



EAST & MASON

**ARCHITECTURAL
AND
SITE DESIGN
GUIDELINES**

February 2023

Site Plan



- VILLAS ON THE LOOP
- WESTPORT COLLECTION
- MASON WALK COLLECTION
- SOUND SIDE RESIDENCES



EAST & MASON

Wilmington, NC

EastAndMason.com

Site plan is an artist's representation and subject to change. Please use recorded map when making homesite selection.

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ARCHITECTURAL AND SITE DESIGN GUIDELINES

1.0 STATEMENT OF PURPOSE & INTENT:

1.1 PURPOSE OF DESIGN GUIDELINES:

The Architectural and Site Design Guidelines for East & Mason (“**Design Guidelines**”) provide an overall framework and comprehensive set of standards and procedures for the development of the community in an orderly and cohesive manner. These standards have been developed to assist in the planning, designing, constructing, landscaping, and modifying of all Dwellings, buildings, and structures or improvements (“**Improvements**”) in East & Mason (the “**Community**”). In addition, the Design Guidelines establish a process for review of all proposed construction and modifications to improvements to ensure that all Lots within the Community are developed with the consistency and quality that attracted you to this development.

1.2 GENERAL NOTE:

These Design Guidelines indicate requirements for all neighborhood sections and future similar neighborhoods as designated by the ARC. Updates, revisions, additions, deletions, variances, etc. may be periodically completed to these Design Guidelines in the future based on specific neighborhood product, specific residential product etc. as East & Mason progresses and grows. The ARC can alter, change, overrule, etc. these Design Guidelines and ARC decisions in accordance with the Declaration. Prior reviews/approvals based on then current Design Guidelines will not be revisited or altered for any current contracted or owned Lots.

1.3 INTENT:

The Architectural Review Committee, which shall be Declarant until the Architectural Review Committee is formed (“ARC”) intends that all structures and other Improvements within the Community be of the highest design quality and be planned and sited to be aesthetically and architecturally harmonious with one another and with the natural features of the land. The ARC is particularly concerned that the Community have a consistent streetscape and quality of design (facade, materials, etc.).

2.0 APPLICABILITY, AUTHORITY & AMENDMENTS:

2.1 APPLICABILITY:

The Design Guidelines shall govern all Dwellings and Improvements within the Community, which are subject to the Declaration of Covenants, Conditions and Restrictions for East & Mason (“**Declaration**”). The ARC may amend, supplement or restate these Design Guidelines at any time. Any capitalized terms used herein but not defined herein shall have the meaning given to such terms in the Declaration.

2.2 AUTHORITY:

The ARC has jurisdiction over all matters relating to construction, architecture and landscaping of new construction and modifications of the Properties, as set forth in the Declaration. While the Design Guidelines are intended to provide a framework for construction and modifications, the Design Guidelines are not all-inclusive. In its review process, the ARC may consider the quality of workmanship and design, harmony of external design with existing structures, and location in relation to surrounding structures, topography, and finish grade elevation, among other things. The ARC reserves the right to reject any submittal, and may disapprove plans, specifications or other materials, for any reason,

including purely aesthetic reasons, which in the sole discretion of the ARC shall be deemed sufficient.

2.3 GOVERNMENTAL PERMITS:

To the extent that the North Carolina State Building Code, City of Wilmington Ordinances, or any other government ordinance, building code, or regulation requires a more restrictive standard than the standards set forth in these Design Guidelines or the Declaration, the government standards shall prevail. To the extent that any government standard is less restrictive, the Declaration and the Design Guidelines (in that order) shall prevail.

2.4 RESPONSIBILITY FOR COMPLIANCE:

It is the responsibility of the Lot Owners to ensure that all Applications for Architectural Review and subsequent construction are in accordance with the applicable zoning requirements, building code requirements, and the requirements of any other laws, regulations, ordinances, and deed restrictions. The ARC does not review submittals for compliance with such requirements. Approval of plans and specifications by the ARC shall not be deemed or construed to mean that Improvements constructed in accordance with such plans will comply with applicable zoning requirements, building code requirements, and the requirements of any other laws, regulations, ordinances, and deed restrictions, as to the structural soundness, quality, durability, suitability, fitness or proper functioning of the Improvements and the ARC disclaims any responsibility or liability with respect to such Improvements.

IF YOU DO NOT UNDERSTAND THIS DISCLAIMER, PLEASE ASK A REPRESENTATIVE OF THE DECLARANT OR HANDSMILL PROPERTY OWNERS ASSOCIATION, INC, TO EXPLAIN IT TO YOU OR CONSULT WITH AN ATTORNEY.

