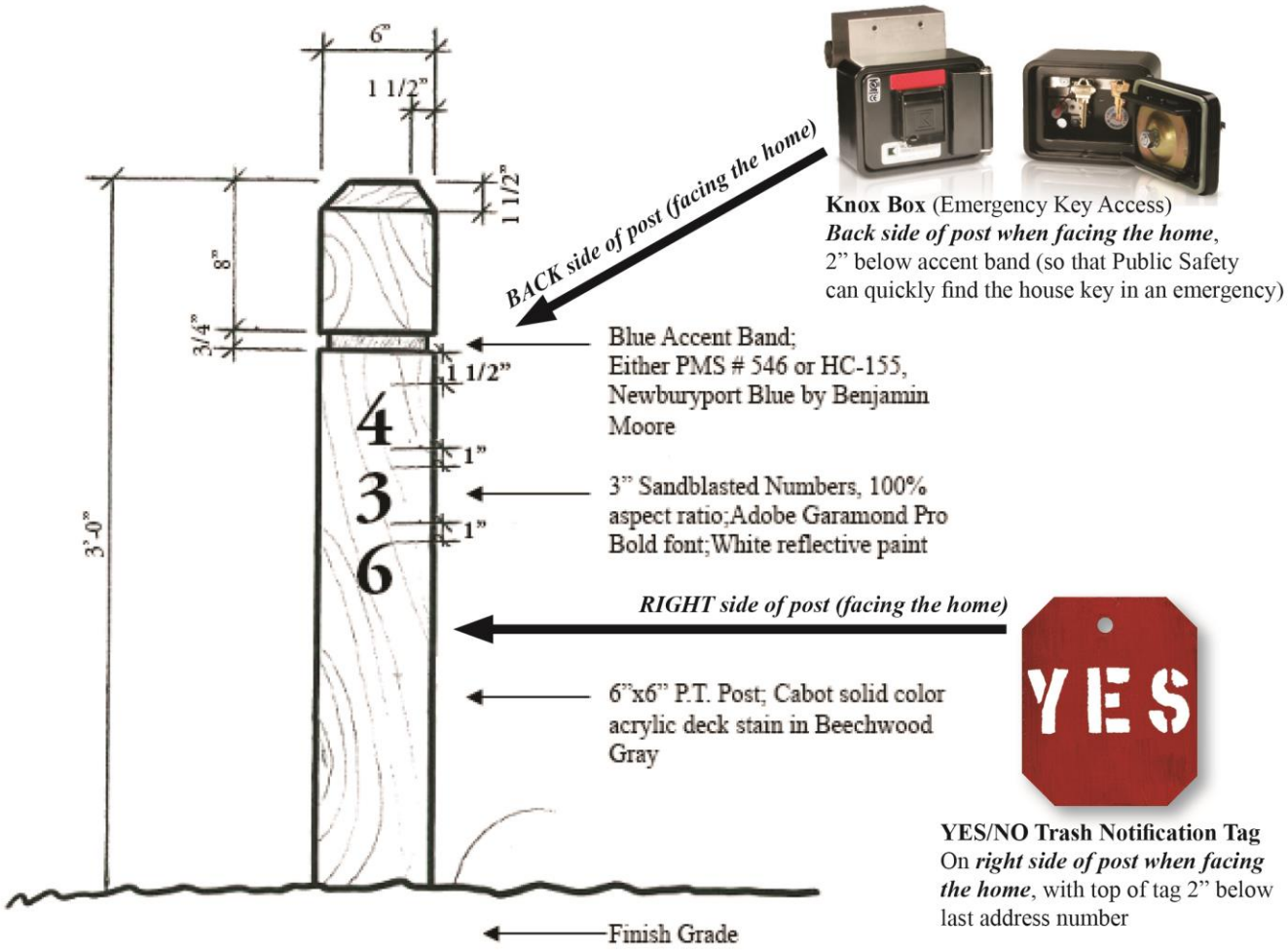
ALL BUILDER SIGNAGE MUST BE REMOVED WITHIN 30 DAYS AFTER THE VILLAGE OF BHI CERTIFICATE OF OCCUPANCY IS GRANTED.

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 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.

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



Standard Address Bollard

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

Refer to the site plans for exact location of the address bollard. The Association will allow 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 and approved by the ARC. The addition of an address bollard to an improved property is required to be approved by the ARC. Lots in Cape Fear Station with access on street and alley sides must have an address bollard at each entrance.

*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 Coordinator 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

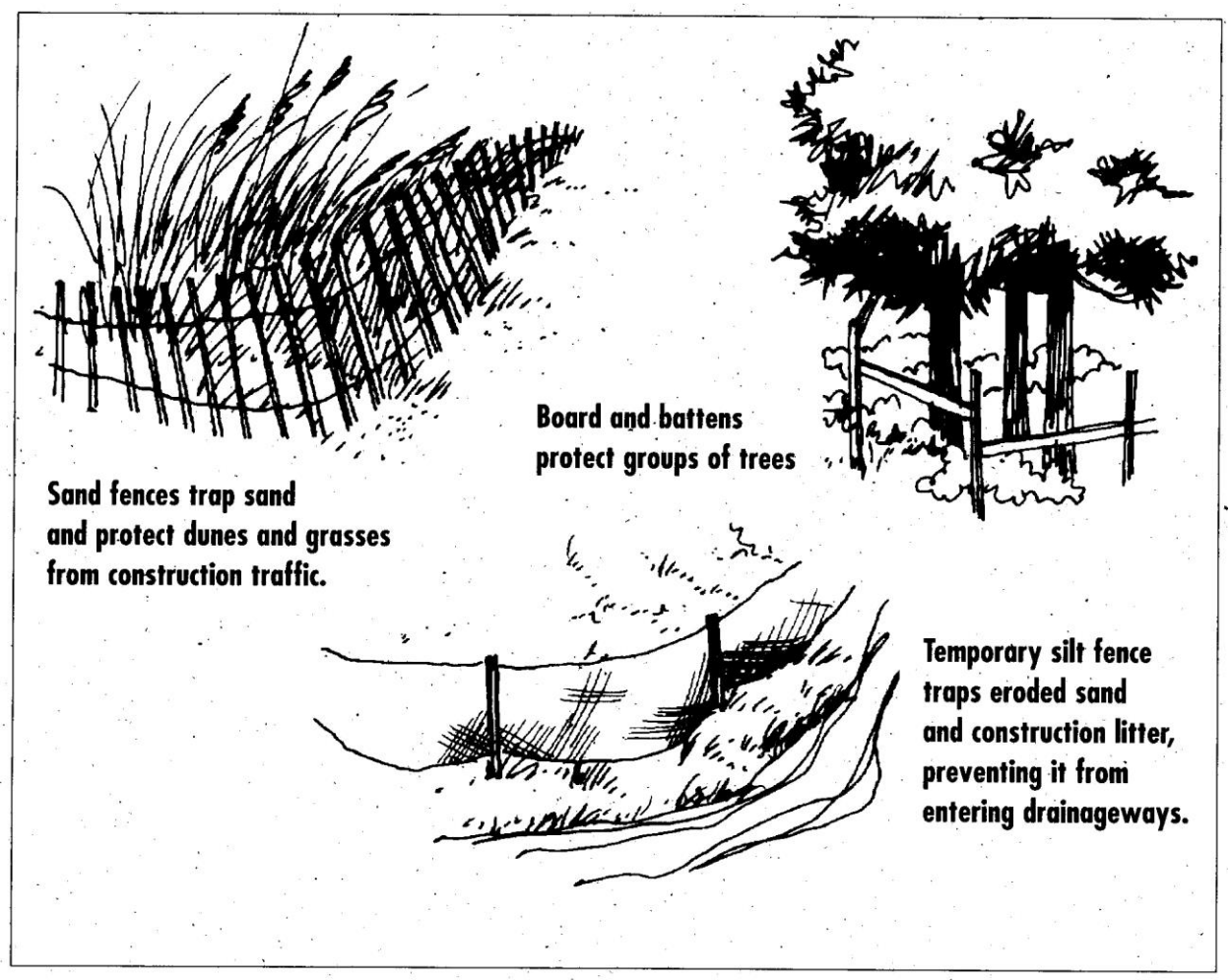
1. ARC approval is valid for 24 months. The date the building permit is obtained establishes the date of commencement and the exterior must be completed within 24 months of that commencement date.
2. ARC approved landscaping plans must be installed prior to final inspection. Planting may be delayed for 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 features 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 square feet, exclusive of accessory buildings, terraces, decks, open porches, roof overhangs and exterior stairs. A maximum of 300 square feet of the 1,600 square feet 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 inches, 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 four inches 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 square feet, exclusive of garages, boat sheds, terraces, decks, open porches, roof overhangs and exterior stairs. Of the 1,600 square feet, a maximum of 300 square feet 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 inches 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 four inches thick over a geotextile fabric.

All homes on or in front of the island's primary dune ridge shall meet the "50% Rule." (See 50% Rule under Bald Head Architecture section on Size.)

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 Architectural Review Coordinator 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. The lot types with the "Lot Designation Sheet" can be found in Appendix C - Cape Fear Station.

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 four inches 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 Architectural Review Coordinator 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.

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 inches 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 square feet 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 feet from post to post.
   The minimum inside dimension must be no less than 8 feet to allow for vehicular access.
   The overall height cannot exceed 10 feet.

