

**Exhibit A**

***WYNDWATER***

**ARCHITECTURAL DESIGN STANDARDS  
FOR  
NEW HOMES**

**EFFECTIVE JANUARY 1, 2021**

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## Introduction to Architectural Review

Most common interest communities are built with a "theme" concept that ensures consistency of design and attractiveness which, if compromised, reduces the value of the units. Well thought out and consistently enforced architectural requirements and rules help maintain uniformity, which in turn helps support the highest market values of the units. The focus at **WyndWater** is it to preserve the beauty and develop the community with an emphasis on value, quality, aesthetics and environment are the focus of ARC. Well thought-out and consistently enforced Architecture requirements and rules help maintain uniformity, which in turn helps support the highest market values of the homes.

By accepting a deed or other instrument conveying any interest in any portion of WyndWater, each Owner acknowledges that Signature Top Sail NC, Ltd., (the "Declarant"), as the developer of WyndWater, has a substantial interest in ensuring that the improvement within WyndWater enhance the Developer's reputation as a community developer and do not impair the Declarant's ability to market, sell or lease its property. Therefore, each Owner agrees that no structure or thing shall be placed, erected, installed, or maintained upon any Unit and no improvements or other work (including staking, clearing, excavation, grading and other site work, exterior alterations of existing improvements, or planting or removal of landscaping) shall take place on such Owner's Unit unless and until the Declarant or its designee has given its prior written approval for such activity, which approval may be granted or withheld in the Declarant's or its designee's sole discretion.

The Declarant has recorded the Master Declaration of Covenants, Conditions and Restrictions for WyndWater in that certain document Master Declaration of Protective Covenants for WyndWater recorded of public record at \_\_\_\_\_ insert \_\_\_\_\_ recording information \_\_\_\_\_ of the Pender County Register of Deeds (the "Covenants"), which is binding on all home and lot owners in WyndWater. The Declarant has also established The WyndWater Homeowners' Association, Inc. (the "HOA") which is the primary entity responsible for enforcement of the Covenants. In the event of a conflict between the Covenants and this document, the Covenants' provisions will govern.

In accordance with the Covenants, the Declarant has established the Architectural Review Committee ("ARC"), whose members are appointed by the Board of Directors of the HOA. The Declarant has delegated to the ARC certain rights reserved under Article IV of the Covenants and the Declarant has also set forth the ARC's jurisdiction, powers, obligations and the rules and regulations under which it will conduct its review of improvements.

The intent of the WyndWater Master Residential Association ARC Procedure is to:

- Define how the ARC is created, empowered, and staffed;
- Define what the Architectural review procedures are and how they work;
- Define the specific project criteria and standards needed for design approval;
- Define specifications and specific design practices that will assist Owners when applying for approval of projects;
- Identify projects that require ARC review and approval; and

- Show Owners what is expected of them in the Architectural review process

# Architectural Review Submittal Process

The review process begins with the submission of an Architectural Review Package by the builder. The Architectural Review Package consists of the Architectural Review Application, the Architectural Review Checklist, and documents and plans which describe and provide details of the proposed construction.

To apply for Architectural Review by the ARC, submit a completed Architectural Review Application, an Architectural Review Checklist, and all required plans to Mike Pollak at [mike@signature-companies.com](mailto:mike@signature-companies.com) and Jennifer Evans at [jennifer@signature-companies.com](mailto:jennifer@signature-companies.com), and David Greer at [davidgreerconst@bellsouth.net](mailto:davidgreerconst@bellsouth.net).

**Plans must be reviewed and approved by the ARC prior to the commencement of any work on the property.** No construction or work of any nature that deviates from the approved plans is allowed without prior approval of the ARC. Home and Lot Owners are responsible for insuring that plans are submitted to the ARC in a timely manner and that all work completed is in accordance with the approved plan.

Construction shall comply with the Architectural Design Standards for New Homes and with the current Covenants. The closing attorney or the Association Manager can provide copies of the current Covenants, which contain conditions and restrictions for construction and other requirements. **Please take into consideration all the requirements before proceeding with your plans and submitting them to the ARC.**

Per the Covenants, the ARC has thirty (30) days from submission to respond to the request.

Once plans have been approved, inspections may be made to insure compliance. Additionally, penalties may be assessed or other action taken if construction is commenced without ARC approval or if construction is not in compliance with the ARC approved plans.

The ARC will review the plans and the builder will be notified in writing by the property management company or Declarant with either:

1. An approval letter or email
2. A conditional approval letter or email indicating items that require modification for approval
3. A letter or email stating significant changes are required and that the plans are not approved as submitted.

Construction may begin after receipt of ARC written approval of building plans, location of home on the site plan and tree removal.