Lot Owners are responsible for complying with all standards and procedures within these Design Guidelines. All activity which occurs on a Lot is governed by the requirements and restrictions set forth in the Declaration, any applicable Supplemental Declaration, the Design Guidelines and any other applicable architectural and landscape guidelines which address restricted and prohibited conduct and activities within the Community.

2.5 AMENDMENTS:

These Design Guidelines may be revised and amended at any time by the ARC, in its sole discretion, as needed to serve the needs of an evolving Community.

3.0 PROCEDURES:

3.1 NEW CONSTRUCTION / BUILDER / PRE-CLOSING SECTION:

The ARC shall enforce the Design Guidelines. Proposed house plans must be submitted to the ARC for final review and approval prior to beginning any permitting, construction and clearing of the Lot. No project construction may be started without formal ARC review and approval.

For **Sound Side**, the Lot Owner shall submit each Lot specific submittal package per the Design Guidelines for ARC review and approval prior to beginning permitting, construction, site clearing, etc.

For **Villas, Westport, and Mason Walk** an initial portfolio of proposed home plans and color schemes must be submitted to the ARC prior to beginning permitting, construction, site-clearing, etc. However, all Design Guideline requirements, diversity requirements for

elevation and colors, additional detailing for highly visible Lots, such as corner Lot/Lots adjacent to common areas, etc. shall be coordinated as required and will also be reviewed on site by the ARC on a periodic basis as construction progresses to conform with monotony requirements. Elevations and color combinations to be submitted with weekly sales/traffic reporting to ARC. ARC will approve color and elevation for monotony. Any non-conforming details, etc. observed and discovered shall be corrected as directed and required by the ARC.

Approval by the ARC does not constitute a representation of warranty as to the quality, fitness, or suitability of the design or materials specified in the plans or approval of any local, state or national building / safety codes or ordinances. It is the applicant's sole responsibility to provide safe construction practices and meet all relevant local, state and national building / safety codes and ordinances as related to each specific construction project including but not limited to verification of setbacks, utilities, existing site features, etc. The ARC shall not be held liable for any injury, damages, or loss arising out of the manner or quality or safety of construction or any modification to a home site.

The ARC shall also monitor the construction process to ensure conformance with the approved ARC plan submittals. Any non-conformance may involve special assessments as described in the Declaration and as directed otherwise by Declarant. Failure to comply with ARC requirements and approved plans and elevations, etc. may result in the required removal of any non-conforming construction, detailing, colors, etc. at the Lot Owner's expense. The ARC reserves the right to enter any and all properties within the development for inspection purposes.

All ARC submittals, proposals, questions, and scheduling requests for ARC reviews and appointments shall be submitted to the ARC via email (preferred), by mail or in person to the East & Mason ARC Representative, Premier Management, PO Box 12051, Wilmington, NC 28405, 910-679-3012 ext. 718, ARC@premiermanagementnc.com. ARC reviews and meeting appointments will be scheduled on an as needed basis and a first-come first-served basis.

Submittals for **Sound Side** shall be two sets of 24" x 36", one-side only format. All plans should be professionally drafted to accurately reflect the intent of the home. All submittals shall include the ARC Submittal Checklist (In Appendix), site plan, grading plan, landscape plan (generic landscape plan acceptable), floor plans, elevations (front, sides and rear), color proposals (Form in Appendix) and any alternate / special details (i.e. handrails, columns, etc.) and product and material cut sheets. Plans and details must be drawn to scale.

Submittals for **Villas, Westport, and Mason Walk** shall be submitted as an initial plan and elevation portfolio. The submittal shall include but not be limited to: site plan, landscape plan (generic landscape plan acceptable), floor plans, elevations (front, sides and rear), and color proposals.

Submittals not meeting these minimum requirements will be returned for completion prior to ARC review. The ARC may require Lot specific submittals for certain circumstances and if diversity of elevations and colors are not being followed.

The ARC will review each proposal (as marked up on the original ARC Submittal package) and determine if the proposal is either “Approved”, “Approved as noted”, “Not approved” or “Re-submit”. “Approved” and “Approved as noted” submittals may continue into permitting and construction with the understanding that all ARC comments and directives are to be completed. “Not approved” and “Re-submit” directives shall be re-submitted to the ARC for ARC review and approval prior to proceeding with permitting and construction.

ARC reviews will be completed within the requirements of the Design Guidelines. Documentation supporting ARC reviews and approvals shall be retained in the ARC permanent files and distributed to the applicant via email and / or fax.

Copies of the submittal comments and directives will be forwarded to other parties as authorized in writing by the applicant.

