

The Bluffs on the Cape Fear Covenant Compliance Guideline Summary

Revised February 2024

The Bluffs on the Cape Fear (Bluffs) has a comprehensive and recorded Declaration of Covenants, Conditions and Restrictions (CC&R's). All lots are subject to these CC&R's, and as such, are applicable to all property owners at the Bluffs. A copy of the CC&R's is given to all property owners prior to closing. Property Owners may also request a copy of the CC&R's at any time. In short, the CC&R's are the rules of the community placed on all properties. The primary goal is to protect, preserve and enhance property values for all owners.

The CC&R's document is very lengthy and includes legal information required to administer the CC&R's. To assist all property owners, the following information is a summary of the most pertinent points that property owners should all be aware of, as it relates to their home & property, roads and common areas.

RIGHTS AND OBLIGATIONS OF THE POA

The Bluffs on the Cape Fear Property Owners Association (POA) is the entity responsible for management, maintenance, operation and control of the common areas, amenities, and all improvements thereon. The POA is the primary entity responsible for enforcement of the CC&R's and such reasonable rules regulating use of the properties. The POA, through the Design Review Board (DRB) is also responsible for administering and enforcing the architectural standards and controls set forth in the CC&R's and in the Design Guidelines. The developer and the DRB have compiled the following Covenant Compliance Guideline Summary.

Below is a bullet point list summary of regulations that are intended to assist all property owners:

GENERAL SUMMARY

1. Each Owner shall maintain his or her Lot, including the house thereon, and all structures, driveway & parking areas, irrigation systems, landscaping & other flora, and all other improvements comprising the Lot. Homeowners are responsible for the overall maintenance and appearance of their property. In the case that the POA has determined that a property has reached the point where it needs cleanup or maintenance, the POA will notify that homeowner and request that specific improvements be made. Should the homeowner fail to make these improvements within the time frame requested by the POA, then the POA can have the work done and the cost of work will be the responsibility of the homeowner.
2. **Any exterior change to a homeowner's property must first be approved by the Design Review Board (DRB) before work can commence.** This includes, but is not limited to changes/additions to the structures, driveways, patios, decks, pools, landscaping, retaining walls, tree removal, fencing, flag poles, accessory structures, etc.
3. If a homeowner makes changes to their property without prior approval of the DRB, it may be required that they undo the changes if it is later rejected by the DRB.

4. Lakeside lots are the same as all other lots in the Bluffs, except for fencing and storage sheds. See notes below regarding fencing and sheds.

EXTERIOR LOT – The following items require written approval from the DRB

5. Most vertical exterior improvements (except fences) must be placed within the building setback limits of the lot. Vertical exterior improvements do not include driveways, sidewalks, patios, and other flatwork. The setbacks are 10 ft on either side and 25 ft on the front and back, except for corner lots and Lakeside lots. Corner lot setbacks vary based on the position of the front of the house. Lakeside lot setbacks are 5 ft & 15 ft on the sides, 15 ft on the front and 25 ft on the rear. Property owners should check with the DRB to determine the position requirement of any improvement prior to placement.
6. All structures located apart from the main residence include, but are not limited to, storage shed, pool house, gazebo, trellis, pavilion, outdoor kitchens, masonry BBQ grille, patio, fire pits, etc.
7. **Storage sheds are not allowed on any lots transferred to new owners after 6/3/22. No storage sheds are allowed on Lakeside lots.** Sheds are limited to a maximum size of 120 square feet (10 ft x 12 ft). Interior wall height must not exceed 8 ft. Only gable roof sheds will be approved, and the roof pitch must be 4/12 or 5/12. No shed, barn style or other roofs are permitted. No roof overhangs, porches, or dormer windows are permitted. **Sheds must consist of the same siding and roof materials as the main residence and must be painted the same color as the siding of the main residence. If there are multiple siding colors and/or roof materials, then the most predominant color or roof material must be used.** Sheds must be placed in the rear yard and shall be no closer to the street than the rear wall of the main residence. All sheds must be setback a minimum of ten (10) feet from the rear and side property lines. DRB will consider, among other things, location, neighbor's views and landscape screening requirements. Sheds and all accessory structures must also comply with applicable governmental building codes.
8. All sports equipment such as basketball goals, trampolines, swing sets, playground equipment, etc. are considered accessory structures. Fencing and/or landscaping may be required to screen the equipment from the street and/or neighbor's view.
9. Flagpoles placed in the yard or on the house are allowed, with the approval of the DRB. Only flags of the United States or North Carolina shall be permitted. All other flags are prohibited. Flags are restricted to a maximum of 4 ft by 6 ft. Flagpoles in the yard may be placed no closer than 30 ft from the road (curb) and must not exceed 20 ft in height.
10. **No signs of any kind are allowed on resident's property, including real estate signs and political signs.**
11. External lighting and fixtures. All outdoor landscape or security lighting should be designed, installed, and maintained so that the source of the light (bulb) cannot be seen off premises from ground level.
12. Generators require approval prior to placement and must be screened from the street and neighbor's view.
13. Changes in landscaping, including tree removal and planting of shrubs or trees. Changes to a lawn, including addition or expansion of natural areas and installation of lawn or landscape bed edging.
14. Any excessive lawn art or porch accessories that can be seen from the street must be approved by the DRB.
15. All fences must be approved by the DRB. Types of approved fences include 4 ft. aluminum picket, wood shadowbox and board-on-board with exposed 6 in x 6 in columns. **Fences are not**

