
Architectural Design Standards For the Calabash Lakes Community



Revised Guidelines for the Community
Effective May 2025

CALABASH LAKES
Homeowners Association, Inc.

FORWARD

The Covenants, Conditions and Restrictions (CC&Rs) governing Calabash Lakes Homeowners Association provide that all properties shall be properly maintained, and that design of building construction and property improvements of any kind require the prior approval of the Architectural Review Committee (ARC). The CC&Rs grant authority to adopt rules and procedures to accomplish its objectives. Therefore, the Board of Directors and Architectural Review Committee hereby adopt the Architectural Design Standards set forth herein.

The Architectural Design Standards are established for the protection and enjoyment of all Association members and are strictly enforced.

These Architectural Design Standards supersede and cancel any similar policies and/or guidelines adopted prior. The Standards may be amended or repealed by the Board of Directors as they deem appropriate.

We welcome constructive comments on these Architectural Design Standards and any comments regarding them should be forwarded in writing to the Management Company Office.

Board of Directors Calabash Lakes Homeowners Association

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SEE THE CC&R AND THE DECLARATION

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ARC PHILOSOPHY AND REVIEW CRITERIA

All properties within Calabash Lakes Homeowners Association, are subject to the recorded CC&Rs, as well as the restrictions of Brunswick County/Town of Carolina Shores, North Carolina as applicable. These restrictions provide that design of building construction or property improvements of any kind require the approval of the Architectural Review Committee, hereinafter referred to as the Committee or ARC. This is in accordance with Article VII, "Architectural Control", of the First Amendment to the Declaration of Covenants, Conditions and Restrictions for Calabash Lakes, recorded November 29, 2010, County of Brunswick in the NC Register of Deeds, Book 3109, Page 1120.

Calabash Lakes is a unique community which incorporates standard Single-Family Homes, Paired Ranch Homes and Townhomes. By following these Architectural Design Standards and obtaining approvals for Proposed Improvements from the Committee, owners will be protecting their financial investment and will help to promote proposed improvements that are compatible with the other homes and property within the Community. A spirit of cooperation with the Committee and neighbors will go far in creating an optimum environment which will benefit the owners.

The Committee was established to enhance the environmental quality and economic value of all properties within Calabash Lakes. The ARC strives to work in cooperation with the property owners to make our community a desirable place to live, work and play. Article VII of the CC&Rs gives the ARC the power to apply architectural policies.

The Committee does not seek to restrict taste or individual preferences. Their primary function is to review all plans to ensure the design submitted is harmonious with other structures in the area. The Committee strives to be completely fair, objective, impartial and understanding of individual goals.

The Committee recognizes that occasionally its policies and the objectives of any individual owner may appear to conflict. The policy has been designed so that the Calabash Lakes community will benefit by relating each and every project, its structures, improvements and amenities to the community.

Decisions made by the Committee are not based on personal opinion or taste. The following criteria, which represent the general standards of the CC&Rs in more specific terms, are used to determine what designs are acceptable.

CONFORMANCE WITH CC&Rs

The Design Standards and procedures are supplementary to all of the terms and provisions of the Declaration and shall remain in full force and effect. In the event of any actual or apparent conflict between these procedures and the Declaration, the Declaration shall prevail. Nothing in these Design Standards shall supersede or alter the provisions or requirements of the Declaration. All applications shall be reviewed to ensure that the project is in conformance with the CC&Rs and the current Architectural Design Standards.

ARCHITECTURAL REVIEW CRITERIA

REVIEW CONSIDERATIONS

The Committee will meet as required to review plans submitted for approval. The Committee may require clarification, submission of additional information or material, and the original request will be placed on hold until the complete application is resubmitted.

STORMWATER MANAGEMENT; BUILT-UPON AREA

The provisions within these ARC guidelines are intended to ensure ongoing compliance with State Storm water Management Permit requirements issued by the Department of Environment and Natural Resources, Division of Energy, Mineral and Land Resources, under NCAC 2H.1000.

The State of North Carolina Storm water Management requirements may not be altered or rescinded without the express written consent of the State of North Carolina, Division of Energy, Mineral and Land Resources. Alteration(s) of drainage may not take place without the concurrence of the Division of Energy, Mineral and Land Resources. These alterations include any built-upon area constructed within the Lot boundaries, and that portion of the street right-of-way between the front line of the Lot and the edge of the pavement. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, coquina, driveways, pools, pool area, patios, and parking areas.

As the state storm water permit holder, Calabash Lakes Homeowners Association, Inc., is bound to all state requirements and subject to costs and fines for violations to the storm water management provisions. As such, ARC will grant no requests that conflict with state storm water management requirements. Any request made by a homeowner that is approved by the ARC and conflicts with the state storm water management permit, or in any way violates the state storm water management provisions, will be deemed a violation by the homeowner. Homeowners violating state storm water permit provisions will be given written notice and a reasonable opportunity to remediate the violations. Any homeowner in violation of state storm water management provisions after notice and a reasonable time remediate, even with prior ARC approval, is subject to fine and forced remediation of the improvement to conform to the state storm water management provisions, along with any costs and legal fees associated with conforming to the state storm water provisions.

The ARC committee may require any applicant homeowner(s) to provide engineering plans, surveys, land survey to establish Built Upon Area (BUA), and/or pre-approved state storm water management approval BEFORE approving a homeowner ARC application.

INFORMATION SUBMITTED BY AN OWNER

Any Owner (or the Owner on behalf of a tenant) submitting plans for Committee approval shall be responsible for the verification and accuracy of all dimensions, grade, elevations and the location of key natural terrain features for the site such as pond banks, grade, underground utilities, and irrigation systems.

DESIGN STANDARDS

The ARC Committee shall follow the Architectural Design Standards, but reserves the right to waive or vary any of the procedures of Design Standards at its discretion for hardships or under unusual circumstances. Any waiver or variance granted shall be considered unique and will not set any precedent for future decisions.

DESIGN COMPATIBILITY

The proposed improvement shall be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity (but without repetition) in architectural style, quality of workmanship, use of materials, color and construction details.

LOCATION AND IMPACT TO NEIGHBORS

For Proposed Improvements that may affect neighbors, the ARC Committee may request adjacent neighbors' input. A proposed home or alteration shall relate favorably to the landscape, existing structures and the neighborhood. The primary concerns are privacy, access, view, sunlight, ventilation and drainage.

Exterior Colors.

Colors of the exterior elements of a property shall be considered by the ARC committee as long it is complementary to the color scheme of the existing home.

Materials.

In the case of additions, continuity is established by use of the same, or compatible materials as were used in the original house.

ARC REVIEW TIMEFRAME

The Committee shall make a determination on each application within thirty (30) days after receipt of a completed Architectural Request Form and submission of all required information, unless the time is extended by mutual agreement.

All decisions of the Committee will be in writing. Oral representation of any decision will not be valid and will not represent the decision of the Committee. Property owners will be notified by the Management Company if their plan/project was approved or denied. The Committee may (i) approve the application, with or without conditions; (ii) approve a portion of the application and disapprove other portions; (iii) request additional information; or (iv) deny the application.

In the case of denial, the Committee will specify the reasons for denial and/or offer suggestions for resolving any objections. The burden of developing the design solution and modifications will lie with the Owner.

COMMITTEE DECISIONS

Approval with or without Conditions.

If the application is approved by the ARC Committee, the Owner will receive notification of the approval from the Committee. If the application is approved with conditions, the Owner will receive notification as to the conditions of approval. If approval with conditions is granted, the commencement of construction shall be deemed as acceptance by the Owner of the conditions imposed.

Partial Approval.

If the application is partially approved, the Committee will note which items are approved and which items are denied. Denied items on the application must be corrected and resubmitted. Complete approval with or without conditions must be received from the Committee before any construction may commence.

Request for Additional Information.

A request for additional information by the Committee will place the application on hold based on inadequate information. Requested information must be received before the review process will continue.

Denial of Application

If an application is denied by the ARC Committee, the homeowner has the right of appeal to the BOD.

The decision of the BOD is final and must be honored by the Homeowner.

STARTING A PROJECT WITHOUT COMMITTEE APPROVAL

When any kind of construction or changes that are governed by this document are done without prior Committee approval, a violation may be issued from the BOD, which can include fines, loss of privileges and /or legal action taken against the homeowner. All work will be placed on hold until a determination is made by the BOD and /or ARC

IMPORTANT:

CONSTRUCTION OF ANY PROJECT IS NOT TO BEGIN UNTIL YOUR PLANS HAVE BEEN APPROVED IN WRITING BY THE ARC COMMITTEE!