3.2 LOT OWNER / ALTERATIONS AND ADDITIONS SECTION:

The ARC Alterations and Additions Submittal Checklist (In Appendix) must be submitted to the ARC for review and approval of all exterior changes or additions to your property prior to proceeding with permitting or construction. The list of changes, alterations or additions includes, but is not limited to the following: Any addition to an existing dwelling (room additions, garages, etc.), exterior color revisions, fencing, landscaping projects (other than typical maintenance of original existing landscaping / beds and removal of dead trees / growth, etc.), hard scape projects (fish ponds, fountains, yard art, abbey, trellises, etc.), decks, porches, screened porches, patios, awnings, play equipment (other than typical mobile play equipment and toys not to remain outside of dwellings after specific use), dog houses, retaining walls, storage sheds, playhouses, satellite TV dishes, boat docks / piers / houses, lake edge improvements, garbage and recycling containment areas, fire pits, outdoor kitchens, etc.

The Application submittal should include the following as required to communicate the scope of the proposed new construction: ARC Alterations and Additions Submittal Checklist, site plan (indicating the location of the proposed alteration or addition, existing building(s), property lines, setbacks, etc.), detailed construction drawings to scale (including a full view of the addition, with all exterior elevations, as it will look attached to the existing structure. A view of the entire structure is necessary to help determine balance.), drawings or photographs (as needed / showing the existing conditions before the proposed changes), samples of colors and materials (if different from existing building), landscape plan and plant schedule (if applicable or required), perspective drawings of complex projects (as determined by the ARC), etc. Concept drawings or preliminary plans may be submitted to the ARC for review, comment and approval to proceed before more detailed plans and the final ARC Submittal are completed. All submittals shall be one copy, 8-1/2” x 11”, one-side only format.

The ARC will review each proposal (as marked up on the original ARC Submittal package) and determine if the proposal is either “Approved”, “Approved as noted”, “Not approved” or “Re-submit”. “Approved” and “Approved as noted” submittals may continue into permitting and construction with the understanding that all ARC comments and directives are to be completed. “Not approved” and “Re-submit” directives shall be re-submitted to the ARC for ARC review and approval prior to proceeding with permitting and construction.

AARC reviews will be completed within the requirements of the Design Guidelines. Documentation supporting ARC reviews and approvals shall be retained in the ARC permanent files and distributed to the applicant via email and / or fax.

No project permitting or construction may be started without formal ARC review and approval. It is the sole responsibility of the applicant to ensure complete compliance with all relevant building and safety practices, code permits, licensing requirements, etc. as noted in previous section.

Failure to comply with ARC requirements and approved plans and elevations, etc. may result in the required removal of any non-conforming construction, detailing, colors, etc. at Owner's cost.

Major additions often have an impact on neighboring property. Plans must be well thought out to minimize any adverse impact on neighboring properties. Changes in grade or drainage must not adversely affect adjacent properties. Applicants should consult with neighbors during the design of such additions and site improvements.

The design must be compatible in scale, massing, character, materials, and color with the original house. New windows and doors should match and be located to relate well with existing windows. The roof pitch should match the original roof.

Additions should be located to minimize the removal of trees, landscaping and the destruction of natural areas. The ARC may require supplemental landscape treatment to compensate for the removal of vegetation, or to soften the addition visually.

3.3 CONSTRUCTION-ESCROW DEPOSIT.

At the discretion of the ARC, each Lot Owner in **Sound Side** may be required to post a refundable construction performance deposit of \$2,500 before receiving approval for construction. This construction escrow deposit may be used by the ARC to reimburse the ARC for the Lot Owner's share of street cleaning cost during construction and to pay the cost of enforcing any of the Lot Owner's obligations under these Design Guidelines or the Declaration including, but not limited to:

- Cost of repairs for damage to the roadway or Common Areas;
- Cost of restoring or replacing any trees, vegetation, or other natural features removed, altered or destroyed;
- Cost of restoring or replacing removed, altered, or damaged landscaping;
- Cost of repairs for damage to street markers, signs, street lights, sidewalks, curbs, drainage inlets, or walking trails;
- Maintenance of existing erosion control measures;
- Placement of additional erosion control measures to correct deficiencies;
- General Lot clean up and trash/debris removal;
- Contractor/subcontractor misconduct; and/or

The Lot Owner will have five (5) business days from the date of notice to complete the work required to correct the problem. If not completed within the specified period, the ARC may have the work completed to satisfy the requirements of the notice and deduct the cost from the construction escrow deposit. In the event the balance of the construction escrow deposit falls below \$250.00, the ARC will notify the Lot Owner to immediately restore the account balance to at least \$500.00.

The balance in the construction escrow account will be released when the Lot Owner receives final completion approval from the ARC.