allowed on Lakeside lots. Lots transferred to a new owner after 6/3/22 cannot have wooden fences but are allowed aluminum fences.

16. Garbage cans should not be visible from the street. Property Owners should keep them behind their house or in their garage. If garbage cans are kept on the side of the residence, an enclosure or landscaping must be provided to screen them from view. There are four approved types of screening. Contact the DRB for approved types. All garbage enclosures must be approved by the DRB. Garbage can placement for pickup (Fridays) should be behind the curb in yard or on your driveway. **Do not place cans in the street.**

EXTERIOR HOME – The following items require approval from the DRB

17. Any exterior changes or additions to the home must be approved by the DRB.
18. Addition of storm doors or windows, including hurricane shutters.
19. Awnings or any shade-type attachments.
20. Any exterior painting of a home (including doors) that is a change from the original approved color.
21. Solar panels may be considered if placed on the rear roof of the home and not visible from the street or neighbor.
22. Exterior light bulbs should be incandescent, halogen or LED that produce a white type of light. No colored bulbs are allowed, other than for temporary holiday occasions.
23. Temporary plywood installed over windows and doors for hurricane protection must be removed within seven (7) days after the storm.

ROADS / RIGHT-OF-WAYS

24. The speed limit on all roads within the Bluffs community is 25 MPH.
25. All resident vehicles shall be parked only in the garages or on the driveways serving their respective lots. Resident's visitors can park on the street temporarily during the day. Visitors are also allowed to park overnight at the clubhouse parking lot. Overnight on-street parking is not allowed at any time. Special situations must be approved.
26. Temporary storage units (i.e. pods) used for the purpose of storing/moving furniture are not allowed to be placed on the street. These temporary units must be placed on the resident's property and must be removed after resident move-in.
27. No vehicles of any kind can be parked on unpaved surfaces, which includes resident's property, road shoulders and/or adjoining vacant lots.
28. No vehicles shall be parked on Common Areas other than in authorized parking areas.
29. Overnight parking of resident's recreational vehicles (i.e. mobile homes, campers, boats or other watercraft, trailers, etc.) is not allowed on resident's property or on the street. Parking of these types of vehicles is not allowed on adjoining vacant lots at any time.
30. All vehicular traffic (incl. scooters, motorcycles, golf carts, etc.) on the roads within the community shall be subject to the laws of the State of North Carolina and Brunswick County. Only drivers licensed by the State of North Carolina or by any other state in the U.S., may operate any type of motorized vehicle within the community.

ANIMAL CONTROL

31. Household pets may be kept by residents. Typical pets, such as dogs, must be secured within the resident's property.
32. Additionally, the Bluffs follows the Brunswick County Ordinance, Article IV, Section 3 which states animal owners shall always keep their animals on their property or (while off property) under restraint. Restraint (while off property) means control by chain, leash or like device, or within a vehicle or a secure enclosure. In our case, an animal shall mean a dog. Cats are exempt from this Section.
33. Dog owners should always have waste bags with them and clean up after their pet within the community.

As a general guideline, if there is anything that a homeowner wishes to modify or add to the outside of their home or property, and it is not specifically mentioned in this document, then it should be submitted to the DRB for approval.

PROCEDURES

- All DRB requests for approval should be submitted in writing to poa@thebluffsnc.com.
- You can also contact the POA management office at 910-691-2904 if you have any questions.

The items noted in this document are subject to update and change. Any updates or changes will be distributed to property owners.