DEVIATION OR CHANGES TO APPROVED PLANS

Any deviation or changes to approved plans shall be subject to Committee approval prior to implementation. A second Architectural Review Request form, with a complete description of the changes or deviations, shall be filed with the Management Company.

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APPEAL TO THE BOARD OF DIRECTORS

The Owner has the option to make an appeal to the Board of Directors regarding a denial or condition placed on a proposed improvement to property, by giving written notice of appeal to the Management Company. The Board shall hear the appeal using the following guidelines:

- If a hearing is requested by the Owner, the Calabash Lakes Management Company shall send a written notice of the hearing to all parties involved at least fourteen (14) days prior to the hearing date.
- The appeal by the Owner may be in person or in writing.
- The Owner may present its position to the Board either in person or in writing prior to the hearing.
- The Board shall decide whether or not the decision of the ARC will be affirmed, overturned, or modified and the findings sent to the unit owner within ten (10) business days of the hearing.

OWNER REPRESENTATION

The Owner shall advise all his representatives, including but not limited to, his architect, engineer, contractor, subcontractors, and their employees of the standards and procedures outlined in the CC&Rs and these Architectural Design Standards. All such representatives shall abide by said documents.

NON-LIABILITY OF THE COMMITTEE

Neither the Committee nor their respective successors or assignees shall be liable in damages to anyone submitting plans for approval, or to any Owner by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans and specifications. Every owner or other person who submits plans to the Committee for approval agrees, by said submission, that he will not bring action or suit against the Committee to recover damages or otherwise.

Approval by the Committee shall not be deemed to constitute compliance with the requirements of any local building codes and development regulations, and it shall be the responsibility of the Owner to comply therewith.

LOCAL GOVERNMENTAL AGENCY APPROVAL

Any approval by the Committee shall not relieve the owner from obtaining the prior consent and approval, when necessary, of the appropriate department or commission of Brunswick County and the Town of Carolina Shores. Additionally, any governmental approvals shall not be binding upon the Association as to whether any project shall be approved by the Committee.

Use of any property in the Community and any Existing Improvements must comply with applicable building codes and other governmental requirements and regulations. Approval and permits from Brunswick County and/or the Town of Carolina Shores

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should be obtained when required.

Approval by the Committee will not constitute assurance that existing improvements or proposed improvements comply with applicable governmental requirements and regulations, or that a permit or approvals are not also required from applicable governmental bodies. For information about these requirements, Owners should contact Brunswick County and the Town of Carolina Shores' Building Department.

EFFECT OF GOVERNMENTAL AND OTHER REGULATIONS

Approval of plans by the Committee shall not be deemed to constitute compliance with the requirements of any local building, zoning, subdivision, sign, safety, health, public works or fire codes and regulations, nor shall approval waive any requirements on the part of the Owner to comply with setbacks, height restrictions, or requirements unless such waiver or variance is specifically requested at the time of submittal and granted by the Committee and local jurisdictions, where applicable. The Declaration of Covenants, Conditions and Restrictions for Calabash Lakes shall remain in force as the legal restrictions governing all construction.

INTERFERENCE WITH UTILITIES

In planning and implementing proposed improvements, Owners are responsible for locating all water, sewer, gas, electric, telephone, cable television, irrigation lines, and other utility lines and easements. Owners should not make any proposed improvements over such easements without the consent of the utility involved, and Owners will be responsible for any damage to utility lines. Underground utility lines and easements can be located by visiting the North Carolina Utility Notification Center website at <https://nc811.com> or by calling them directly at 800-632-4949 M-F 7 to 7 or dial 811.

REVIEW OF WORK IN PROGRESS AND/OR

COMPLETION OF WORK

The Committee may review all work in progress and at completion of work to the extent required to ensure that the improvement(s) complies with all approved plans and/or construction procedures. In addition, the owner's submission of an Architectural Review Request gives permission of a member/members of the Committee, Board of Directors and/or Management Company to walk the owner's property to inspect the proposed project through completion and final approval.

The final inspection and certification are the responsibility of the owner and projects will not be considered final until such time as the owner provides a copy of the certification to the ARC Committee.

TIMELINES FOR COMPLETION OF APPROVED WORK

Projects are subject to specific time periods for completion. Unfinished projects may be visually objectionable and pose actual hazards and may also be subject to disciplinary action and/or fines. Extension(s) may be granted by the Committee for justifiable

reasons. After approval by the Committee, a proposed improvement should be accomplished as promptly as possible, in accordance with the approved plans, drawings and descriptions. All work must be completed, in any event, within six (6) months after approval by the Committee.

WORKMANSHIP

Workmanship is another standard which is applied to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor workmanship can create safety hazards. The Association assumes no responsibility for the safety of new construction.

CONSTRUCTION REGULATIONS

Construction Regulations are hereby established to preserve and maintain the quiet enjoyment of the Community, to maintain aesthetics and ensure safety for the Community and to provide reasonable access and controls for construction activity to minimize inconveniences associated with construction for all Owners and their guests. Owners are fully responsible for the actions of their contractors and any subcontractors, agents or employees thereof.

Contractor – Exterior Work - Hours/Days

Exterior work is limited to the following:

Monday through Friday	7:00 a.m. to 7:00 p.m.
Saturday and Sunday	8:00 a.m. to 7:00 p.m.

Observed Holidays: All state and federal holidays

Materials/Equipment/Vehicles/Parking

Equipment and materials not in daily use shall not be stored on the site. No materials or equipment shall be left in the streets without proper safety precautions and marking with caution tape, cones and/or barricades. Construction and crew vehicles must obey all common courtesy traffic and safety rules, including not blocking driveways, mailboxes, fire hydrants or impeding traffic on streets or sidewalks. Care must be taken to ensure the streets and sidewalks are kept clean and debris free, streets and sidewalks must be swept upon completion of work.

Contractor Conduct

Offensive behavior or language and loud activity or music will not be tolerated. Animals, alcohol, drugs and firearms are not permitted. Violators will be required to leave and may be removed from the property entirely.

Damage done by Contractors

Damage to any of the Common Elements or neighboring residences will be the responsibility of the Owner, who will be required to pay for any necessary repairs or replacements.

Violations of these construction regulations may result, after written notification Notice and Hearing, in a fine being levied upon the Owner employing the Contractor involved

and could result in the loss of Association privileges such as voting, or access to Association amenities.

COMPLIANCE

Any owner or resident of the community who does not fully comply with this document will be subject to any fine structure and/or legal action which the BOD and HOA may deem appropriate.

OWNER COMPLAINTS

All complaints should be submitted to the management company, by letter or email, and must be dated and signed by an Owner. The Complaints will be maintained in HOA records and will be given to the appropriate committee or BOD.

NO GUARANTEE OF CONTINUED VIEW

As the community grows and develops, each owner of Calabash Lakes has acquired his/her lot subject with the possibility that the view from such lot may be altered at any time by neighboring properties.

ENFORCEMENT OF THE DECLARATION AND DESIGN STANDARDS

The Association shall have primary responsibility for the enforcement of the architectural requirements required within the Declaration of Covenants, Conditions and Restrictions for Calabash Lakes and these within – listed Design Standards. The Association will investigate written complaints of Owners for violations of the architectural requirements of the Declaration or these Design Standards if such complaints are dated and signed by the Owner.

If a violation is found, the Association shall notify the Owner, in writing, and will request that appropriate action be taken to achieve compliance. If such Owner does not bring his property into compliance with the Declaration and Design Standards within the time specified by the notice, the Association will request that the violation be referred to the Board for enforcement action, which may include the Board fining the Owner for such non-compliance.

AMENDMENT

These Design Standards may at any time, be added, deleted, or altered by the Committee in its discretion, with the approval of the Board.