When construction is complete, all landscaping is installed, and clean up is completed, the Owner requests final inspection of the property. The Declarant or Association management company, working with the ARC, inspects the site and gives approval or discusses required changes.

# Construction Procedures

1. Construction sites are to be kept neat and clean at all times.
2. Portable toilets are to be located on the building site. The door should face away from the street towards the home. Portable toilets cannot be located on any adjacent property or the street and must be removed before the time of final building inspection by the County and cannot be placed on the Lot before ARC approval of plans. Portable toilets located on lots adjacent to completed homes shall be screened.
3. All Owners and builders/contractors will be responsible for their subcontractors.
4. Streets in front of a job site must be kept clean daily. This requires that rock, dirt, or mud anywhere in WyndWater generated by your construction, be swept up and/or hosed down daily.
5. Silt fences shall be installed and maintained and must conform to the requirements contained in Section 6.62, Sediment Fence (Silt Fence) of the State of North Carolina Department of Environmental and Natural Resources (DENR) Erosion and Sediment Control Field Manual.
6. Stone shall be maintained during construction at the driveway to keep streets clean and prevent storm water system damage.
7. Overnight parking is not allowed unless it is construction equipment needed for subject lot. At no time are vehicles allowed to park on the grass shoulders, curbing or other lots.
8. Fires are not permitted at any time.
9. Street improvements and tie-in paving shall be installed along the full frontage of the lot prior to final inspection or other provisions as approved by the ARC.
10. Whenever possible, to allow traffic to move easily through the development streets, all construction workers are to park on one side of the street.
11. Dogs, drugs, alcohol or loud radios are not permitted on the job site. Violators will be required to leave.
12. Running water and electricity must be provided on the construction lot and be provided by the builder. Arrangements must be made with the utility companies for services prior to construction. Builders found using adjacent property owner utilities may be subject to fines.
13. Work hours in WyndWater are from 7 AM to 7 PM daily. Work on Saturday should not begin until 8 AM (or 7 AM when daylight savings time is in effect) and

there is no work permitted on Sundays or Holidays (Holidays include New Year's, Easter, Memorial Day, Independence Day, Thanksgiving and Christmas), except if the ARC or the HOA's Board of Directors grants special permission in writing. This will only be granted upon special circumstances.

# Design and Construction Guidelines

WyndWater Covenants and all amendments thereto are binding on all Owners in WyndWater.

The following guidelines are provided as general information. The ARC will consider location, visibility, and topography of the lot among other considerations when approving individual requests. More detailed information and restrictions may be contained in the Covenants.

The overall design and architecture of a building and any changes or modifications to existing buildings are subject to approval by the ARC.

- All buildings must comply with the requirements of the Covenants.
- Designs shall be compatible with existing neighborhood standards. Each structure shall be erected in such a manner as to make maximum utility of the lot lines and be tailored towards substantial use of the frontage area.
- All plans for new homes must be drafted, engineered or at a minimum approved by a licensed contractor, designer, engineer or architect by stamp and signature.
- No repetitive elevations will be allowed on adjoining/adjacent lots.
- All homes shall adhere to the following set-backs:
  - Front – 25'
  - Side – 5'
- Foundations shall have a minimum height of (3) 8" blocks, with no exposed block. The block shall have a stone, brick or stucco veneer.
- All exterior elevations shall be predominantly brick, stone or cement siding material. Solid vinyl shakes are permitted as are vinyl soffits. Accents in stone, siding, stucco or other material is subject to approval by ARC.
- Roofing materials shall be of 25-30-year Architectural roof shingles.
- Color of siding, trim and roof shingles is subject to approval by ARC. Color selections must be compatible with existing neighboring homes. Color shall be within the color scheme and be in harmony with adjacent homes. No similar color pallets on adjacent lots. All building materials and colors must be consistent with the street scape.
- Brick and stone accents only with fiber cement siding. Vinyl porch ceilings and soffits are permitted. Horizontal or vertical sidings, exclusively or in combination must be approved by the ARC. Architectural detail trim accents are strongly recommended at corners, windows, and doors. Details must be clearly shown and specified on elevations.
- Shutters should be sized to fit the window that they serve. Shutters should be of substantial materials like wood, vinyl and or fiberglass.
- Windows should be high quality wood clad or vinyl and must be consistent with the architecture of the house. Aluminum is not permitted. Windows must be consistent. (ex.

If using grids on front the grids must be used through-out). Now window mounted heating or air conditioning units are permitted.