4. The minimum height must be 8 feet from the finish elevation to the lowest horizonal member. Overall height cannot exceed 10 feet.
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 inches (actual measurement) and a minimum depth of a ¾ inch 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 feet 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.

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 must have a minimum height-to-width ratio of 1.5 to 1.
3. Additional accent windows may be applied sparingly if approved by the ARC.
4. Any reflective coating and stained or tinted glass must be approved by the ARC.
5. No trapezoidal windows will be allowed.
6. Window mullions shall be true divided lites or fixed grills on both the interior and exterior surfaces and shall create panes of square or vertical proportion.
7. Windows shall be wood, vinyl-clad or aluminum-clad. All vinyl and/or fiberglass windows shall be approved at the discretion of the ARC.
8. Homes in Cape Fear Station may have additional window restrictions. Please refer to Appendix C - Cape Fear Station.

E - 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 fifty or sixty feet 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.

<u>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.</u>

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.
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 draft level 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 Size Requirements section) 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. 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 exotic plant material (see glossary for definition) is limited to a maximum of 10% of the plan. Up to 30% of the plant material may be NC native. The plant lists are subject to change and plants not on these lists may be considered.
8. No known invasive plants may be planted. (See Plant Lists)
9. 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 reflected in the 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 landscaping plan submittals must include:
    a. Date of plan preparation, project name, address and name property owner, North arrow, graphic scale (the required scale is 1inch = 10 feet).
    b. The site plan must include variety, size and location of plant material and dimensions of hardscape and impervious coverage impacts.
    c. Plant list with quantity, botanical name, common name, size and special specifications.
    d. Detail drawings showing specifications for hardscaping, such as grill pads, planters, extra parking areas, pathways, decking, pavers, stepping stones, fences, arbors, notation of irrigation components, etc.

e. Show location for mitigation trees and clustered vegetation, as appropriate, if mitigation is required.

f. Calculate 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.

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

Landscape Changes for Existing Homes

REQUIREMENTS

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 inches in diameter measured 48 inches along the trunk from ground level, tree limbs of 3 inches or more in diameter, clustered growth vegetation 2 square feet 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 inch or greater in diameter measured 48 inches 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 involve 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 or pine straw must be limited to defined beds. 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. 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, in order to provide ease of access, a path of 36 inches 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 inch in diameter at 48 inches as measured along the trunk from ground level or any tree limb less than 3 inches 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 inches in diameter at 48 inches as measured from the base at ground level, may be removed. ARC approval must be granted to remove any vegetation 3 inches 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 inch 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.
10. **Pine straw**: Pine straw, used as mulch, could create a potential fire hazard and should not be placed, kept, or stored adjacent to structures with combustible exterior construction.
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 this organization. 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 Plant Lists)

14. **Water**: Water requirements for plants should be planned for during the first year while the plants become established.
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 inches or greater in diameter, at 48 inches 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 identify clearly 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 two

   square feet 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 inches in diameter measured 48 inches along the trunk from ground level; tree limbs of 3 inches or more in diameter; clustered growth vegetation two square feet or more at ground level regardless of branching habits or diameter. Within the understory, ARC approval is required to remove vegetation 1 inch or greater in diameter measured 48 inches 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 **Clearing, Trimming and Maintaining** requirements (page 148).
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 (see Construction/Site Guidelines).

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 inches or greater in diameter at 48 inches 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 inches or more in diameter also requires Village approval. ARC approval is required for the removal of trees 3 inches in diameter and understory vegetation 1 inch or greater in diameter measured 48 inches along the trunk from ground level, tree limbs of 3 inches or more in diameter and clustered growth vegetation two square feet or more at ground level regardless of branching habits or diameter.

Please see Appendix H, at the back of this document, for the 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 inches 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 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 Lists

The 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 exotic plants that have been planted on the island. 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 exotic 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: 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 of 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 NC and the southeastern coast are encouraged because of their effectiveness in stabilizing sand from strong winds.

Plant List Revised October 2019	COMMON NAME	BOTANICAL NAME	MOST READILY AVAILABLE	DUNE	EDGES of DUNE, MARITIME FOREST & MARSH	Maritime Forest
	NATIVE TO BALD HEAD ISLAND					
TREES	American Holly **	*Ilex opaca & its cultivars*	**XXX**			**X**
	Carolina Laurel Cherry	*Prunus caroliniana*	**XXX**			**X**
	Coastal Hornbeam / Ironwood	*Carpinus caroliniana var.caroliniana*	**XXX**			**X**
	Coastal Red Cedar / Red Cedar **	*Juniperus virginiana var. silicicola &its cultivars*	**XXX**	**X**	**X**	**X**
	Dogwood / Flowering Dogwood	*Cornus florida*	**XXX**			**X**
	Eastern Red Cedar	*Juniperus virginiana var. virginiana & its cultivars*	**XXX**	**X**		**X**
	Devilwood / Wild Olive	*Cartrema americana / Osmanthus americanus*	**XXX**		**X**	**X**
	Hercules'-club / Toothache Tree	*Zanthoxylum clava-herculis*		**X**	**X**	
	Laurel Oak **	*Quercus hemisphaerica / laurifolia*	**XXX**			**X**
	Live Oak **	*Quercus virginiana*	**XXX**		**X**	**X**
	Loblolly Pine	*Pinus taeda*	**XXX**			**X**
	Pignut Hickory	*Carya glabra*	**XXX**	**X**	**X**	**X**
	Red Bay	*Persea borbonia*				**X**
	Red Mulberry	*Morus rubra*				**X**
	Sabal Palm /Cabbage Palmetto (*) (**)	*Sabal palmetto*	**XXX**	**X**	**X**	**X**
	Sand Live Oak	*Quercus geminata*	**XXX**	**X**	**X**	
	Wax-myrtle (tree-form)	*Morella cerifera / Myrica cerifera*	**XXX**	**X**	**X**	
	Yaupon Holly **	*Ilex vomitoria & its cultivars*	**XXX**	**X**	**X**	**X**
SHRUBS	American Beautyberry	*Callicarpa americana*	**XXX**		**X**	**X**
	Devilwood / Wild Olive	*Cartrema americana / Osmanthus americanus*	**XXX**		**X**	**X**

Plant List Revised October 2019	COMMON NAME	BOTANICAL NAME	MOST READILY AVAILABLE	DUNE	EDGES of DUNE, MARITIME FOREST & MARSH	Maritime Forest
	Dune Marsh-elder	*Iva imbricata*		**X**		
	Dune Prickly-pear cactus	*Opuntia drummondii*		**X**	**X**	
	Dwarf Palmetto	*Sabal minor*	**XXX**		**X**	**X**
	Farkleberry / Sparkleberry	*Vaccinium arboreum*	**XXX**		**X**	
	Maritime Marsh-elder	*Iva frutescens var. frutescens*			**X**	
	Mound-lily Yucca*	*Yucca gloriosa*		**X**	**X**	
	Prickly-pear cactus	*Opuntia mesacantha spp. mesacantha*	**XXX**	**X**	**X**	
	Silverling Mullet Bush	*Baccharis halimifolia*	**XXX**		**X**	
	Spanish Dagger Yucca	*Yucca aloifolia*		**X**	**X**	
	Dwarf Yaupon	*Ilex vomitoria 'Schillings Dwarf' & 'Nana'*	**XXX**	**X**	**X**	**X**
	Wax-myrtle	*Morella cerifera / Myrica cerifera*	**XXX**	**X**	**X**	
	Weeping Yaupon	*Ilex vomitoria 'Pendula'*	**XXX**	**X**	**X**	**X**
ANNUALS	**PERENNIALS AND FERNS**					
	American Germander	*Teucrium canadense*		**X**	**X**	**X**
	Annual Sand Bean	*Strophostyles helvola*		**X**	**X**	
	Annual Sea-pink / Marsh Pink	*Sabatia stellaris*			**X**	
	Carolina Blue Curls *	*Trichostema sp. 1*		**X**	**X**	
	Carolina Sea-lavender	*Limonium carolinianum*			**X**	
	Dune Camphorweed	*Heterotheca subaxillaris*		**X**	**X**	
	Eastern Horse-mint / Spotted Horse-mint	*Monarda punctate var. punctata*	**XXX**		**X**	
	Dune Marsh Elder	*Iva imbricata*		**X**		
	Ebony Spleenwort Fern	*Asplenium platyneuron*	**XXX**			**X**
	Frogfruit	*Phyla nodiflora var.*	**XXX**		**X**	