OTHER CONSIDERATIONS

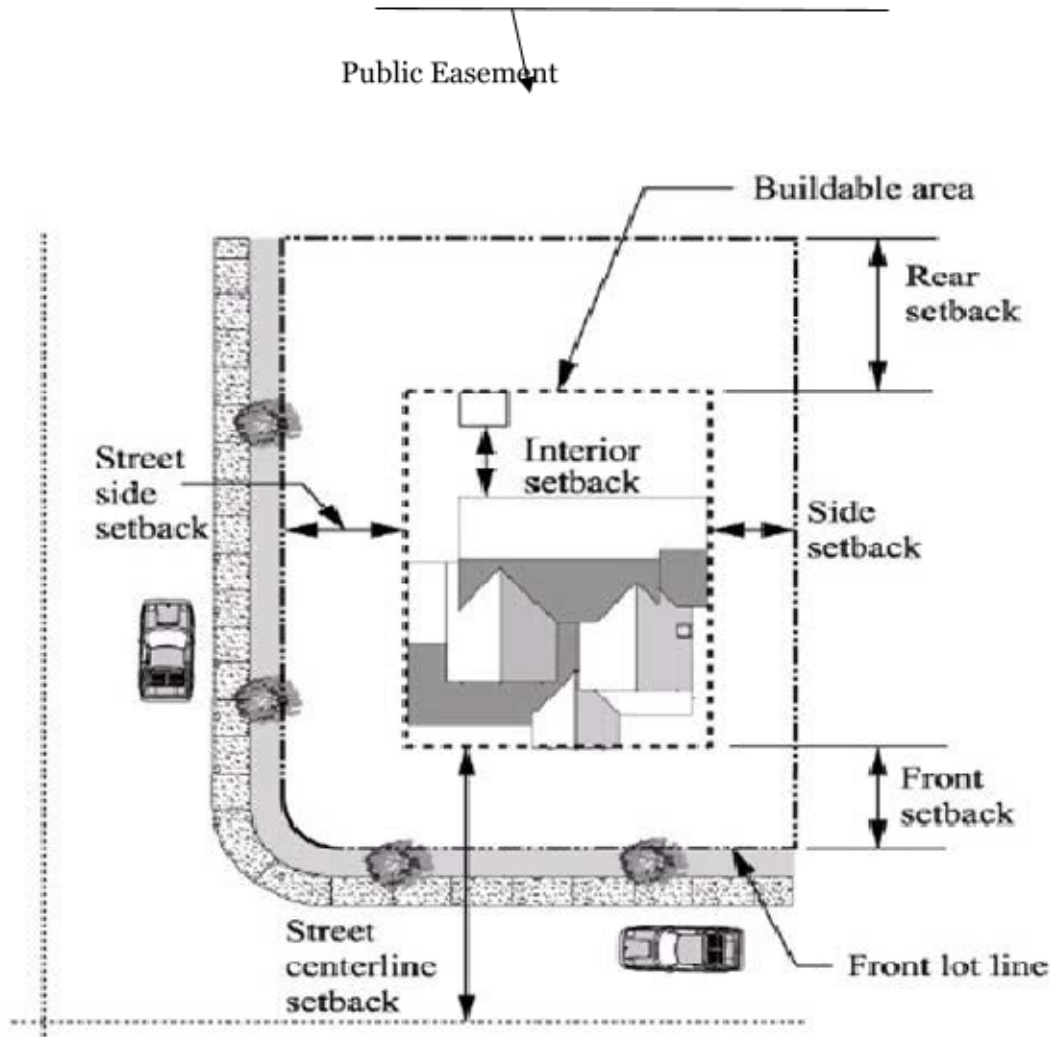
SETBACKS, EASEMENTS AND LANDSCAPING

Minimum setbacks and public and private easements (if applicable) are defined for each home site. No structural improvements shall be permitted within the minimum building setbacks or easements as designated by planning and zoning departments. The purpose and intent is to ensure that development within the individual lots occurs in a sensitive manner. No building, or any improvement thereof, shall be placed, erected, or maintained on any of said lots within any public easement.

The location of all proposed improvements of the home shall also conform to all Brunswick County/Town of Carolina Shores Zoning and Code requirements and all other applicable Building Codes.

EXAMPLE:

- Sample Lot showing Property Setbacks and a Public Easement on the property



When preparing to landscape rear and side yards or amend existing landscaping, an owner must submit a complete landscape plan and schedule. Installation and maintenance of plant material and other landscape related improvements are the owners' responsibility.

DRAINAGE

No owner shall interfere, or redirect the natural or intended flow of any drainage or construct any improvement, landscaping, or allow the existence of any condition which will alter the approved Storm Water Permit, except to the extent such alteration is approved in writing by the Committee, and any other public authorities having jurisdiction. No improvement or alteration may be made that will touch, concern, or affect storm water management or storm water facilities. Owner(s) may be subject to obtaining a land survey to establish Build Upon Area (BUA) to ensure improvements do not exceed BUA on Storm Water Permit.

Drainage cannot be changed without Committee approval. Special attention shall be given to proper site surface drainage so that surface waters shall not adversely affect neighboring properties or interfere with natural drainage flows. Surface drainage direction and velocity shall be controlled and slowed by proper placement of landscape elements, ditches, culverts, diverters and other drainage devices.

SPECIFIC IMPROVEMENTS – A to Z

The following alphabetical list covers a wide variety of specific types of proposed improvements which Owners typically consider installing. Pertinent information is given as to specifications for each improvement. In some cases, where specifically stated, a type of proposed improvement is prohibited.

Unless otherwise specifically stated, drawings or plans for a proposed improvement shall be submitted to the Committee, and written approval of the Committee must be obtained before the proposed improvement is made. Drawings or plans shall include dimensions, setbacks, types of materials to be used, both elevation and plan views of all proposed expansions or additions. Applications for paint change must be accompanied by small samples or chips of the colors to be approved,

The provisions and improvement items contained in these ARC Guidelines may be added, removed, or adapted by the ARC committee with Board of Directors approval as necessary, resulting in a distributed, amended version of the Guidelines for the membership.

ADDITIONS AND EXPANSIONS

Additions or expansions to the existing home will require submission of detailed plans and specifications, including description of materials to be used, and plan and elevation

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drawings showing dimensions, setbacks, roof slopes, etc. Additions and expansions must be of the same architectural style and color as the existing home. All work is subject to obtaining required permits from Brunswick County and/or the Town of Carolina Shores. Any additions must comply with the materials, colors, and styles that match or complement the existing home. Detailed plan and elevation drawings are required for all additions. Paint samples, photos, or brochures of all new building materials must be submitted with the Architectural Review Request Form. Start and end dates must be specified on the form. All additions and/or expansions are only considered complete once the owner submits a final inspection certification to the Association.

Flat roofs on any addition are not allowed. If replacement or repair is required, the roof must be restored to the original design specification. Replacement / maintenance of home exterior does not require Committee approval provided it is restored to the original design specification and color scheme.

AIR CONDITIONING EQUIPMENT

Window air conditioning equipment is not permitted. Except for emergency for health conditions.

Installation of air conditioning equipment on the roof of the home will not be permitted.

See screening examples below:



ARBORS & PERGOLAS

ARC approval is required for arbors and pergolas.

The inside height of a proposed arbor or trellis must not exceed nine feet (9'). Arbors must be complementary to the residence. Arbors must reside in the backyard and may be limited on corner lots. Arbors and pergolas shall be anchored and built according to the Town of Carolina Shores building code. Pergolas require a minimum wind rating of 75 miles per hour.

Professionally prepared plans for Arbors and pergolas are required to expedite the
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approval process along with a photograph or catalog picture. A Town of Carolina Shores building permit shall be obtained if applicable.

Due to lot sizes/configurations, the ARC committee may limit use for Paired Ranches and Townhomes.

ASTRO-TURF

Astro-turf is allowed on porches, patios, of other covered areas. Astro-turf is not to be used as ground cover (as a substitute for lawns).

AWNINGS

Specifications for awnings are as follows. No alternates will be considered.

- Awnings must be retractable with a wind sensor installed. (It is recommended to have a rating to withstand wind gusts of 55-75 mph).
- Maximum of ten-foot extension from the affixed wall.
- Awnings are not permitted on the front or side of the house.
- Awnings may be allowed on the rear portion of the home only.
- Awnings – Colors must blend or complement the homes existing design with the approval of the ARC committee or BOD.
- A picture of the design/ pattern and color must be submitted with the ARC change request.
- No plastic, vinyl, or metal awnings will be allowed.

BARBECUES/OUTDOOR KITCHENS

Portable barbecues do not require approval but must be stored out of view from the street or Common Elements to the extent possible.

Permanent barbecue structures must meet all structure setback requirements and may be referred for professional review as necessary. Owner must obtain building permit if applicable and provide a copy of the permit to the Association office prior to beginning work. Permanent grills must be placed in the rear yard of the house and as far as practical from the adjacent property lines and in accordance with Brunswick County and/or the Town of Carolina Shores Fire Codes a distance of no less than five feet (5') from a building roofline. An application is required for permanent grills and must include the following:

- The dimensions of the permanent grill.
- A site plan showing the location of permanent grill.
- A description of the materials and colors to be used.

BASKETBALL HOOPS –(PORTABLE)

Portable basketball hoops are allowed within Calabash Lakes. Restrictions are as follow

- a. Must be taken down and placed out of view after play.
- b. Can be used between the hours of 9am and 8pm.

c. Cannot be played in Public Street.

No Permanent Basketball Hoops attached to a home is permitted.