- Garage doors must have window details.
- Gutters are required and shall match the fascia trim color. Downspouts should be placed where less visible from the streets and should match the exterior wall trim or be copper.
- Patios and screened porches should be consistent with the architectural character and details of the home. All screening shall be charcoal or bronze in color. Patio surfacing materials should be concrete, stone or pavers.
- Railings should be compatible with the design of the house. Railing detail is required (either photo or rendering) at time of submittal.
- Reflective or mirrored glass in exterior windows is prohibited.
- Entrances, Porticoes & Porches should be the prominent focal point. Entrances should be emphasized with architectural detail, trim, sidelights, transoms, and/or aesthetically sized columns.
- Swimming pools, hot tubs, waterfalls and fountains greater than 36" shall be shown on site or landscape plan. They may not be installed on the front or side yard of the home. They are subject to additional screening as imposed by the ARC.
- Sheds must have significant details matching house, i.e. brick and roof shingles.
- HVAC units and other mechanical equipment should be screened and shown on the site plan. Any above ground tank shall be fully screened with a minimum 4 foot fence either stained or painted, and fully landscaped. Tanks over 125 gallons shall be buried
- All new and existing electrical distribution lines, telephone, cable, and similar service wires or cables that are adjacent to and provide service to the property being developed shall be installed underground.

# Landscaping

Landscaping promotes a high-quality community and enhances property values for the entire community. Imaginative landscape design provides color and texture while enhancing the architectural character of the home. Property owners are encouraged to consult with a landscape architect or designer to assist them in the preparation of a landscape plan.

Submit landscape plan showing:

- Outline of all structures and site elements i.e. house, driveway, walkways, patios, easements etc.
- Outline of proposed tree and shrub locations, lawn areas, ground cover, and seasonal color areas with quantities and common or botanical name, shrub container size, tree caliper and height, ground cover container size, spacing, and the sod type indicated.
- Mulched areas and any hard landscape elements (arbors, trellises, fences, patios, walls, stepping stones etc.)
- Native plants are recommended along with tropical plants acclimated to the NC Southeastern coast.
- The minimum planting requirements are:
  - Foundation planting on all four (4) sides.
  - Perimeter planting to be 3 gallon material with 48" separation on front and sides.
  - One (1) minimum focal landscape tree of 3" caliber.
  - Full yard irrigation and sod
  - Front yard landscaped area requires a minimum of 40% sodden area. Pine straw mulch is acceptable for remaining area. Weeds must be controlled on a continuous basis.
  - A minimum of one planting bed in the front yard to incorporate at least one (1) trees and six shrubs. This can be in addition to or integrated with the front foundation bed.
  - Screening plants are to be in addition to minimum requirements and must be 3'0" at planting.
  - Corner lots shall have full landscaping alongside the yard area with bed requirements along with perimeter planting.
- Planting beds must be mulched with pine straw or hardwood mulch Natural colored rocks may also be used subject to ARC approval.
- Swales are required on all side elevations. Water shall dissipate in any swale within 48 hours.
- Screening of HVAC units, pumps and wells, above ground transformers, junction boxes, solar collector, satellite dish, above ground tanks, etc.
- Location of liquid propane tanks or other fuel storage container. Liquid propane tanks must be buried or screened from view. Any tank over 125 gallons shall be buried.

- Location of any proposed landscape lighting indicating fixture type, bulb type and wattage if applicable.
- Foundation plantings shall encompass entire foundation of the home and be of sufficient size and height (3-gallon container size minimum) to screen any foundation or crawl space under the house and decks.
- No privacy hedges or similar planting may be planted without ARC approval.
- Landscaping with irrigation systems must be completed prior to certificate of occupancy.

## Fences

- Privacy fencing, and fencing used for screening are allowed on the side and or rear of the home only. Perimeter fencing around entire lot is not allowed.
- Fences must maintain a reasonable scale to the house and be compatible with the architectural style.
- Fencing should be compatible with neighboring fencing in style, color and material.
- Fencing is four (4) feet powder coated aluminum fence. (note 54" with pool)

**Note - all fencing requires ARC approval prior to installation**

## WyndWater

# Checklist for Builders/Contractors Doing Work in the WyndWater Community

**Address or Phase/Lot#** \_\_\_\_\_

All Contractors and/or Builders working in WyndWater are responsible for certain actions and precautions of both their workers and any sub-contractors working under their supervision. The items listed below must be adhered to or permission to work in WyndWater will be rescinded. In addition, fines may be imposed against the lot owner if contractors on their property fail to follow these rules and regulations. Finally, if a Contractor damages or causes harm to WyndWater property, the contractor will be liable for repairing the damage or paying for repair of the damage.