		nodiflora				
Plant List Revised October 2019	**COMMON NAME**	**BOTANICAL NAME**	**MOST READILY AVAILABLE**	**DUNE**	**EDGES of DUNE, MARITIME FOREST & MARSH**	**Maritime Forest**
	Glasswort / Samphire	*Salicornia virginica*			**X**	
	Indian Blanket / Beach Blanket-flower	*Gaillardia pulchella var. drummondii*		**X**	**X**	
	Maritime Marsh-elder	*Iva frutescens*			**X**	
	Northern Seaside Spurge / Northern Sandmat	*Euphorbia polygonifolia*		**X**		
	Partridge-berry	*Mitchella repens*	**XXX**			**X**
	Salt-marsh Aster	*Symphyotrichum tenuifolium*			**X**	
	Seabeach Amaranth *	*Amaranthus pumilus*		**X**		
	Seaside Goldenrod	*Solidago mexicana*	**XXX**	**X**	**X**	
	Seaside Oxeye	*Borrichia frutescens*			**X**	
	Silverleaf Croton	*Croton punctatus*		**X**	**X**	
	Southern Seaside Spurge/Dixie Sandmat *	*Euphorbia bombensis*		**X**	**X**	
	St. Andrew's Cross	*Hypericum hypericoides*			**X**	
GRASSES	Seabeach Grass / Bitter Panicum	*Panicum amarum & its cultivars*	**XXX**	**X**	**X**	
	Black Needle Rush	*Juncus roemerianus*			**X**	
	Broadleaf Whitetop Sedge	*Rhynchospora latifolia*			**X**	
	Elliott's Lovegrass / Field Lovegrass	*Eragrostis elliottii*	**XXX**		**X**	
	Maritime Bushy Bluestem	*Andropogon tenuispatheus*	**XXX**	**X**	**X**	
	Narrowleaf Whitetop Sedge / Starrush	*Rhynchospora colorata*	**XXX**		**X**	
	Native Sedges	*Carex spp.*			**X**	**X**
	Purple Muhly Hairgrass	*Muhlenbergia capillaris*	**XXX**	**X**	**X**	
	Saltmarsh Cordgrass / Smooth Cordgrass	*Sporobolus alterniflorus/ Spartina alterniflorus*	**XXX**		**X**	

	Sea Oats **	*Uniola paniculata*	**XXX**	**X**		
Plant List Revised October 2019	**COMMON NAME**	**BOTANICAL NAME**	**MOST READILY AVAILABLE**	**DUNE**	**EDGES of DUNE, MARITIME FOREST & MARSH**	**Maritime Forest**
	Seaside Little Bluestem	*Schizachyrium littorale*	**XXX**	**X**	**X**	
	Small Saltmeadow Cordgrass	*Sporobolus pumilus/Spartina patens*			**X**	
	Dune Hair Grass / Sweet Grass	*Muhlenbergia sericea*	**XXX**	**X**	**X**	
	Woods-grass / Basket-grass*	*Oplismenus setarius*				**X**
VINES	Beach Morning-glory*	*Ipomoea imperati*		**X**		
	Carolina Jessamine	*Gelsemium sempervirens*	**XXX**		**X**	**X**
	Carolina Supplejack	*Berchemia scandens*				**X**
	Coastal Morning-glory / Tie Vine	*Ipomoea cordatotriloba*	**XXX**	**X**	**X**	
	Coral Honeysuckle	*Lonicera sempervirens & its cultivars*	**XXX**	**X**	**X**	**X**
	Peppervine	*Nekemias arborea / Ampelopsis arborea*			**X**	**X**
	Salt Marsh Morning-glory	*Ipomoea sagittata*			**X**	**X**
	Swallow-wort / Sand-vine	*Seutera angustifolia*			**X**	
	Yellow Passionflower	*Passiflora lutea*	**XXX**		**X**	**X**
	NATIVE TO NORTH CAROLINA (Not native to BHI)					
TREES	Black Cherry	*Prunus serotina*				**X**
	Chickasaw Plum	*Prunus angustifolia*				**X**
	Eastern Redbud	*Cercis canadensis & its cultivars*				**X**
	Fringe-tree	*Chionanthus virginicus*				**X**
	Persimmon	*Diospyros virginiana*				**X**
	Red Maple	*Acer rubrum*	**XXX**			**X**
	Southern Magnolia	*Magnolia grandiflora &*				**X**

		its cultivars				
Plant List Revised October 2019	**COMMON NAME**	**BOTANICAL NAME**	**MOST READILY AVAILABLE**	**DUNE**	**EDGES of DUNE, MARITIME FOREST & MARSH**	**Maritime Forest**
	Sweetbay Magnolia	*Magnolia virginiana & its cultivars*				**X**
	Water Oak	*Quercus nigra*				**X**
SHRUBS	Coastal Sweet-Pepperbush / Summersweet	*Clethra alnifolia*			**X**	**X**
	Curlyleaf Yucca / Adam's Needle	*Yucca filamentosa*		**X**	**X**	**X**
	Possumhaw	*Viburnum nudum*				**X**
	Southern Blackhaw	*Viburnum rufidulum*				**X**
	Sweet-shrub / Carolina Allspice	*Calycanthus floridus*				**X**
	Virginia Sweetspire	*Itea virginica*				**X**
	Winged Sumac	*Rhus copallina*			**X**	**X**
ANNUALS	**PERENNIALS AND FERNS**					
	Coral Bean / Cardinal-spear	*Erythrina herbacea*			**X**	**X**
	Coreopsis	*Coreopsis lanceolata*		**X**	**X**	
	Seashore-mallow	*Kosteletzkya pentacarpos*			**X**	
	Butterfly weed	*Asclepias tuberosa*			**X**	**X**
	Black-eyed Susan	*Rudbeckia hirta*			**X**	**X**
GRASSES	American Beach Grass **	*Ammophila breviligulata*		**X**		
	Bottlebrush Grass	*Elymus hystrix*			**X**	**X**
	Broomsedge	*Andropogon virginicus*	**XXX**	**X**	**X**	
	Eastern Wild-rye	*Elymus virginicus*			**X**	**X**
	Little Bluestem	*Schizachyrium scoparium & its cultivars*		**X**	**X**	

	Purple Lovegrass	*Eragrostis spectabilis*	**XXX**	**X**	**X**	
Plant List Revised October 2019	**COMMON NAME**	**BOTANICAL NAME**	**MOST READILY AVAILABLE**	**DUNE**	**EDGES of DUNE, MARITIME FOREST & MARSH**	**Maritime Forest**
	EXOTIC Plants (Not native to BHI or North Carolina)					
	Soft Rush	*Juncus effusus*			**X**	
	Switchgrass	*Panicum virgatum & its cultivars*	**XXX**	**X**	**X**	
VINES	Cross-vine	*Bignonia capreolata& its cultivars*	**XXX**		**X**	**X**
	Purple Passionflower	*Passiflora incarnata*	**XXX**		**X**	**X**
	*** Recognized as NC Rare Species**					
	***** Plants of "special concerns" per Village of BHI***					
	SHRUBS					
CHINA	Chinese Juniper	*Juniperus chinensis & its cultivars*		**X**	**X**	
ASIA	Indian Hawthorn	*Rhaphiolepis spp. & its cultivars*		**X**	**X**	
ASIA	Loquat	*Eriobotrya japonica*		**X**		
ASIA & MEDITERRANEAN	Oleander	*Nerium oleander*		**X**	**X**	
ASIA	Pittosporum	*Pittosporum tobira & its cultivars*		**X**	**X**	**X**
MEDITERRANEAN	Rosemary	*Rosmarinus officinalis*		**X**		
JAPAN	Sago Palm	*Cycas revoluta*			**X**	**X**
	GRASSES, ANNUALS, PERENNIALS and FERNS					
VA, MD, WV	Blue Wild Indigo	*Baptisia australis*		**X**	**X**	

Plant List Revised October 2019	COMMON NAME	BOTANICAL NAME	MOST READILY AVAILABLE	DUNE	EDGES of DUNE, MARITIME FOREST & MARSH	Maritime Forest
FLORIDA	Florida Gamagrass / Dwarf Fakahatchee ***	*Tripsacum floridanum*		**X**	**X**	**X**
LA,OK,TX	Gaura	*Gaura lindheimeri*		**x**	**X**	
ASIA	Japanese Holly Fern	*Crytomium falcatum*				**X**
CENTRAL & SOUTH AMERICA	Lantana	*Lantana camara*		**X**	**X**	
MEXICO	Mexican Bush Sage	*Salvia leucantha*		**X**	**X**	**X**
MIDWEST	Plains Coreopsis / Calliopsis	*Coreopsis tinctoria*		**X**	**X**	
MIDWEST	Prairie Dropseed	*Sporobolus heterolepsis*		**X**		
HIMALAYAS-CHINA	Russian Sage	*Perovskia atriplicifolia*		**x**	**X**	
TEXAS	Silverleaf Sunflower	*Helianthus argophyllus*		**X**	**X**	
	VINES					
ASIA	Confederate Jasmine	*Trachelospermum jasminoides*		**X**	**X**	**X**
	****** While native to Florida, is used in golf course communities along the eastern seaboard***					
	INVASIVE EXOTICS "DON'T PLANT ME!"					
TREES	Callery Pear/ Bradford Pear, etc.	*Pyrus calleryana & its cultivars*				
	Chinaberry tree	*Melia azedarach*				
	Chinese Tallow tree / Popcorn tree	*Triadica sebifera*				
	Mimosa/ Silk Tree	*Albizia julibrissin*				
	Princess Tree	*Paulownia tomentosa*				