BIRD HOUSES AND FEEDERS

Bird feeders may not be installed at a location where they could cause a nuisance to the adjoining neighbors.

Purple Martin, similar type "condominium" birdhouses or bat houses are allowed and must fit in a hypothetical thirty-six inch (36") cube. Such houses may be placed on a single pole no bigger than four (4) inches in diameter, no more than twelve feet (12') in height above finish grade and may not be attached to the home.

Poles must be anchored solidly in the ground with concrete. Bird or Bat Houses must be kept in good repair and must be placed in a mulch bed no less than three feet (3') in diameter and no closer than ten feet (10') to the rear property line or any setback or easement line.

BUG ZAPPERS

Only silent bug zappers are permitted providing lights do not interfere with neighboring properties.

CHIMNEYS

Flue pipes may be exposed but must be black or dark color to blend with the roof. Chimneys constructed of brick or stone must match the stone on the front of the house. (if applicable)

CLOTHESLINES NC State law (Davis Stirling ACT "right to dry")

Permanent Clotheslines, that cannot be taken down and put away are not permitted, however, to exercise your "Right to Dry" You may use a drying rack or portable clothesline in the back yard only, that can be put up and taken down and must be stored out of view when not in use. Below is a picture of a steel portable A-Frame drying rack or a retractable clothes line that may be used.



COMPOST BINS

Compost bins must be contained in the rear yard and must be inaccessible to pests or wildlife. There cannot be an odor from the compost bin, and the bin must be located so as to minimize their visibility from the street and neighboring properties.

DECKS, PATIOS AND TERRACES

Decks must be constructed of wood or other material matching the material of the Home, and, if painted, must match or complement the color scheme of the home, unless otherwise approved by the ARC Committee. Decks must be installed as an integral part of the home and patio area. Owner must obtain Brunswick County/Town of Carolina Shores building permit, if applicable, and provide a copy of the permit to the Management Company prior to beginning work. Construction of decks over easement areas is not permitted.

Dimensions and location must be submitted on drawings. The committee will review lot size as a factor in approval of decks and to also confirm and ensure the maximum surface area on the lot is not exceeded.

Decks, patios and terraces shall be considered an extension of the architecture of the residence. Decks, patios and terraces shall be placed on side and rear elevations only. The underside of decks must be enclosed with materials that are consistent with the house, and require ARC approval.

DOG RUNS, STAKE OUTS, DOG HOUSES AND FENCES

Dog houses, runs and stake outs (the tethering/tying up of a dog in yard) are not permitted.

Pet fencing may include any invisible fence on or within the perimeter boundary of an owner's site per the fencing standards.

DOORS

Committee approval is required for the addition or replacement of exterior entrance doors to a home. The color shall match or complement existing colors of the home. The requested color sample must be included with the ARC request.

DRIVEWAYS, WALKWAYS AND PARKING

Modifications to the original driveway must be submitted for ARC Committee review and approval. Driveway extensions are permitted only to the corners of the garage. Any alteration must be aesthetically pleasing and in conformance with the overall look of the Community. Stamped and/or textured driveways require Committee review. Asphalt driveways are not permitted. All driveways shall have a paved, hard surface of including at least one of the following:

- Concrete.
- Concrete with color detailed border treatment.
- Color textured or stamped concrete.
- Stone or masonry pavers.

Proposed driveway coatings are subject to review by the Committee. Driveways, guest parking areas and walkways shall be brushed concrete with tooled edge, with no bordering required. Modifications, extensions or additions to the driveway may not exceed three feet (3') in width on either side. Vehicular parking must be on the driveway or in the garage only. Parking or driving on the grass in the front, rear, or side or back yard is not permitted.

EXTERIOR DECORATIVE ITEMS/YARD ART

While exterior decorative items/yard art does not require ARC committee approval, unless it is larger than a hypothetical 36" cube. There are guidelines that will be considered by the ARC committee if a complaint is recorded.

Any exterior decorative items including, but not limited to flags, banners, fountains, lawn art, statuary, bird baths, feeders, trellis, arbors, house numbers and ornaments, flowerpots, wind chimes, outdoor furniture, catchers and other similar items may be displayed in harmony with the natural and surrounding setting.

Each piece of yard art must be in landscaped areas such as flower beds and mulched areas only and are consistent with the character of the neighborhood and must not impede HOA landscaping company.

The Committee will review standards of objects located or positioned where they can be fully viewed from the street. The Committee will evaluate all proposed exterior decorative objects solely in terms of design, execution and general appropriateness in order to prevent such objects from having a negative impact on adjoining homes, the neighborhood setting, and the community at large. While Committee approval is not required for removal of exterior decorative objects that are of a temporary nature or are displayed for a seasonal holiday duration or a special occasion, homeowners should consider these following guidelines when choosing such objects. The Committee will not judge the individual aesthetic or artistic merits of any object, but rather will make its evaluation solely on the object's impact upon the community. The Committee will consider the following items in its evaluation of decorative items:

Design/Color /Intuitiveness

Items must complement and be compatible, in style, color and in quality of materials and workmanship with the Architectural characteristics of the applicant's home, adjoining homes, and the neighborhood setting, and must maintain an attractive appearance. Objects must not substantially intrude by sight, sound, or smell upon adjoining homes or the neighborhood setting.

Relationship to the Environment.

Objects shall not create an adverse impact on the natural environment by their installation or location.

Safety.

Objects shall not create a hazard to public safety.

Taste

Objects must avoid using words and designs that are, by their nature, inflammatory, offensive, or vulgar to the community.

EXTERIOR LIGHTING

Outdoor lighting is subject to Committee approval. In reviewing lighting requests, the Committee will consider the visibility, style, location and quality of the lighting fixtures. Powerful up lights, overly intrusive security lights and such lighting fixtures will likely be denied.

Owners should keep in mind the impact to neighbors when considering exterior lighting. Exterior lighting should be limited in purpose to providing light on walkways. Exterior lighting for security and/or other uses must be directed towards the ground whereby the light cone stays within the property boundaries and the light source does not cast a glare onto adjacent properties.

Lighting of parking areas or walkways to houses may be necessary. Lights must be functional and enhance the overall appearance of a residence, but not disturbing to neighbors or motorists. All light sensitive motion detectors shall not be pointed in the direction of any neighboring properties causing an unreasonable glare and must be set on the sensor at all times while on. Lights shall be omitted from any Lot which are unreasonably bright or cause unreasonable glare. Low voltage, ground landscaping lights do not require committee approval provided they are conservative in design and are directed towards the house, tree or ground. The Committee can deny approval or request removal if such installation results in complaints from neighbors.

Outdoor Edison / String and Icicle-Type Lighting

These are lights used to light rear patios and screen porches for decorative effects. These lights may be displayed year-round. Complaints from neighbors will be reviewed by the ARC Committee and/or Board.



FENCES

Due to the wide variety of lot plans, not all lots are approved for a Fence. It is at the discretion of the ARC, and must follow all setbacks,

EASEMENT AND LOCAL GOVERNMENT REQUIREMENTS

The following specifications govern the fences for homes at Calabash Lakes:

Fencing Style and Height:

- Only a black, aluminum fence four feet (4') in height may be placed, installed or constructed on any Lot.

Other Fencing Considerations:

- At least one (1) gate must be installed on the side of the home where the fencing meets the rear corner of the house to allow access
Two (2) gates are preferred. The owner will be responsible for maintaining, repairing, and replacing, any fence located on the owner's lot.
- No modifications including attachments to approved fences will be allowed without ARC approval except for holiday decorations that must be taken down after the holiday period has expired.
- Proposed fencing must respect the public easement associated with the property and may not be able to be extended to the property line. This will be determined on a case-by-case basis. Owner is responsible for verifying county and town requirements are adhered to.
- Proposed fencing must not encroach the public easements associated with the property and cannot encroach any pond and may not be able to be extended to the property line. This will be determined on a case-by-case basis. Owner is responsible for verifying county and town requirements are adhered to.
- Any proposed fencing to be installed in a private easement(s) must be reviewed and approved by the Committee.
- Proposed fencing cannot negatively impact or impede the Community drainage plan.
- Owners must locate, have located and arrange to have moved, any irrigation lines, heads, wiring, utility services lines or other items that are in conflict with the construction of fencing at their expense.
- Owner assumes responsibility for maintenance of lawn inside fenced area, including mowing, mulching, lawn treatments, fertilizer etc.

PRIVACY SCREENS (PAIRED RANCH/TOWNHOMES)

Privacy screens may be allowed between the Paired Ranch Homes and Townhomes following ARC review and approval. Privacy screens are the 6' high white vinyl fencing between Units to provide for privacy and are to be used only in the back yard unless approved in conjunction with, and as an integral part of, another improvement.