\_\_\_\_\_ All unoccupied lots should have a method of prevent silt from washing off the lot. We prefer grass be planted to hold the soil in place using a process called hydro-seeding with excelsior matting. The seeding of lots will likely be successful at certain times of the year, but the seeds won't germinate at other times. Until lots are seeded, or some other method used, silt barriers will have to be used. However, during construction, silt barriers must be in place to prevent runoff from reaching drains or waterways. **These barriers must be in place during non-working hours.** Some builders have installed stone and gravel in the front strip of their lot.

\_\_\_\_\_ Construction workers should NOT park on adjacent lots (except if owned by the builder or same lot owner) and should be careful not to destroy or damage the silt barriers on adjacent lots. If such damage should occur, the silt barrier should be re-installed before the end of the workday. Workers should park on one side of the street only to allow passage of vehicles. Parking should be on the side opposite the mailboxes on that street.

\_\_\_\_\_ Failure to maintain a Silt Barrier is cause for a maximum **\$100 per day fine** by WyndWater. Such barriers must be in place at the end of the workday in the case of rainstorms overnight or on weekends. Forty-eight (48) hours notice (business days) will be given before the imposition of fines.

\_\_\_\_\_ Construction activity on any lot requires protection of street drains in both directions. A drain type barrier should be placed around the drains in the road in both directions from the construction site during workdays, and then removed at night when the silt fence is placed on the lot.

\_\_\_\_\_ Trash and Construction Debris bins are used to contain debris and prevent material from being blown out of the bin and finding its way onto adjoining property or in the waterways. Such bins should be located at least 10' from the road. Workers should be cautioned to keep paper and plastic trash from blowing away from the job site.

\_\_\_\_\_ Portable Toilets must be located at least 10' from the road. Lattice screening is preferred, but not required. Doors on these units should face the house (not the street).

\_\_\_\_\_ Work hours: Monday-Friday is 7am-7pm. Saturday: 8am-7pm (7 AM when daylight savings time is in effect). No work is permitted on Sundays and the following holidays: New

Years Day, Easter, Memorial Day, Independence Day, Thanksgiving and Christmas. except if the ARC or the HOA Board of Directors grants special permission in writing. This will only be granted upon special circumstances.

I have read the checklist, placed by initials on each one, and agree to abide by these rules and regulations.

\_\_\_\_\_  
(Signature of Contractor) (Date)

**Contractor Information:** (Please Print)

Name: \_\_\_\_\_

Address of Contractor: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Alt. Phone Number \_\_\_\_\_

E-Mail address: \_\_\_\_\_

**Preferred Contact** to be notified when site doesn't meet standards above. This notification will "start the clock" to allow for fines to be imposed.

Name: \_\_\_\_\_

E-Mail address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Alternative Phone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

## Submittal Summary

- **Required Forms**
  - Completed and Signed New Construction Architectural Review Application
  - Completed and Signed Checklist for Builders / Contractors
  
- **Site Plan / Home Site Survey showing:**
  - Front, side, rear setbacks
  - Impervious surface coverage
  - Driveway location, materials, and dimensions
  - Overall drainage flow on the lot
  - HVAC screening
  
- **Exterior Elevations**
  - 11 x 17 sized plans (showing front, rear, left and right sides)
  - Color pallet
  - Brick/Stone Identification/Sample
  
- **Landscape Plan to include: Submit 3 weeks prior to installation**
  - Legend of Plant Materials
  - Location of Landscaped Beds
  - Sodded area and type of sod
  
- **Plan Submittal Fee of \$350.00.**



Garage Door(s) Dimensions \_\_\_\_\_ # Doors \_\_\_\_\_ 1, 2, 3 car \_\_\_\_\_ Details: \_\_\_\_\_  
Driveway Materials and Design Details: \_\_\_\_\_

**Check the Following Items That Are Included for Plan Review and Lot Inspection:**

\_\_\_ Site Plan showing setbacks and impervious surface coverage      \_\_\_ Front Building Elevation    \_\_\_ Rear Elevation  
\_\_\_ Landscape Plan\*      \_\_\_ All Floor Plans      \_\_\_ Left Side Elevation      \_\_\_ Rt Side Elevation

\*Submit Landscaping Plan at least 3 weeks prior to installation; home design may require submission during initial review-(5 gal. minimum)  
\*\*One set of reduced plans (11"x17") is needed at the time of review. The reduced set will be retained for the Association's files.

I understand that the Architectural Review Committee is reviewing the submitted plans for compliance to the architectural concept of WyndWater and make no representations regarding the integrity of design and materials or compliance to governmental rules and regulations. Compliance with the Master Declaration of Protective Covenants for WyndWater, Architectural Design Standards and all governmental regulations is the responsibility of each individual owner.

\_\_\_\_\_  
Property Owner Signature and Date

\_\_\_\_\_  
General Contractor Signature and Date