Plant List Revised October 2019	COMMON NAME	BOTANICAL NAME	MOST READILY AVAILABLE	DUNE	EDGES of DUNE, MARITIME FOREST & MARSH	Maritime Forest
	Tree of Heaven	*Ailanthus altissima*				
	White Mulberry	*Morus alba*				
SHRUBS	Amur Honeysuckle	*Lonicera maackii*				
	Autumn Olive	*Elaeagnus umbellata*				
	Burning Bush	*Euonymus alata*				
	Butterfly bush	*Buddleia davidii & its cultivars*				
	Chinese Privet	*Ligustrum sinense & its cultivars*				
	Fragrant Honeysuckle	*Lonicera fragrantissima*				
	Japanese Barberry	*Berberis thunbergii & its cultivars*				
	Japanese Privet	*Ligustrum japonicum & its cultivars*				
	Japanese Spiraea	*Spiraea japonica & its cultivars*				
	Leatherleaf Mahonia	*Mahonia bealei & its cultivars*				
	Multiflora Rose	*Rosa multiflora*				
	Morrow Honeysuckle	*Lonicera morrowii*				
	Nandina	*Nandina domestica & its cultivars*				
	Russian Olive	*Elaeagnus angustifolia*				
	Salt-cedar	*Tamarix spp.*				
	Thorny-olive	*Elaeagnus pungens*				
	Hardy Orange / Wild Orange	*Poncirus trifoliata*				
ANNUALS	**PERENNIALS and FERNS**					
	Bicolor Lespedeza	*Lespedeza bicolor*				
	Common Chickweed	*SteIlia media*				

Plant List Revised October 2019	COMMON NAME	BOTANICAL NAME	MOST READILY AVAILABLE	DUNE	EDGES of DUNE, MARITIME FOREST & MARSH	Maritime Forest
	Gill-over-the-ground/ Ground Ivy	*Glechoma hederacea*				
	Henbit	*Lamium purpureum*				
	Hydrilla	*Hydrilla verticillata*				
	Ivyleaf Speedwell	*Veronica hederifolia*				
	Japanese Knotweed	*Polygonum cuspidatum*				
	Parrotfeather	*Myriophyllum aquaticum*				
	Purple Loosestrife	*Lythrum salicaria*				
	Sericea Lespedeza / Chinese bushclover	*Lespedeza cuneata*				
	Water-hyacinth	*Eichhornia crassipes*				
GRASSES	Bamboo Running/Exotic	*Phyllostachys spp.*				
	Chinese Silver Grass / Maiden Grass	*Miscanthus sinensis & its cultivars*				
	Common Reed	*Phragmites australis spp. australis*				
	Japanese Stilt-grass	*Microstegium vimineum*				
	Johnson Grass	*Sorghum halepense*				
	Pampas Grass	*Cortaderia selloana or Cortaderia jubata*				
	Torpedograss	*Panicum repens*				
GROUND	**COVER**					
	Bigleaf Periwinkle	*Vinca major & its cultivars*				
	Common Periwinkle	*Vinca minor & its cultivars*				
VINES	Beach Vitex	*Vitex rotundifolia*				
	Chinese Wisteria	*Wisteria sinensis & its cultivars*				

Plant List Revised October 2019	COMMON NAME	BOTANICAL NAME	MOST READILY AVAILABLE	DUNE	EDGES of DUNE, MARITIME FOREST & MARSH	Maritime Forest
	English Ivy	*Hedera helix & its cultivars*				
	Japanese Honeysuckle	*Lonicera japonica & its cultivars*				
	Japanese Wisteria	*Wisteria floribunda & its cultivars*				
	Kudzu	*Pueraria montana*				
	Mile-a-minute Vine	*Persicaria perfoliata*				
	Oriental Bittersweet	*Celastrus orbiculatus*				
	Porcelain-berry	*Ampelopsis brevipedunculata & its cultivars*				
	Sweetautumn Clematis	*Clematis terniflora*				
	Wintercreeper	*Euonymus fortunei & its cultivars*				

Source of Plant information:

The native plant botanical and common names used in this document are based upon the work of Alan S. Weakley of the University of North Carolina Herbarium (NCU), North Carolina Botanical Garden and University of North Carolina at Chapel Hill. His document is titled "*Flora of the Southern and Mid-Atlantic States*;" Working Draft of 21 May 2015 and is available at: http://www.herbarium.unc.edu/FloraArchives/WeakleyFlora_2015-05-29.pdf

References for plants identified as native to Bald Head Island:

LeBlond, R.J. 1995. "Inventory of the Natural Areas and Rare Species of Brunswick County, North Carolina." N.C. Natural Heritage Program, DPR, DEHNR, Raleigh.

Mayes, C. H. 1984. "The Flora of Smith Island, Brunswick County, North Carolina." M.S. Thesis, University of North Carolina-Wilmington.

VegBank Website - www.vegbank.org (search on Bald Head Island, plots used 1988, 2005, and 2009)

F - BHA COMMON AREA POLICY

Introduction:

The Amended and Restated Declaration of Covenants, Conditions and Restrictions for Bald Head Association (herein "Association" or "BHA") recorded in December 2017 ("the Covenants") state in Article 8.1:

> 8.1 Common Area. The Association, subject to the rights of the Owners set forth in this Declaration, will manage and control the Common Area and all improvements thereon (including, but not limited to, private roads, rights of way, furnishings, equipment, walkways, gazebos, master walkway and common landscaped areas); and will keep it in good, clean, attractive and sanitary condition, order and repair, consistent with this Declaration and the Community Wide Standard.

I. Purpose:

The purpose of this document is to provide a statement of policy for the management and control of Common Area.

II. Definitions:

Common Area is defined in the Covenants in Article 1.8 as "all real property and facilities owned by the Association for the common use and enjoyment of all Members of the Association, including greenways, recreational areas, dunes, beaches and roadways. It is intended that the Common Area will include all of the Subject Property except platted lots, Multi-Family Sites, and other Non-Residential Areas, the golf course, clubhouse sites and sites established for utility purposes. A map of the Common Area is available for viewing in the Association office."

Limited Common Area is defined in the Covenants in Article 1.15 as "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."

Limited Common Areas are those serving a specific neighborhood or complex. Examples of Limited Common Areas include Ibis Roost, Timbercreek, Royal James, Palmetto Cove, Surfman's Walk, Sumner's Crescent and Keeper's Landing. Their ownership, maintenance and use are restricted to owners of properties within the pertinent neighborhood or complex. Currently, all properties of this type are either privately owned by multi-family residences or are within the Common Area located within the property described in EXHIBIT B of the

Covenants which are reserved for the exclusive use of one or more, but fewer than all, of the Owners.

Maintenance: The Covenants specify that "maintenance" means keeping homes and lots in a "clean, neat, sightly and attractive" condition. This includes maintenance of the Common Area.

III. Map of the Common Area.

A current map of the Common Area may be viewed at the BHA office.

IV. Classification:

There are three (3) classes of Common Area.

1. Fairway – those tracts adjoining the golf course property.
2. Forest – those tracts located in the forest of Bald Head Island that do not adjoin the golf course.
3. Dune/Beach – those tracts that are located outside of the forested area and that do not adjoin the golf course, including waterfront properties.

V. Use:

Within each Common Area class, there are four (4) potential uses.

1. Natural – left essentially in a natural state.
2. Landscaped – subject to some type of maintenance effort.
3. Utilized – altered for member benefit, e.g., Dog Park, Boat Park, Garden Area, Association Center.
4. Easements – granted where specific use or uses of Common Area are allowed for a specific purpose or purposes, e.g., utility easements, golf course easement, beach access.

Common Area administrative practices should provide that the evaluation of a proposed change in use of any segment of Common Area should include, if reasonably possible, input from members whose property location would cause them to be most directly affected by the change, e.g., a proposed cart or boat parking area adjoining their residential lot.

VI. Uses for all Common Area classes:

1. All Common Area is owned by the BHA.
2. Each property owner has a non-exclusive easement of use, access and enjoyment in and to the Common Area.
3. Every property owner is prohibited from removing or altering existing trees, tree limbs, vegetation and clustered growth and is prohibited from adding to the existing trees, tree limbs, vegetation and clustered growth of any kind or size on the Common Area without prior permission of the BHA Board.
4. The Association will maintain the Common Area.
5. Recreational use of the Common Area cannot violate other ordinances and laws, including those that protect the environment, such as walking on the dunes.

6. Property owners whose property adjoins the Common Area may not have structures that encroach on the Common Area (i.e., setbacks must be followed). Exception: The Association has a specific policy pertaining to the construction of beach accesses for properties located on the beachfront. (See this Section IX, Dune/Beach.)
7. The Common Area is subject to easements for utility installation and cross-drainage as provided in the Covenants in Article 12.1 and 12.2.
8. The Association Center, the Surfman's Walk Gazebo, the Boat Park and the Community Garden can be rented consistent with existing Board policies or policies later amended or adopted by the BHA Board.

VII. Fairway: Use and requirements for the Fairway Common Area

1. Natural: Fairway Common Area adjoined by and located between platted lots and the golf course must be left in its natural state unless permission is obtained from the BHA Board or its designated committee.
2. Landscaping:
    a. A property owner whose property adjoins fairway Common Area can apply for permission to clear Common Area to achieve a golf course view by submitting in writing a proposed plan of clearing for consideration by the BHA Board or its designated committee. In order for the proposal to be approved, the property must fit the definition of a Fairway lot, noted under the Landscaping section of the Design Guidelines. No wholesale clearing of Common Area for a fairway view is allowed; rather, any proposed clearing must be done in a naturalized manner consistent with the standards set forth in the Covenants and the Guidelines, and the Village of BHI Zoning ordinance. Proposed plans must include a site plan indicating which trees/vegetation would be trimmed or removed; mitigation for removal of any trees; and, details regarding appropriate mulching and future care (i.e., watering). Please review the Landscape Section of the Design Guidelines for further guidance. New plantings are restricted to native plants. Use of herbicides/pesticides is prohibited without permission. The BHA Board has the discretion to decide whether or not to approve the proposal.
    b. If the proposal is approved by the Board, the BHA shall proceed with the clearing with a contractor hired and controlled by the BHA. The BHA shall pay the contractor and bill and collect the amount paid the contractor from the property owner(s) whose property adjoins the Common Area and who submitted the proposal.
    c. Requirements of a and b apply only to property that fits the definition of a fairway lot, identified in the Introduction regarding Common Area section of the Design Guidelines.
3. Utilization: See "Easements" (#4 below).