A stand-alone privacy screen must not exceed seventy-two inches (72") above the patio or eight (8) feet from the house.

Privacy screens formed by landscape plantings are limited to the back yard. Such screens should be installed to provide privacy to the active areas of the backyard (i.e., patios, deck.) This type of screening can be used on three sides of the active area.

FIREPLACE/FIRE PIT SINGLE FAMILY HOMES ONLY

Exterior wood burning fireplaces shall not exceed eight feet (8') in height and shall harmonize with the aesthetics of the home. Installation of any fireplace or fire pit shall be five feet (5') from any structure. The owner must obtain Brunswick County/Town of Carolina Shores building permit, if applicable, and provide a copy of the permit to the Management Company office prior to beginning work.

All wood burning Fireplaces/Fire Pits must only be installed in the back yards. On pond facing units, they must be located so as to not block pond views from other lots.

A wood burning Fireplace/Fire Pit cannot create an unreasonable level of disturbance to adjacent property owners. Care shall be taken to not burn during high wind events or during any Brunswick County and or the Town of Carolina Shores declared no burn events. Outside storage of firewood is not permitted.

Propane fueled fire pits are allowed on any lot provided they do not create an unreasonable level of disturbance to adjacent property owners.

A wood burning Fireplace/Fire Pit is not permitted for Paired Ranch or Townhome.

FLAGS/FLAGPOLES

Committee approval is not required for flying the approved flags from brackets attached to the front of houses or flagpoles. (Flagpoles require ARC approval)

No portion of the Association's governing documents should be constructed to imply that the Association restricts state and federally approved flags. Non-restricted flags include: United States flag or other official national flags, state flags, military service flags (Army Navy, Marine, Air Force, Coast Guard or National Guard), military unit designation flags, POW MIA flags, sports teams, First Responder, holiday/seasonal or religious denomination flags. Flags no larger than 4' x 6' are preapproved. All flags or banners must be kept in good repair.

In ground Flag Poles require ARC approval and shall be a single pole no less than 1 1/2" or greater than three inches in diameter and no more than twenty feet in height above finish grade. Vertical poles may be attached to the home, with ARC Approval. In ground Poles must be constructed of aluminum, stainless steel or other weather resistant non-corrosive metal. No wood, fiberglass, PVC or similar materials are allowed. Poles must be vertically anchored solidly in the ground with concrete and must be placed in a mulch or grounds bed.

FLOWER POTS

Flowerpots which are visible from the street should be properly maintained

FUEL STORAGE TANKS

Propane gas storage tanks must be screened from the street.

- All utility lines serving structures located on Lots shall be placed underground.
- Only propane tanks are permitted.

GARAGE SCREENS

Committee approval is required for garage screen

- All garage screening shall be charcoal, white or bronze.
- Frame must be black, white or must match the trim or base color of the home.



GARBAGE/TRASH CONTAINERS.

Garbage and recycling carts must be stored in the garage, or in Committee approved enclosed areas.

Trash bins must be screened from the street view by evergreen plantings or screen. The Committee may determine the type and adequacy of the screening material. See screening example below:



All garbage, trash, lumber, grass or shrub clippings, plant waste, compost, metal, bulk materials, scrap, or debris of any kind will not be allowed to be stored or to accumulate on any site. All garbage must be contained in a garbage bin.

All trash carts/ bins must have a cover that is resistant to animals and be kept within an

enclosed structure. The trash cart may be placed at the curb at such times as may be necessary to permit garbage and trash pickup. Trash carts may be placed at the curb the evening before collection (the earliest time allowed) and must be returned to the enclosed structure or inside the garage the day of collection.

GAZEBOS/PERGOLAS

Gazebos are not permitted

Pergolas are permitted with ARC approval and must be approved on a case-by-case basis, they must be secured/anchored as an integral part of the deck or patio with a wind rating of 80 mph or above.

GENERATORS

Standby (permanent whole house) generators are required to have Committee approval and must be installed per the following:

- Standby generators are to be installed on the side of the home within close proximity of the Electric meter and/or Electric Panel.
- Standby generators must be installed per all Federal, State, County, Local and Electric Utility guidelines and specifications with no deviations allowed.
- Standby generators shall be screened from street right-of-way either by approved fencing or by plantings tall enough to conceal the unit.
- Standby generators to be used specifically for emergency backup power with the exception of a weekly test run of the system.

Portable backup generators do not require Committee approval.

GUTTERS

Gutter downspouts shall direct water to required drainage facilities at the street. Owner assumes responsibility for maintenance of gutters for single family homes. Paired Ranches and Townhome gutter maintenance is covered by the HOA.

- Gutters must be four to six inches in width, white, aluminum.
- Downspouts must be compatible with existing exterior color scheme.
- Outflows should be buried whenever possible and directed away from homes to an acceptable area for dispersion of water splash guards must be installed where buried outflow is not possible.
- Owners are not permitted to install guttering that will redirect outflow onto neighboring properties.
- No downspouts shall be piped directly to any pond. Must be no less than 10ft from pond edge.

HOLIDAY DECORATIONS/DISPLAY

Outside seasonal, festive or holiday decorations and lights shall be installed no more than forty-five (45) calendar days prior to the event date and shall be removed no later than fifteen (15) calendar days after the event date. Consideration of neighbors should be exercised when decorating for any occasion.

HOT TUBS/JACUZZIS

Hot tubs and Jacuzzis must be located in the rear yard and designed as an integral part of the deck or patio area. They must be installed so they are not immediately visible to adjacent property owners, and screened by landscaping or privacy fence that affords both homeowners' adequate privacy. Hot tub/Jacuzzi use cannot create an unreasonable level of noise for adjacent property owners.

HOUSE NUMBERS

House numbers are required to be visible and plainly seen from the street to ensure aid with emergency response and property identity. Approval is not required for replacement of like kind numbering providing they are installed in the same location.

Committee approval is required to relocate the existing address numbers to a position different from that originally installed by the builder.

HURRICANE SHUTTERS AND STORM PROTECTION SYSTEMS

Plywood is permitted as an alternate temporary solution.

A waiver is required for any damage to the exterior of the structure on townhomes and paired ranchers.



- Hurricane/Storm Shutters systems must be temporary only and allow for the protective screening to be removed and stored after a storm event has passed.
- Frames and hardware can be permanently attached to the exterior of the home.
- Types of systems that are allowed are fabric with anchor straps or studs and caps, channel frames with rigid or corrugated panel inserts, Velcro attached panels, rigid systems with anchor straps or studs and caps.
- Any frames or hardware must match the existing building color scheme, window frame or trim colors and must visually blend in with the existing building so as to not be obvious from the street or adjoining homes.
- Roll down systems with large overhead roll up boxes may be installed on porches or other areas where the system can be placed behind the header beam or trim and hidden from view.
- Frames and mounting systems may not be wider than three inches (3") in width and may not extend more than three inches (3") beyond the surface it is mounted to.
- Surfaced applied films and interior attachment systems are allowed if the system and colors visually blend in with the existing building, so as to not be obvious from the street or adjoining homes.
- Systems must be removed within twenty-one (21) days of the end of a named storm event or when authorities allow residents to return to their homes.

- The Board of Directors may extend this period at their discretion to ensure the safety and security of property.

LANDSCAPING

All changes in the landscaping shall be complementary to the home and are subject to Committee approval. In addition, landscaping shall follow all requirements of Brunswick County/Town of Carolina Shores. The guidelines for installation of landscape and features are written to encourage owners to consult with professionals in order to design harmonious modifications, choose complementary materials and ensure proper installation.

The Board of Directors encourages owners to enjoy their property and plant as they see fit within these guidelines:

- Landscaping for the entire lot, including easement areas, shall be maintained at all times. The Calabash Lakes Association does provide ground care in the community. This includes, but is not limited to mowing, trimming, weed control and fertilization and edging the sidewalks and street curbing. Landscaping shall be maintained so as not to create a safety hazard or visual nuisance in the community.
- In addition, landscaping shall follow all requirements of Brunswick County/Town of Carolina Shores.
- Gravel, rock, sod, plant materials and/or soil piles shall be stored on the property during landscaping installation, shall be left no longer than a period of fifteen (15) days.
- Delivery and placement of landscape materials shall not damage any entry/median/Common Areas. Delivery trucks are not allowed to cross any of these areas. If damage to the Common Elements results, the Owner will be held financially responsible for repairing the damage caused by the Owner or the Owner's agent.

Landscape - Establishing Planting Beds.

- For homeowners installing plants/trees/shrubs, the following guidelines must be followed.
- Invasive species, plants that do not typically thrive in the climate and soil conditions on the property, those that risk uncontrolled reproduction beyond your planting area and those that otherwise jeopardize the existing ecosystem are not permitted.
- Plants may be installed in existing planting beds without prior approval

Landscape - Trees and Large Shrubs.

Architectural Review Request forms are required and must describe types and sizes (mature height, width, thickness and/or diameter) of proposed trees and shrubs. Trees and shrubs shall be selected and placed in a manner which does not cause an unreasonable nuisance to adjacent properties. Trees and shrubs must not be placed in areas that block sidewalks, restrict drainage, or impede line of sight for vehicular traffic.

Trees and shrubs that have a root structure that interferes with utilities or could prove to be invasive to neighboring properties must be avoided. Prior to planting, Owners should take care to consider the eventual mature size of the trees and shrubs and what

impact they may have on nearby homes, other landscape features, nearby sidewalks, pipes, other utilities, property lines, easements, etc.

Owners may not plant trees and shrubs that are likely to increase the likelihood of damage to a neighboring property increased risk of damage from falling limbs and increased risk of damage to driveways, foundation slabs or other areas of a home).

- Trees, shrubs and other landscaping materials shall be contained within the property boundaries to ensure growth does not overhang or infringe on another person's property, public streets or walkways and common areas.

Landscape - Tree Removal.

All tree removals require Committee approval and may require a permit from the Town of Carolina Shores. All stumps and their exposed root systems shall be removed. Dead trees shall be removed. Additionally, living tree removal shall include the killing of its root system. The removal of trees will be approved if the tree is dead, if there is danger to people or property, or if a detrimental condition exists. Detrimental conditions include the physical intrusion by roots and branches on houses in a way that causes damage, excessive shade, or block views or sight lines. Overgrowth may also be considered detrimental.

Landscape - Edging / Tree Rings.

Committee approval is not required for front yard tree rings or landscape edging around mulched beds provided:

- They are either earth tone colors (grey, muted red, brown or similar).
- They are constructed of commercially available landscaping blocks, stacked stone, field stone or scalloped concrete edging materials that are curved to form a radius.
- The top surface of the ring/edging is no more than eight inches higher than the adjoining, undisturbed ground.
- They are installed so that the top surface of all installation materials are flush (same height.) with the adjacent "element" (block, edging material, etc.)
- The top surface of the ring or edging as a whole shall be as close to level as is practical considering the natural slope of the adjacent ground.
- Other materials and dimensions require Committee approval.
- If you are unsure, obtain ARC Committee approval.

Landscape - Irrigation Systems.

An ARC request must be submitted with the location of the backflow preventer, control valve, Contractor's name and contact information. All irrigation systems must be installed entirely on the requested property and may not infringe on neighboring property. The old irrigation system parts may be used, with the understanding the HOA is released of any liability or responsibility. It is recommended a complete new system be installed. NC 811 must be called prior to installation.

Homeowners private irrigation system must be approved by the Town of Carolina Shores and/or

Brunswick County, and must adhere to existing Town of Carolina Shores and/or Brunswick County guidelines. Common area dues and assessments for irrigation are still the responsibility of the association members.

Landscape – Maintenance.

All landscaping installed by a homeowner must be maintained by the homeowner in a neat, attractive and healthy condition. The owner, considering weather conditions affecting the planting of replacement landscaping, must replace dead or dying landscape materials as soon as possible and/or within fifteen (15) days of written notification from the Committee.

Landscape – Installation of Rocks.

- Landscaping rocks must be displayed in conjunction with landscape theme and must not be the focal point of the front yard.

LATTICES/TRELLIS

Latticework that can be seen from a street or the common area will only be approved in limited amounts and areas. All lattice and/or trellis' used for climbing plants and/or vines must be free standing, no higher than seven feet

Lattice or trellises must be of maintenance free material. If used to support climbing plants and/or vines, it shall not be attached or anchored to the fences in any way. Latticework shall be supported or framed securely to prevent warping or sagging. Latticework may not be used to enclose a patio cover. Latticework may not be used on the side of a patio cover that is parallel to the house where the patio cover is attached.

MAILBOXES

Mailboxes will be installed and maintained in accordance with the approved community design guidelines by the HOA. In most cases, the Town of Carolina Shores requires that new mailboxes be Cluster Mailboxes. Mailbox kiosks shall be installed at designated locations within Calabash Lakes, and shall be maintained by the Association.

Houses with existing individual mailboxes must adhere to the existing standard and will be the responsibility of the HOA to maintain.

The existing mailbox standard is:

Black in color, with red flag 9” high
6.5” wide 19” in depth
Pole (black metal) mounting height is to be 46” above grade

MAINTENANCE OF DRAINAGE

All Owners of real property within the Community Area will be responsible for maintaining the established drainage pattern on such real property in accordance with the grading plan provided to the owner at the time of closing. No attempts should be made to interfere with the grading system as established at the time of build.

MAINTENANCE OF ALL PROPERTY IMPROVEMENTS

No property within the community must be permitted to fall into disrepair and all property, including any improvements upon that property (i.e. landscaping, screens, fencing, etc.), must be kept and maintained in a clean, safe, and attractive condition at all times.

NO HAZARDOUS ACTIVITIES

No activity must be conducted on, and no improvement must be made on any property that is or might be unsafe or hazardous to any person or property.

NO UNSIGHTLINESS

All unsightly conditions, structures, facilities, equipment, and objects, including lawn and garden equipment and other maintenance equipment when not in actual use, must be enclosed within the garage or out of view.

PAINTING/REPAINTING – EXTERIOR COLORS

Committee approval is required for color and/or color combination changes for all exterior painting or repainting of the home and accessory improvements. Committee approval is not required if color and color combinations are identical to the original color painted by builder.

- Garage doors are to be the same color as the siding or trim of the Home, unless otherwise requested and approved by the Committee.
- Most homes have multiple tone color schemes (e.g., siding color, trim color and accent color for shutters and doors). New colors submitted should, but are not required to, preserve this multiple tone scheme.

PATIO COVERS

Plans must show the exterior views, home elevation, designated materials and colors, and include dimensions. Patios, decks and paving materials must be compatible and harmonious with the structure and surrounding neighborhood and must be an integral part of the landscape architecture design. Materials and colors shall be compatible with those of the main house structure. Natural wood decks shall be permitted with any type of building material. It is also recommended that paving materials be earth tone colors.

- All patios and decks, screened porches, require Committee approval before construction and/or modification begins. No flat roof lines will be approved.
- Approval may be denied based on materials, location, and size of the patio or deck in relationship to the lot and house.
- Paint or stain color samples must be included with the application.

PLAY AND RECREATION EQUIPMENT

All play equipment and playhouses shall be subject to Committee approval. Play equipment shall be positioned in a way to minimize its impact on neighbors and on its appearance to neighbors. Size of play yards will be considered on a case-by-case basis depending on the Lot size and its proposed proximity to neighbors. Play equipment

must be located in the rear yard and must be located within the required setback requirements.

Playhouses larger than thirty (30) square feet and higher than six feet (6') will be reviewed on a case-by-case basis. Treehouses are not permitted. Additional landscape material may be required by the Committee.

Play Areas

Play areas may include sandboxes and large mulched areas around swing sets. Play areas must conform to the same side setbacks but may extend to no longer than ten feet (10') of the rear property line. The areas may be edged with timbers or other suitable edging material. To avoid the use of sandboxes by animals, you are encouraged to cover them when not in use.

Swing Sets

Swing sets may be metal or constructed of wood no taller than twelve feet (12') in height. Those structures with climbing towers may maintain an upper level tower. Wood sets may be left natural, stained, painted white or painted to match the exterior color of the house.

Trampolines

Trampolines are permitted on non-pond lots only with Committee approval. Trampolines must be located behind fencing and must be located at least fifteen feet (15') from adjacent lots and may not exceed twelve feet (12') in height.

If safety netting is used it must be black or charcoal. The color of the supporting poles must match the home.

- a. Trampoline must be kept rust free with no torn canvas or missing springs
- b. Property owner assumes ALL liability for injuries and or damages
- c. May only be used between 9am and 8pm.
- d. Noise and Nuisance rules will apply.

PODS / TEMPORARY STORAGE UNITS/MOVING CONTAINERS

A "PODS" container (or similar offered storage service container) is permissible with approval from the Committee. The container may be placed in a driveway or on the street (if approved by Brunswick County/Town of Carolina Shores) as long as sidewalks, pedestrians and/or vehicular traffic is not blocked.

The maximum amount of time a storage units may be employed is two weeks (14 days) **in any calendar year**. Timeframe longer than 14 days requires ARC approval. Placement in common area is prohibited. The Committee must be notified in writing of the intent to use such storage unit, the start date of when the unit will be delivered to the home, and the intended removal date.