    The Association may construct on Forest Common and Limited Common Areas such facilities as it determines are appropriate for the common use and enjoyment of the membership and in accordance with the Covenants and Bylaws of the Association.

4. Easements: The Covenants address this item in Article 12.10 which states:

(12.10) Golf Course Restrictions for Fairway Units. The following special restrictions will apply to all Units abutting, adjoining or lying contiguous to the golf course:

(a) Owners of such Units will not engage in any activities which 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) The owner of the golf course ("Golf Course Owner") is hereby granted an assignable "golf course maintenance easement area" of thirty (30) feet from the boundary between the Units and the golf course for the purpose of landscaping, planting of grass, watering the golf area, application of fertilizer to the golf area as needed, and otherwise mowing and maintaining the easement area. This easement privilege will include the removal of underbrush, trees less than three inches in diameter (outside bark to outside bark) when measured four feet along the tree trunk, clustered growth measuring less than two square feet, stumps, trash and debris that would or could be in conflict with the plans and specifications of the golf course area as determined by the Golf Course Owner.

(c) Golf Course Owner is hereby granted for itself, its successors or assigns an easement to permit and authorize registered golf course players and their caddies to enter upon the golf course easement maintenance area to recover a ball or play a ball. This easement is subject to the official regulations of the course, and such entering and playing will not be deemed a trespass. Registered golf players or their caddies will not be privileged to enter the golf course maintenance easement area on any Unit with a golf cart or other vehicle. Golf Course Owner, its successors or assigns agree to place and maintain "out of bounds" markers on said lots at the expense of the Golf Course Owner, its successors and assigns.

5. Any conflict between the BHI Club and a property owner over Common Area clearing or maintenance will be resolved by the BHA Board.

VIII. Forest: Use and requirements for the use of Forest Common and Limited Common Area.

1. Natural: Forest Common and Limited Common Areas shall be left essentially in a natural state except for segments which the Association determines should be "improved" and utilized for the common use and enjoyment of the membership (see "Landscaping" and "Utilization" below).
2. Landscaping:
    a. The Association may designate segments of Forest Common and Limited Common Area to be landscaped.
    b. Landscaping of Forest Common and Limited Common Area for personal/individual use is not allowed.
3. Utilization: The Association may construct on Forest Common and Limited Common Area such facilities as it determines are appropriate for the common use and enjoyment of the membership and in accordance with the Covenants and Bylaws of the Association
4. Easements: Only as noted in this Section VI. "All Common Area Classes."

IX. Dune/Beach: Use and requirements for the use of Dune/Beach Common Area.

1. Natural: Dune/Beach Common Area shall be left essentially in a natural state except for segments which the Association determines should be "improved" and utilized for the common use and enjoyment of the membership (see "Landscaping" and "Utilization" below).
2. Landscaping:
    a. Stabilization Structures and Plantings: Beach front property owners may submit planting proposals which will be reviewed by the Resource Conservation and Beautification Committee and approved by the BHA.
    b. Clearing for view is not allowed on the island except in the controlled area of clearing for Fairway lots or otherwise with approval of the BHA Board.
    c. BHA approval is required prior to any clearing on Common Area.
    d. In the interest of dune stabilization, the Association may, after evaluation, give permission to the Village of Bald Head Island for implementation of structures and plantings on Common Area on the waterfront.
3. Utilization: The Association may construct on Dune/Beach Common Area such facilities as it determines are required for the common use and enjoyment of the membership and in accordance with the Covenants and Bylaws of the Association.
    a. Beach accesses are considered for waterfront homes only. Waterfront homes are defined as properties from which a straight line may be drawn at a 90-degree angle from the middle point of the water-facing elevation to the water's edge without crossing any portion of any adjoining lot.
    b. Structural Requirements for Beach Accesses:
        1) Private Beach Accesses constructed after 01-01-2002 must adhere to the concept of "shared accesses for adjacent lots where possible." If it is possible to join to an adjacent access, a separate access for individual lots will no longer be permitted.
        2) The access will be constructed of pressure treated wood, 48 inches in width and at least 18 inches, but no more than 24 inches above grade. Railings or other constructs above or below the beach walk will not be allowed. Specifically, pavilions and permanent seating will not be allowed. The Beach walk will be raised on pilings sunk at least three, but no more than five feet in depth, so that only the pilings touch the dunes. Steps should be used only when necessary, rather the walkway should follow the grade of the dunes as much as possible. Accesses will not follow a straight course but will angle to follow the contour of the dune ridges. Sand walkways will not be permitted.
        3) Private accesses will extend from an ocean facing deck and terminate on the ocean side of the frontal dune. The person constructing the access will replace all disruptions of dune plantings immediately. In no case should an access way be permitted if it will diminish the dune's capacity as a protective barrier against flooding and erosion. If an existing access way should

diminish the dune's capacity as a protective barrier against flooding and erosion, it will be corrected, closed or removed immediately.

X. AMENDMENTS TO POLICY

This policy may be amended as needed by a 2/3 vote of the BHA Board of Directors.

XI. COMMON AREA ADMINISTRATION COMMITTEE

Administration of Common Area Policy will be the responsibility of the Board of Directors or its designated committee. Depending on the frequency of issues to be resolved with respect to Common Areas, the Board may at any time decide to establish a standing committee specifically to administer this policy. BHA's Bylaws may be amended, at a regular or special meeting of the members, by a vote of a majority of members present in person or by proxy, subject to the quorum requirement.

XII. LIMITATIONS OF POLICY

In all decisions regarding Common Area, the Board will maintain compliance with Covenant restrictions, Village ordinances and other government code requirements.

The Common Area policy, as with all BHA policies, is not intended to conflict with the Covenants. If a conflict exists, the Covenants prevail.

** Note – for more details on the application of this policy, please ask the Coordinator for a copy of the Common Area Practices and Procedures document.

G - BHA ARTICLE 7 Covenants

AMENDED AND RESTATED

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BALD HEAD ASSOCIATION

ARTICLE 7 - DESIGN GUIDELINES December 2017

7.1 General.

(a) No structures, buildings, improvements or construction, which shall include within its definition, clearing, grading, excavation and other sitework, 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, walkways, 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, sprinkler system, driveway, outdoor decorative objects, shrubbery or landscaping.

(b) Any Owner may remodel, paint or redecorate the interior of structures on his Unit without approval. No approval shall be required to repaint the exterior of a structure in accordance with the originally approved color scheme or to rebuild in accordance with originally approved plans and specifications.

(c) This ARTICLE will apply to improvements to the Common Area by, or on behalf of, the Association.

(d) This ARTICLE will apply to improvements located on golf course property, but not to the design of the golf course.

7.2 Architectural Review.

(a) Responsibility for administration of the Design Guidelines, as defined below, and review of all applications for construction and modifications under this Article will be handled by the Committee as described in this Section 7.2. All members of the ARC shall be members of the Association with the exception that a maximum of two (2) members of the ARC may be Design Professionals ("Design Professionals" shall include engineers, architects, surveyors, interior designers, landscapers, and other professionals engaged in the business of constructing or designing residential homes or landscaping) who are not members of the Association. No more than one-third of the Committee's membership shall be contractors, builders, architects or others involved in the design or construction of structures on the Properties. The Board may hire such professionals as it deems necessary to assist the Committee in the discharge of its duties. The Board may establish and charge reasonable fees for review of applications hereunder. These fees may include the fees charged by any professional employed by the Board and may require such fees to be paid in full prior to review.

(b) The Committee will consist of at least five (5) persons appointed by the Board beginning on January 1, 2000, and will have jurisdiction over all construction on any portion of the Properties. Thereafter, the Board may change the number of persons serving on the Committee to an odd number of at least five (5) and not more than eighteen (18) persons by a vote of not less than two-thirds (2/3) of the Board.

(c) The Committee will consider as part of the review process the natural beauty and features of the land, adherence to the Community Wide Standards, aesthetic compatibility of architectural style and materials with other structures on Bald Head Island, and will maximize the conservation of trees and natural vegetation.

7.3 Design Guidelines and Procedures.

(a) The Committee will prepare design guidelines, application and review procedures (the "Design Guidelines"), and amendments thereto which shall apply to all construction activities within the Properties. The Design Guidelines will contain general provisions applicable to all of the Properties. The Design Guidelines will also contain specific provisions which vary from one portion of the Properties to another depending upon the location, unique characteristics, intended use, and applicable covenants. The Design Guidelines, application and review procedures, and any amendments thereto must be adopted and approved by the Board of Directors initially and reviewed at least every five (5) years thereafter.