STORAGE, PARKING AND STREETS

Cars, SUVs, Passenger Vans or Trucks similar standard passenger vehicles with "body wraps" or similar commercial/business logos may be parked in the garage. Standard passenger vehicles may have racks or other devices for carrying cargo or sporting equipment and may be parked in the driveway.

Vehicles that are in disrepair, not operable or not properly licensed, tagged and registered are not allowed to park within the Community. Vehicles that are stored completely inside a garage with the garage door closed are allowed regardless of type. Storage and/or parking of a mobile home, trailers (with or without wheels), motor homes, tractors, trucks (other than pick-up trucks), commercial vehicles of any nature, campers, motorized campers or trailers, recreational vehicles may not be parked in the driveway overnight without a permit acquired from the ARC committee.

Public emergency vehicles, such as police, EMT, fire cars, are permitted at all times in the Properties.

RECREATIONAL VEHICLES,

Recreational vehicles of all types, for the purposes of these guidelines include recreational vehicles (RVs), campers, camper trailers, house trailer, motor home, all-terrain vehicles, truck tractor, tractor/trailer, or any vehicle fitting the North Carolina legal definition of recreational vehicle, or any similar vehicle shall not be stored on or at any lot unless completely enclosed within a garage so as to be not visible from the streets or other lots.

The Board shall have the right to grant variances from the foregoing restrictions in cases of hardship, which variance may be granted upon such terms and conditions deemed appropriate.

These types of vehicles may be brought to the residence for loading and unloading, with ARC approval only. Per the following guidelines:

- a. Prohibited and Restricted vehicles may receive a variance for parking but must receive a placard authorizing such parking. Placards may be obtained through the management company for Calabash Lakes. ARC approval in writing is required. (Management Company will issue placard stating time and dates of parking, when approved by the ARC).
- b. No vehicle, or trailer of any kind may be parked on lawns, or common areas.
- c. A variance of 48 hrs. parking time may be granted by ARC.
- d. If additional time is required an additional variance must be approved by the ARC,
- e. Violators subject to \$ 50.00 fine, per day

COMMERCIAL VEHICLES BOATS & WATERCRAFT

A commercial vehicle is defined for the purposes of these guidelines as a vehicle designed specifically or configured for commercial use or has a carrying capacity of at least two (2) tons or has equipment racks with equipment attached externally, and as defined under North Carolina law. Examples are taxis, labor trucks, vehicles with racks etc.

Commercial Vehicles are not allowed to park within the community overnight or for more than twenty-four (24) hours except to load or unload or while performing services on property, the ARC may issue a parking permit for a longer period if necessary.

Boats & watercraft covered with a full vehicle cover which extends below the bottom of the vehicle body, may be parked in the driveway or stored in the garage. They may not be parked in common areas. Trailers of anykind are not permitted. (2nd amendment to CC&R's 2013, see last page)

ROOF/SHINGLE REPLACEMENT

Replacement and repair of roof elements in single family homes due to damage does not require approval unless materials and colors differ from the original construction or previously approved modification. New roofing of the same shape, color scheme and material as the originally installed roof can be installed without Committee approval. The approved color of roofing material is "Weatherwood" or an earth tone color that is equivalent. Any color or roofing material changes require approval. All roof penetrations such as attic and plumbing vents should be finished to blend with the roof color. Eaves troughs are to be maintained in good condition.

SATELLITE DISH

Satellite dishes do not require approval but must meet the following criteria:

- Satellite dishes may not be installed on roofs except on detached, single family homes.
- Dishes may not be otherwise affixed to brick, siding, decks, patios or any other structure on a building.
- Dishes must be one (1) meter in diameter or less.
- The dish must be of a standard color and reasonably compatible with others in the community.
- Dishes must be screened from view to a suitable degree with either plantings tall enough or fencing tall enough to screen the dish as determined by the Board of Directors.
- Each owner is responsible for making sure their installer buries all cables associated with the installation.

SCREENED-IN PORCHES

Screened porches shall be placed on the side and rear elevations only. All screening shall be charcoal or bronze. The porch must contain materials and colors that are consistent with the materials and design of the house. Lattice or louver panels shall be considered on a case-by-case basis and shall be set in a frame.

SECURITY DEVICES

The installation of video cameras and other security/surveillance equipment does not require ARC committee approval. Security devices including cameras, alarms, and the installation of window and door components shall be selected, located and installed so as to be an integral part of the house and not distract from its architecture and appearance. Sirens, speaker boxes, cameras, conduit and related exterior elements must be unobtrusive and inconspicuous.

SHUTTERS

Shutters must be consistent with the architectural design and color scheme of the
Architecture Design Standards, Calabash Lakes

residence. Exterior shutters must be the same materials and painted to match the color scheme of the exterior of the Home, unless otherwise approved by the Committee. A change in shutter color or design will require Committee approval. All shutters should be sized to fit the windows they serve. Removal of existing shutters without replacements must be submitted for Committee review and approval. Broken or missing shutters must be repaired or replaced within thirty (30) days.

SIDING

Replacement and repair of siding elements in single family homes due to damage does not require approval unless materials and colors differ from the original construction or previously approved modification. Aluminum or steel siding is not permitted. Approval is not required to re-side your home in the same materials and colors as the originally constructed or previously approved. Any color or material changes require approval.

Siding shall be kept in a well-maintained condition.

SIGNS AND DISPLAYS

The owner is responsible for maintenance of signage placed on property.

Political/Civic Signs.

Temporary political signs are allowed on private property subject to Brunswick County and Town of Carolina Shores codes.

- Signs shall have a maximum dimension of 24 inches by 24 inches.
- Signs may be placed no earlier than forty-five (45) days before an election, run off, primary or referendum. All political signs must be removed within seven (7) days of such event as mentioned above.
- If a homeowner wishes to exceed the legally allowable sign restrictions and requirements, the homeowner must request a variance from the ARC.

Real Estate Signs.

- Only Calabash Lakes real estate signs are allowed.
- Each owner may erect or post one “For Sale”, “For Lease” and “For Rent” sign at the property. The size shall not exceed eighteen inches (18”) by twenty-four inches (24”).
- The height of sign shall not exceed six feet from the top to the ground level.
- A sign of professional quality not exceeding fifteen inches (15”) by eighteen inches (18”) may be placed in a front window.
- Wording on the sign shall coincide with activity, i.e., for sale, open house, contractor identification, etc.
- Open house signs shall be allowed only when sales personnel are in attendance. Temporary flags, banners, balloons, streamers, propellers or other similar apparatus placed and intended to attract the attention of the general public are allowed on the property only of the open house during the open house period and shall be removed at the end of each day. Display of these items is not permitted unless permission is provided in writing by the Board of Directors or the Management Company.
- All signs shall be removed at the close of escrow or occupancy.
- It is the homeowner or real estate agents’ responsibility to pay for the sign.

SOLAR PANELS for duets and townhomes

Solar panels may be installed with ARC approval. ARC approval is needed before installation may commence in order to work with homeowner regarding a reasonable location for solar panel installation. Installation commenced before ARC approval is subject to removal and/or re-location to ARC an approved area at the sole expense of the homeowner.

STORAGE SHEDS

Storage sheds are not allowed.)

SWIMMING POOLS

Above Ground Swimming Pools

Above Ground Pools are not permitted with the exception of small “kiddy” pools that have volume capacity of fifteen (15) gallons or less.

In Ground Swimming Pools

In Ground Pools may be permitted in fenced yards on single family home sites only. Request for in-ground swimming pools will be reviewed on a case-by-case basis by the Committee with consideration given to, but not necessarily limited to, the size of the yard area, setback from impact on neighboring properties, size of pool enclosure, and pool materials.

All in ground pools must meet Brunswick County, Town of Carolina Shores and DHEC (Department of Health and Environmental Control) regulations, standards and proper setbacks. All permits must be obtained by the homeowner prior to plan review by the Committee and copy must be submitted to the Management Company. Access to rear yard to install pool is the owner’s responsibility to secure agreement and easements with other owners as needed.

Pool backwash water shall not drain into adjacent properties or Common Areas. Backwash must be disposed of onsite according to DHEC. Any damage to irrigation, landscaping, etc. due to the installation of the in-ground pool will be the responsibility of the homeowner.

VEHICLES – LICENSURE AND REPAIRS

No inoperable vehicle of any kind and no passenger vehicles or other vehicles not currently licensed shall be parked or stored on any driveway.