(b) Any amendments to the Design Guidelines will apply to construction and modifications commenced after the date of such amendment only, and shall not apply to require modifications to or removal of structures previously approved once the approved construction or modification has commenced.

(c) The Committee will make the Design Guidelines available to Owners and contractors who seek to engage in development or construction within the Properties, and all such Persons will conduct their activities in accordance with such Design Guidelines.

7.4 Submission of Plans and Specifications.

(a) 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. The approval of the Plans will be consistent with the Design Guidelines. The Plans will show site layout, structural design, exterior elevations, exterior materials and colors, signs, landscaping, drainage, lighting, irrigation, utility facilities layout, screening, and grading plans. The Design Guidelines will set forth the procedure for submission of the Plans. A reasonable fee for the review of the Plans will be required and submitted, along with the Plans and any other supporting documents required by the Committee. The Board may require a deposit to be posted prior to the commencement of any construction or work, which will be used for administrative costs, fees, damage to any Common Area, fines, or penalties incurred during construction or work. Any sums still due and owing will be a Special Assessment and may be collected in accordance with ARTICLE 5 or to insure that construction is completed in accordance with the Plans (including landscaping) approved by the Committee. Any sums remaining at the completion of construction will be returned to Owners or contractor.

(b) In reviewing each submission, the Committee will consider such parameters as the suitability of the proposed building, improvements, structure, landscaping, and the materials of which it is to be built; the proposed site; visual aesthetics; natural platforms and finish grade elevations; harmony of external design with nearby structures, property and environment; location in relation to surrounding structures, property and plant life which it deems appropriate and to the extent they are articulated in the Design Guidelines; possible negative impact on other Units; and compliance with the Design Guidelines and this Declaration. The Committee, for the purpose of retaining the natural features of the Lots, may require relocation of native plants within the construction site as a condition of approval of any submission. The Committee may also consider whether the construction methodology to be utilized and the method of transporting the components to be used in construction will cause substantial damage to the private streets or vegetation. Location of any driveways will be subject to the approval of the Committee.

(c) The Committee will have the right to refuse to approve any Plans which, based on the Design Guidelines, are not suitable or desirable, in its sole discretion, for aesthetic or any other reasons, provided such approval is not unreasonably withheld.

(d) No bulldozing or clearing of trees or excavation of lakes or ponds will be commenced until the Plans showing the nature, kind, shape and location of work to be done have been submitted to and approved in writing by the Committee and a copy filed permanently with the Committee.

(e) The Committee, within forty-five (45) days from the meeting at which each complete submission has been reviewed, will advise the Property Owner submitting the Plans, in writing, at an address specified at the time of submission of (1) the approval of Plans, or (2) the segments or features of the Plans which are deemed by the Committee to be inconsistent or not in conformity with this Declaration and/or the Design Guidelines. In the event the Committee fails to advise the submitting party by written notice within the time set forth above of either the approval or disapproval of the Plans, approval will be deemed to have been given. Notice will be deemed to have been given at the time the envelope containing such notice, properly addressed and postage prepaid, is deposited with the U.S. Postal Service, registered or

certified mail, return receipt requested. Personal delivery of such written notice will, however, be sufficient and will be deemed to have been given at the time of delivery.

(f) If construction does not commence on a project for which Plans have been approved within 24 months of such approval, such approval will be deemed withdrawn, and it shall be necessary for the Owner to resubmit the Plans for reconsideration.

(g) An applicant of any Unit disagreeing with the finding of the Committee may appeal the decision to the Board of Directors by giving written notice of appeal to the president of the Association within fifteen (15) days following receipt of notice of denial. The Board may refer the matter to an independent board of appeals of at least three (3) persons appointed by the Board, none of whom shall be a member of the Board or the Architectural Review Committee. Such board of appeals appointed by the Board shall review the decision of the Architectural Review Committee and make a recommendation or take other action as directed by the Board. The rules and procedures under which such board of appeals operates shall be determined by the Board. The Board of Directors will then review the plans, giving the chairman of the Architectural Review Committee, or his designee, the opportunity to present to the Board of Directors specific reasons why the plans were rejected, and the Owner of the Unit or his agent may present information challenging the findings of the Committee. The decision of the Committee will only be overridden by a two-thirds vote of the Board of Directors, and the actions of the Board must be consistent with this Declaration and the Design Guidelines. The Board of Directors will adopt an appeals procedure which is in accordance with the framework set forth in this paragraph.

7.5 No Waiver of Future Approvals. Each Owner acknowledges that the members of the Committee and the Design Guidelines will change from time to time and that interpretation, application and enforcement of the Design Guidelines may vary accordingly. Approval of Plans for any work done or proposed, or any other matter requiring approval, will not be deemed to constitute a waiver of the right to withhold approval for any similar Plans subsequently or additionally submitted for approval.

7.6 Variance. The Committee 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 Committee 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.

7.7 Limitation of Liability. Review and approval of any application pursuant to this ARTICLE will be made on the basis of this ARTICLE and the Design Guidelines only and the Committee will not bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements. Neither the Association, the Board nor the Committee, will be held liable for any injury, damages, or loss arising out of the review and approval of any application. This includes, but is not limited to, the granting of a variance, the manner or quality of construction, defects in any Plans, deficiencies in kind or quality of materials used, or for ensuring compliance with building codes and other governmental requirements.

(a) Any structure placed or improvement made in violation of this ARTICLE will be deemed to be non-conforming. Upon written request from the Board, Owner shall, at its own cost and expense, remove such structure or improvement and restore the land to substantially the same condition which existed prior to the non-conforming work. Should an Owner fail to remove and restore as required, the Board will have the right to enter the property, remove the violation, and restore the property to substantially the same condition as it previously existed. All costs, together with the interest at the maximum rate then allowed by law, may be assessed against the Unit Owner and the benefited Unit and collected as a Special Assessment in accordance with the provisions of ARTICLE 5.

(b) The Association shall have the authority to establish fines for violations of this ARTICLE and the Design Guidelines, including fines for continuing violations. The fine amounts may be deducted from any deposit posted. If the fines are not paid, the Association may establish a Special Assessment in accordance with the provisions of ARTICLE 5.

(c) In addition to the foregoing, the Association shall have the authority and standing to pursue all legal and equitable remedies available, including injunctive relief and proceedings for contempt, to enforce the provisions of this ARTICLE and the decisions of the Committee in accordance with the provisions of ARTICLE 15.

7.8 Specific Design Guidelines.

(a) Site Placement. To insure that the maximum balance of view, privacy and breeze will be available to each home located within the Properties; and to assure that all structures will be located with regard to the topography of each individual Unit or Multi-Family Site taking into consideration the height of the dunes, the location of trees on each Unit and similar considerations, the Committee will have the right of approval of the precise site and location of any Multi-Family structure, house or dwelling or other structure upon all the Properties. In its right to approve, the following guidelines for building will be used as a minimum standard, be adhered to, and be followed except with the prior written approval of Committee:

(1) On Estate Lots no building or structure will be located within fifty (50) feet of the street property line in front of said Unit, within twenty-five (25) feet of the side or ten (10) feet of the rear of said Estate Lots.

(2) No Lots shall be merged with one another, except as provided in Section 13.1. On Merged Lots, no building or structure will be located within thirty-five (35) feet of the front property line abutting the roadway, within twenty-five (25) feet of the side or ten (10) feet of the rear lines of the resulting Merged Lot.

(3) Any setbacks or any allowed building pad shown on any recorded subdivision plat are incorporated herein by reference. Unless otherwise shown on such a plat or specified in an amended declaration annexing properties hereto, no building or structure will be located (a) on any other Lot within the properties described in **EXHIBIT A**, within thirty-five (35) feet of the street property line in front of said Unit or within ten (10) feet of the side or rear lines of said Unit, and within fifteen (15) feet of any side street and (b) on any Lot within the properties described in **EXHIBIT B**, within thirty-five (35) feet of the street property line in front of said Unit or within ten (10) feet of the side or rear lines of said Unit. To the extent there is a conflict between this sub-section and the requirements of the approved Planned

Unit Development (PUD) applicable to all or a portion of the Properties, the PUD shall be controlling.

(b) General Building Restrictions. Construction on numbered single-family Units within the Properties will be governed by the following general minimum requirements:

(1) Except with the prior written approval of the Board, all single family residences will have a maximum height of thirty-five (35) feet as measured from the lowest natural point where the main building perimeter and any attached structures meet grade ("Lowest Point") to the highest point of the roof. For the purpose of determining the Lowest Point on a lot where any elevation beneath the building perimeter falls below an elevation of five feet (5') above mean sea level (AMSL), the Lowest Point shall be considered five feet (5') AMSL. Height limitations for properties annexed hereto may differ from the height limitation set forth herein; any such limitation on height shall be contained in the amendment subjecting such annexed properties to the terms, provisions and conditions of this Declaration; provided that the Lowest Point for all properties shall be determined as set forth herein. The Board will establish the maximum height of Multi-Family and Non-Residential structures as part of the Design Guidelines, which may not exceed forty-five (45) feet except with the prior written approval of the Board.

(2) Except as provided herein or in the Stage Two Secondary Covenants, single-family residences will have the minimum square footage of sixteen hundred (1600) square feet of enclosed living area, exclusive of garages, boat sheds, terraces, decks and open porches. A maximum of three hundred (300) square feet of the square footage of the floor plan may be included in a fully screened porch, so long as the roof of such porch forms an integral part of the roof line of the main structure.