No vehicle of any kind shall be repaired or rebuilt anywhere within a Lot other than within the garage, which screens the sight and sound of the activity. This includes maintenance (other than washing and polishing vehicles), servicing, repair, dismantling, or repainting of any type vehicle, boat, trailer, machine, and similar types.

VEGETABLE GARDENS

Vegetable gardens must be located in the rear or back of side yards (or as close as possible) and cannot exceed more than 200 square feet.

WEATHER VANES

Committee review and approval of type and placement is required. Weather vanes are only permitted for single family homes.

WELLS

Wells for landscaping irrigation and heat pump operation must be submitted to the Committee for review and approval. Above grade wellhead piping must be visually screened. Effective landscaping plantings may be approved. The installation of a water softener may be required.

WINDOWS

Windows must be consistent with the architecture of the house. Proposed windows and/or doors must match the material, appearance and finish of the original windows and/or doors. Replacement windows shall be substantially the same as those initially installed. Any proposed variance from the foregoing will be considered on a case-by-case basis. Bars and roll down security shutters are not permitted on the exterior of windows and/or doorways.

All broken windows and screens must be repaired at the earliest convenience no later than fourteen (14) days of being damaged. Circumstances related to serious storm damage will be recognized as requiring exceptions.

WIRES AND CABLES

Wires and cables, including those installed to convey radio or television signals, shall be hidden, painted, buried or secured flush with the side of each house so as to minimize their visibility.

CONFLICTS

The Committee does not have the lawful authority to consent to any modification that violates the Declaration. Owners are cautioned to carefully review all legal requirements, including Carolina Shores and Brunswick County ordinances, before submitting their applications. Any owner whose modification violates any provision of the Declaration or ordinances, whether or not it is inadvertently approved by the Committee, shall be required to remove the unlawful modification.

ENFORCEMENT

Calabash Lakes HOA, its Board of Directors, and Architectural Committee shall enforce the policies contained herein to the greatest reasonable and legal extent possible. Violations of these policies may be dealt with by one or more of the following:

FINES AND SUSPENSION

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After notice and an opportunity to be heard, fines and/or suspension of membership privileges may be imposed on property owners in accordance with the Declaration of Covenants.

LEGAL PROCEEDINGS

Proceedings at law may be instituted against property owners. It should be noted that the Calabash Lakes Declaration provide that the prevailing party in any such litigation shall be entitled to attorney’s fees from the other party.

RECORDATION

These design standards were initially adopted by Calabash Lakes Architectural Review Committee on the 19 day of May 2025. As provided in the Declaration and as provided in this document, these Design Standards are subject to amendment by the Committee with the advice and approval of the Board.

CALABASH LAKES HOMEOWNERS ASSOCIATION, INC.,
A North Carolina non-profit corporation

DEFINITIONS

The following words, when used in these Design Guidelines, shall have the meaning as specified:

1. **Accessory Building** - A subordinate building or structure on the same lot or building site, above or below grade, conforming to the same setbacks, color schemes and roof requirements (where applicable) as the main structure, the use of which is incidental to the main residence, and which is used exclusively by the occupants of the main residence.
2. **Approvals and Consents** - Approval, consent, authorization or permission shall mean an approval, consent, authorization or permission in writing.
3. **Architectural Review Committee (or ARC)** - The committee appointed by the Declarant or by the Association to review and approve or disapprove requests for architectural approval, as more fully provided in the Declaration.
4. **Association** - Calabash Lakes Homeowners Association, Inc., a homeowners' association.
5. **Board** - The Board of Directors of Calabash Lakes Association.
6. **Building Permit** - The permit to build, construct, alter, repair or demolish a structure or structures. The building permit is issued by the Department of Building and Safety of the Town of Carolina Shores.
7. **Common Elements** - Any real estate owned or leased by the Association other than a Home.
8. **Community** - Calabash Lakes, the real estate described on Exhibit A attached to the Declaration, as supplemented and amended from time to time, with respect to which a person, by virtue of such person's ownership of a Lot, is obligated to pay for real estate taxes, insurance premiums, maintenance, or improvement of other real estate described in this Declaration.
9. **Declaration** - Calabash Lakes Declaration of Covenants, Conditions and Restrictions (CCRs) and any other recorded instruments, however denominated, that create this Community, including any supplements and amendments to those instruments and also including, but not limited to, plats and maps.
10. **Design Standards** - These Design Standards may be amended from time to time by the Committee with the advice and approval of the Board.
11. **Easements** - The areas of any lot or building site reserved by any Declaration

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of Protective Restrictions, reservation or conveyance to be used for roads, streets, bridle trails, parkways, park area, and for any public or quasi-public utility service or function beneath or above the surface of the ground. An interest in land owned by another that entitles its holder to a specific limited use or enjoyment. Put simply, an easement grants access to property that is not owned by the easement holder.

12. **Existing Improvements** - *All existing exterior improvements, structures, and any appurtenances thereto or components thereof, of every type or kind, and all existing landscaping features, including, but not limited to, buildings, outbuildings, swimming pools, tennis courts, patios, patio covers, awnings, solar collectors, painting or other finish materials on any visible structure, additions, walkways, sprinkler systems, garages, driveways, fences, screening walls, retaining walls, basketball hoops, stairs, decks, hedges, windbreaks, plantings, trees, shrubs, flowers, vegetables, sod, gravel, bark, exterior light fixtures, poles, signs, exterior tanks, and exterior air conditioning, cooling, heating and water softening equipment.*
13. **Front Yard** - *The portion of the yard of your postal mailing address, which faces the street of your mailing address.*
14. **Hardscape** - *Artificial surfaces placed on a lot such as concrete, asphalt-concrete brick or stone, driveways, walks, steps, sports courts, decks (wood or concrete), pool decks or any other coverage not classified as a structure.*
15. **Home** - *A residence that has been built, or is to be built, on property that is in the Community.*
16. **Owner** - *The Declarant, a builder, or other person who owns a Lot (Homeowner), but does not include a person having an interest in a Lot solely as security for an obligation. The Declarant is the owner of each Lot provided for in the Declaration until that Lot is conveyed to another person who may or may not be a Declarant, the Homeowner.*
17. **Parcel** - *Any separate lot, plot of land, or parcel of land, which is contained in the Community, and on which a Home is located or is planned to be constructed or located (or on which more than one Home may be located in the case of property which contains or is planned to contain condominiums, cooperatives or apartments).*
18. **Property line** - *Any recorded boundary of a lot. Please review your lot survey for actual property/lot lines.*
19. **Proposed Improvements** - *Any Improvement which has not yet been constructed, installed or erected, and includes demolition or removal of any building or other structure, and also includes any change of the exterior appearance of a building or other Existing Improvement.*

20. **Setback** – The distance by which a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline (see Brunswick County Development Code). All setbacks within Calabash Lakes are outlined and controlled by the Declaration.
21. **Survey** - Documents showing the boundary lines of a parcel, all applicable easements and existing structures, which is certified by a licensed surveyor.
22. **Utility Lines or Utilities** - All water, sewer, and under-drain pipelines which lie beneath the surface of the ground and also all electric, telephone, gas and other wire lines, with poles and other necessary appurtenances which run above or below the surface of the ground.

2nd Amendment to CC&R's 2013

ARTICLE IX, SECTION SIX is hereby amended to read as follows: ARTICLE IX USE RESTRICTIONS Section Six. Parking of Vehicles and Use of Property. Vehicles shall be parked only in the garages or in the driveways within Lots. No recreational vehicle, camper, travel trailer, motor or mobile home, truck tractor, tractor/trailer, or eighteen-wheeler vehicle shall be parked or stored on any Lot. Public emergency vehicles, such as police and fire cars, are permitted at all times in the Properties. No inoperable vehicles of any kind and no passenger vehicles or other vehicles not currently licensed shall be parked or stored on any driveway. No vehicles of any kind shall be repaired or rebuilt anywhere within a Lot other than within the garage located thereon. The Architectural Control Committee shall have the right to grant variances from the foregoing restrictions in cases of hardship which variance shall be granted upon such terms and conditions and for such duration as the Architectural Control Committee may determine to be appropriate. Variances shall not inure to the benefit of subsequent owners of the Lot. The foregoing restrictions do not apply to the parking of construction vehicles and trailers during construction on the Property so long as such vehicles and trailers are parked in accordance with the Association's construction parking regulations. The Lot shall be used for residential purposes. No garage, outbuilding, or other appurtenant structure shall be used for residential purposes, either temporarily or permanently, nor shall any portion of the Property (except as expressly stated in the preceding sentence be used except for residential purposes and for purposes incidental or necessary thereto. Home offices shall be allowed provided it does not create any traffic other than Owners and Occupants within the Properties. "Residential purposes" means residing in a Lot for any period of time