(3) No temporary structures, such as trailers, tents, canopies or mobile homes, will be placed on any Unit within the Properties; provided, however, that in the course of the construction of the building as set out above, the contractor or builder may have shelters or storage sheds used in the course of the construction and for no other purpose, which will be removed from the premises within ten days after the completion of the building. No tents or canopies will be placed on any Unit without the written consent of the Association.

The Committee will approve the location of any structure, having regard for the foregoing considerations, aesthetic considerations, Community-Wide Standard, size, shape and location of the property, type of housing, and any other reasonable considerations. The Committee has the right to require maintenance and/or removal of plant material to protect an Owner's view.

(c) Completion. Once construction of a dwelling or other improvements is started on any Unit, the exterior improvements, including painting and landscaping must be completed in accordance with the approved plans and specifications within twenty-four (24) months from the Commencement Date. "Commencement Date" will be the date of the issuance of the building permit. Failure to complete construction within twenty-four (24) months from commencement date may result in a fine being imposed in the minimum amount of $500.00 per month, which shall be payable to the Association. The fine imposed under this Section will be a Special Assessment enforceable in accordance with ARTICLE 5.

(d) Compliance with Local Regulations. Buildings must in all particulars meet the requirements of the Brunswick County Health Department regulations and the Village of Bald Head Island building code and ordinances, including the procuring of a building permit and landscape permit.

(e) Water and Sewer Service. All buildings must hook up to water and sewer service at the time of construction, whether provided by a private utility company or the Village of Bald Head Island.

(f) Non-Residential Guidelines. The Board may adopt specific guidelines governing any Non-Residential structure located within, annexed to, or merged with the Properties.

(g) Braemar Building and Site Restrictions. Lots within the Braemar Subdivision shall be subject to the further building and site restrictions set forth in **EXHIBIT D** hereto.

H -VILLAGE ORDINANCES

ARTICLE IV. DUNES PROTECTION

Charter References— Sand dunes, § 8.2.

State Law References— Coastal area management, G.S. 113A-100 et seq.

Cross References—Definitions generally, § 1-2.

Sec. 10-121. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Access means those artificial walkways designated as the means of entry to the beach over the sand dunes.

Buildable lot means a lot where a dwelling unit may be constructed.

Dune or Dunes means the mounds of sand located landward of the ocean beach with sufficient vegetation, height, and configuration to offer protection from ocean storms.

Owner means the corporation, or other entity owning the real estate on or from which the access is to be located.

Private access means an access constructed in part or in full with private funds.

Public access means an access intended for use by the public.

Street means any public thoroughfare or privately owned street, which affords a means of access to abutting property.

Vegetation means any significant plant growth, both naturally occurring and planted, on or along the dune such that the plant growth affords stabilization to the dune.

Waterfront lot means a buildable lot from which a perpendicular line drawn from the midpoint of the water-facing property line will reach the mean low tide line without crossing any portion of any buildable lot.

(Ord. No. 2001-047, § 1, 10-27-2001; Ord. No. 2006-1103, 11-17-2006; Ord. No. 2015-0601, 6-19-2015)

Sec. 10-122. Beach access points.

(a) It shall be unlawful for any person to traverse or walk upon, over or across or to damage, in any manner whatsoever, the dune at any point within the corporate limits of the village other than at a public access or a duly permitted private access. There shall be maintained at the office of the village clerk a schedule of points designated for use by the public and which shall be duly marked as to be readily identifiable as public access points.

(b) No private access shall hereafter be constructed, erected, remodeled, refaced, relocated, expanded or otherwise altered until such time as a building permit and CAMA permit

thereof have been obtained from the building inspector in accordance with the provisions of this article.

(Ord. No. 2001-047, § 2, 10-27-2001; Ord. No. 2015-0601, 6-19-2015)

Sec. 10-123. Private accesses--Permit required.

Any person desiring to construct, erect, remodel, reface, relocate, expand or otherwise alter any private access shall make application to the Village inspection department for a permit therefor. Applications for permits shall contain or have attached to them the following information:

(1) The street address, lot number, and tax parcel number of the property from which the private access will be located.

(2) Names, addresses, and telephone numbers of the applicant, owner of the property, and the person or contractor constructing the access.

(3) A site or plat plan of the property, showing accurate location of the proposed access in relation to existing structures, property lines and setbacks.

(4) Two detailed scaled drawings of the plans and specifications of the private access to be constructed. Such plans shall include but shall not be limited to details of dimensions, materials to be used and topographical information.

(5) Other information as the building inspector may require to determine compliance with this and other applicable local, state or federal regulations affecting the construction, erection, remodeling, refacing, relocating, expansion or other alteration thereof.

(Ord. No. 2001-047, § 3, 10-27-2001)

Sec. 10-124. Same--Construction requirements.

Private accesses shall be constructed in accordance with the following standards and any permit therefor shall require conformity to the following:

(1) Width shall be no more than 48 inches;

(2) Height above grade shall be at least 18 inches, but no more than 24 inches;

(3) Pilings shall be installed at least three feet deep, but no more than five feet in depth;

(4) Stairs shall be used only when necessary to protect the integrity of the dune system and shall be allowed in the discretion of the building inspector for such purpose only;

(5) Construction of any private access shall be in accordance with the state building code;

(6) Handrails on any private access shall be prohibited unless otherwise required by the state building code;

(7) Permitted private accesses shall be constructed to follow the natural contour of the frontal dune; and

(8) Private accesses shall be permitted only from waterfront properties.

(Ord. No. 2001-047, § 4, 10-27-2001)

Sec. 10-125. Same--Application for permit.

The building inspector shall review any applications for construction, erection, remodeling, refacing, relocation, expansion or other alteration of any private access. Any application for such permit which lacks any of the requirements of section 10-123 or which shows nonconformity to the construction standards set forth in section 10-124 shall be rejected as either incomplete or nonconforming. Complete and conforming applications shall be reviewed and a permit issued therefor unless the building inspector shall determine that the proposed access shall diminish the affected frontal dune's capacity to serve as a protective barrier. Any permit issued shall require conformity to the construction criteria set forth in section 10-124, shall be conditioned upon conformity to plans and specifications of the application and shall permit no alterations to the frontal dune other than those permitted by regulations promulgated pursuant to the Coastal Area Management Act. Any such alterations shall require that the affected portions of the frontal dune be returned to its condition prior to construction within 21 days of such alteration or other disruption.

(Ord. No. 2001-047, § 5, 10-27-2001)

Sec. 10-126. Nonconforming private accesses.

(a) Any private access existing on the date of the adoption of this article and which is for any reason noncompliant herewith or any private access which, subsequent to the adoption of this article, becomes noncompliant herewith is hereby determined to be a nonconforming beach access ("nonconforming access"). Owners with a nonconforming access should bring the access into compliance with the specifications herein within six months following the date of adoption of this article or six months following that date the access becomes noncompliant subsequent to the adoption of this article. A nonconforming access may continue to be used during said six-month period. Following the expiration of this six-month period, a nonconforming access may no longer be used and access to the beach will only be permitted through an access that complies with this article. Use of any nonconforming access following this six-month period shall be a violation of this article, and subject to the civil and/or criminal penalties set forth herein.

(b) Any owner who fails to bring a private access into compliance with the regulations of this article shall have a period of two years from the date of adoption of this article or the date the access becomes noncompliant subsequent to the adoption of this article either to bring such private access into compliance or completely remove the nonconforming access. This two-year period in no way permits the continued use of a nonconforming access beyond the six-month period referenced herein.

(c) Any and all improvements, repairs, remodeling, relocation, expansion or other alteration of any private access shall be subject to the provisions of this article. Any expenses to bring a nonconforming access into compliance herewith shall be the sole responsibility of the owner. Any expenses to remove a nonconforming access shall be the sole responsibility of the owner.

(Ord. No. 2006-1103, 11-17-2006; Ord. No. 2015-0601, 6-19-2015)

Editor's Note—Ord. No. 2006-1103, adopted Nov. 17, 2006, repealed § 10-126, in its entirety and enacted new provisions to read as herein set out. Prior to amendment, § 10-126 pertained to existing private accesses. See Code Comparative Table for derivation.

Sec. 10-127. Penalty for violation of article.

A violation of this article shall subject the offender to a civil fine in the amount of $500.00 per offense and any continuing violation thereof shall be deemed a separate offense for each day during or on which the violation shall continue. Any civil penalty shall be paid at the office of the village clerk within 48 hours of issuance of a civil citation. Additionally, this article may be enforced by injunction and orders of abatement, together with all other remedies available to the village under G.S. 160A-175(e) or other state law.

(Ord. No. 2001-047, § 7, 10-27-2001; Ord. No. 2005-003, § 1, 3-15-2005; Ord. No. 2011-0402, 4-15-2011)

Sec. 10-128. Private accesses on village owned properties.

(a) The construction and maintenance of an access on a village-owned property must comply with the provisions of this article and with applicable law. The portion of any access constructed on village-owned property is and shall remain for the benefit of the public and shall be village property. Permission from the building inspector to construct or maintain the portion of any access on village-owned property constitutes a nonexclusive, revocable license and shall not convey, transfer, assign, or create any ownership or other substantial property right in or to the village property in favor of any private property owner. The village may revoke such license at any time, in its discretion.

(b) Unless otherwise agreed in writing by the village, maintenance and modifications, such as extensions or repairs, to the portion of any access on village-owned property constructed pursuant to a permit by the building inspector, shall be the responsibility of the private property owner(s) holding such license. If the access is not maintained in conformity with this article and applicable law by the private property owner(s) responsible for such maintenance, the access may be maintained, modified or removed by the village, in its discretion. The cost of removal shall be due and payable by the private property owner(s). Upon obtaining a license from the building inspector, owners of waterfront lots adjacent to village-owned property may connect to an existing access on village property, unless such connection would violate an ordinance or other law, interfere with public uses of the village property, interfere with village plans or uses of the property or constitute a public nuisance.

(Ord. No. 2015-0601, passed 6-19-2015)

Secs. 10-129--10-160. Reserved.

Sec. 32-44. Landscape Permits and Building Permits.

(a) *Issuance of landscape permit*.

(1) No lot or tract within the village may be cleared, excavated, graded or filled until the building inspector has issued a landscape permit, whether or not such activity is in connection with a proposed construction.

(2) Special consideration must be given to preserving as much natural area as possible and to preserving all plants of special concern as designated in subsection (k)of this section.

(3) The site development plan required by subsection (c)of this section prior to the issuance of a permit shall clearly define those areas where existing dunes, berm and vegetative

cover shall remain undisturbed and shall include plans for restabilizing any revegetation areas disturbed. Disturbance of the natural vegetation shall only be permitted in those circumstances in which such disturbance is reasonably necessary to allow safe construction of the proposed dwelling and its appurtenant facilities, such as septic tank and driveway. Such special consideration must be given to preserving as much natural area as possible.

(4) Provided, however, that nothing in this chapter shall require issuance of a landscape permit under this article for the maintenance of roads within the village right-of-way and hand clearing of three-inch and smaller caliper trees.

(5) Cutting of any tree or trees larger than three inches in caliper at four feet above grade without first obtaining a proper landscape permit will require the offender to obtain a permit, pay the required fine, and mitigate the loss of such tree or trees. Pruning tree branches and/or limbs larger than five inches in caliper without first obtaining a proper landscaping permit will require the offender to obtain a permit, pay the required fine, and mitigate the loss of such branches and/or limbs.

(6) In the case of competing trees, the building inspector shall make the decision of which tree to remove. The removal of dead trees with a three-inch caliper or greater, shall not require a permit but shall require the approval of the building inspector prior to removal. 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 the tree is diseased and will not live.

(7) Failure to comply with the requirements of the approved site plan shall be considered a violation and shall be subject to the immediate issuance of a stop work order by the building inspector and to the other procedures and remedies of subsection (k)of this section.

(b) *Issuance of building permit*. No building or other structure shall be erected, moved, extended, or structurally altered until the building inspector has issued a permit for such work.

(c) *Application for permit; requirements*. Each application to the building inspector for a permit under subsections (a)and (b)of this section shall be accompanied by a site development plan pursuant to section 32-128 of this chapter and building plans, all county, state and federal permits required by law or regulation and such other relevant information as he may require. Each residential lot shall have the lot lines clearly marked on the ground and certified as correct by a registered professional engineer or land surveyor prior to applying for a building permit. All new construction permitted must be located with a distance of 1,000 feet of a pressurized fire hydrant.

(d) *Survey markers located on relevant points*. Surveyors control markers shall be located on each property line, including street right-of-way, at the point of closest approach of the planned structure to that line. No construction shall begin on site until the markers required by this chapter have been properly established and examined and approved by the building inspector. Failure to construct any structure in accordance with these markers shall be a cause for the building inspector to issue a stop work order and to revoke a building permit previously issued.

(e) *Areas of environmental concern*. Each application for a building permit shall include information as to the location of applicable areas of environmental concern. Prior to

issuance of a building permit the building inspector shall ascertain whether the proposed structure or facility conforms to the state regulations for areas of environmental concern issued pursuant to the coastal area management act.

(f) *On-site inspection*. Before a permit is issued under subsections (a)or (b)of this section, an on-site inspection of the property shall be made by the building inspector.

(g) *Posting of permits prior to starting work*. Before work is started on any property, the required permit or permits shall be posted in a prominent place on the property.

(h) *Expiration of permit if work not started in specified time*. Each permit issued pursuant to subsection (b)and (c)of this section shall expire six months after the date of its issuance unless work authorized by the permit has been started.

(i) *Landscape permit; when required*. A permit from the building inspector shall be required to remove, relocate, grade, excavate, fill or disturb sand, soil, dirt or earth or remove any naturally occurring trees, shrubbery, grass or other naturally occurring vegetation if such removal is in accordance with site plans for construction of a structure, for which plans a building permit either has been issued by the building inspector, only upon a determination by the building inspector, that the activity requested by the applicant is necessary to achieve one of the following purposes:

(1) Erection or protection of a structure or improvement on the property;

(2) Promote the growth and health of vegetation without significantly destabilizing the soil thereon or otherwise damaging the ecology of the property.

(j) Designation and protection of plants of special concern.

(1) 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 to protect those remaining as much as practicable. Where relandscaping is required by this chapter, relandscaping shall be accomplished as much as feasible through the use of those plants which naturally occur within this area, including plants of special concern.

(2) The village hereby designates the following plants as plants of special concern:

(k) *Replacement of damaged shrubs; time limit; violation.* Any sand, soil, dirt or earth which has been removed, relocated, graded, excavated, added to, filled or disturbed in violation of this chapter and any naturally occurring vegetation which has been killed, damaged, destroyed or removed in violation of this chapter shall be restored or replaced within 60 days of notice from the building inspector. Each day after the 60-day period that the violator fails to perform such restoration or replacement shall constitute a new and separate violation. Any such replacement shall, where feasible, be accomplished through the use of plants which naturally occur within this area, with emphasis upon use of plants of special concern.

(Ord. No. 29, § 3.4, 8-17-1991; Ord. No. 2001-019, 9-15-2001; Ord. No. 2006-0902, 9-15-2006)

I - GLOSSARY

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

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

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 two square feet 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.

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.

Dormer – See pictorial example and definition on following page 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.

Exotic plants – For the purposes of these Design Guidelines, any plants not native to BHI or North Carolina are considered exotic.

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

Gable - See pictorial example and definition on following page under Roof Terminology.

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.

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 four inches thick over a geotextile fabric is considered pervious. **These guidelines include the building footprint (with cantilevered elements) not the roof overhangs.**

Invasive plants – Exotic 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 – Limited Common Area means 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 thirty-five feet (35) in height.

Massing – Is the composition of building forms. Good massing is exemplified by an orderly, well-proportioned composition of building forms.

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.

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.

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.

Service Area – Service Area means 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.

Shed – See pictorial example under Roof Terminology.

Soffit – See pictorial example under Roof Terminology.

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 one inch or greater in diameter measured 48 inches along the trunk from ground level. See exception noted in item 2 under the heading Clearing, Trimming and Maintaining requirements.

Unit – Unit means a 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.

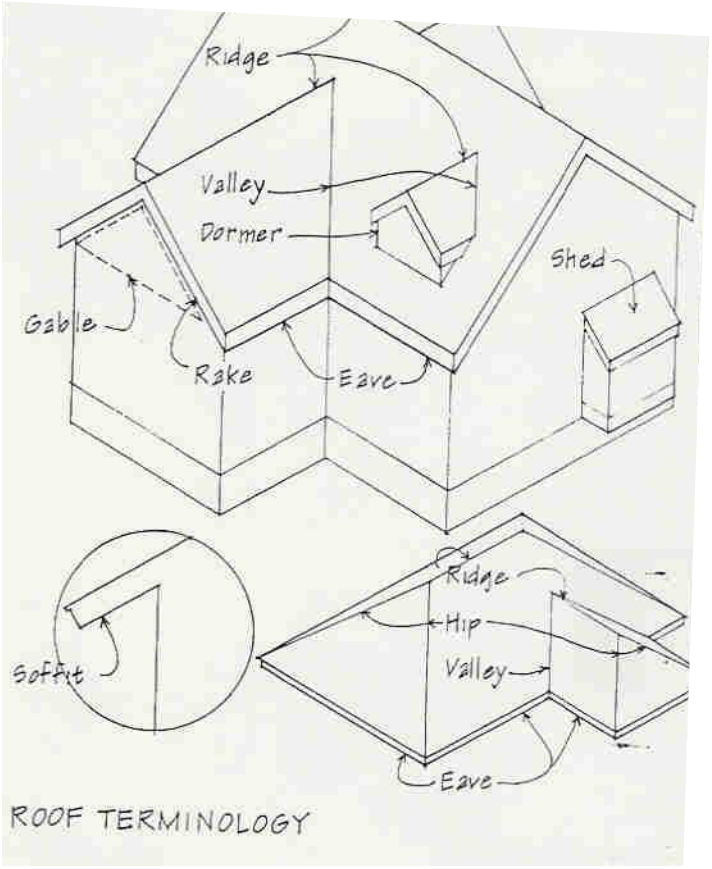
Waterfront Property – A property from which a perpendicular line drawn from the mid-point of the water-facing property line will reach the mean low tide line without crossing any portion of any adjacent property.

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