3.4 REVIEW PERIOD:

Properly completed Applications, complete with all required submittals, deposits, and dues, will be reviewed and a written response issued, within thirty (30) calendar days of receipt. A letter from the Association will be sent to the Applicant stating the submittal status is one of the following:

- “Approved” - The entire submittal is approved as submitted.
- “Approved as Noted”. The submittal is approved as submitted with the ARC's suggestions for curing objectionable features or segments noted. If Applicant takes exception to any or all comments, they must correct the submittal and plan's objectionable features/segments and resubmit in order to receive final ARC approval prior to commencing the construction or alteration. No reply presumes all ARC comments will be coordinated and completed in field as required. Failure to do so will require revision to such as required at Applicant's total responsibility and cost.
- “Not Approved” and or “Resubmit”. The submittal in whole or part is rejected as noted. The ARC will provide comments and the Applicant shall resubmit submittal and / or specific issues noted for final ARC review and approval prior to proceeding with construction.

3.5 SUBMITTALS RETAINED:

All approved submittal items will be retained by the Association for inspection and record purposes.

3.6 VARIANCES:

Variations may be granted in some circumstances including, but not limited to, odd shaped Lots or parcels, topography, natural obstructions, hardship, or environmental considerations. All variance requests must be submitted in writing as an attachment to the Architectural Review Application (In Appendix). The applicant must state the reason for the request and propose mitigation of the variance. The ARC shall have the power in its sole discretion to grant a variance from strict compliance in such circumstances, so long as the variance does not result in a material violation of the Declaration or governmental regulations. No variance shall be effective unless in writing and signed by a representative of the ARC.

NOTE: The review and approval of plans and specifications shall not be a substitute for compliance with the permitting and approval requirements of City of Wilmington or other governmental authorities. It is the responsibility of the Lot Owners to obtain all necessary permits and approvals.

3.7 IMPLEMENTATION OF APPROVED PLANS:

All work must conform to approved plans. If it is determined by the ARC or the Declarant that work completed or in progress on any site/parcel is not in compliance with these Design Guidelines or any approval issued by the ARC, the ARC shall notify the Lot Owner in writing of such noncompliance, specifying in reasonable detail the particulars of noncompliance, and shall reserve the right to require the Lot Owner to remedy the same. If the Lot Owner fails to remedy such noncompliance or fails to commence and continue diligently toward achieving compliance within the time period stated in the notice, then such noncompliance shall be in violation of the Declaration and these Design Guidelines and subject to fines.

3.8 PRECONSTRUCTION INSPECTION (Sound Side):

Prior to commencement of clearing, grading or construction, the Lot Owner shall: stake-off the location of the home site and driveway; clearly mark all areas to be cleared, including

flagging all trees to be removed that are larger than six inches (6”) in diameter, as measured four and one half feet from its base, for inspection/approval by the ARC Representative (call to schedule the inspection). Allow a minimum five (5) business days’ notice.

3.9 TIME TO COMPLETE (Sound Side):

If no maximum time period is specified in the approval or any other agreement, construction of the the Dwelling or Improvements shall commence no later than 180 days after lot purchase and be completed within one (1) year of receiving building permit. The Applicant may request an extension of such maximum time period not less than thirty days prior to the expiration of the maximum time period, which the ARC may approve or disapprove, at its sole discretion.

If construction of the exterior is not completed on a project within the period set forth in the approval or within one year, or within any extension approved by the ARC, the approval shall be deemed withdrawn, and the incomplete construction shall be deemed to be in violation of the Declaration and these Design Guidelines.

3.10 CHANGE AFTER APPROVAL:

All proposed changes to structures, including changes that affect the exterior of any building, colors, windows, doors, grading, paving, utilities, landscaping, or signage, made after the final approval of plans must be submitted to and approved in writing by the ARC prior to implementation. Close cooperation and coordination between the Applicant and the ARC will ensure that changes are approved in a timely manner. If Wilmington or any other authority having jurisdiction requires that changes be made to final construction plans previously approved by the ARC, the Applicant must notify the ARC of such changes and receive approval from the ARC prior to implementing such changes.

3.11 REVIEW OF MODIFICATIONS:

The review of modifications to existing Dwellings (occupied after issuance of a Certificate of Occupancy or Certificate of Completion) shall require the submission of a Design Review Application (ARC Alterations and Additions Submittal Form in Appendix) to the ARC. Depending on the scope of the modification, the ARC may require the submission of all or some of the required submittals listed. The review and approval of modifications shall take place within the same time periods as required for new construction. Modifications must be scheduled and completed in a time agreed upon by the ARC.

4.0 SITE REQUIREMENTS:

4.1 CONSTRUCTION ENTRANCE:

The Lot Owner is responsible for placing and maintaining a rock/gravel construction entrance 12' wide x 10' long. A minimum of 6” coarse aggregate (2-3”) minimum must be provided to facilitate the delivery and distribution of materials from the paved street to a central staging area on the subject Lot. No materials of any nature are to be unloaded or stored in the road. This driveway is to be used before and during construction to minimize damage to the roads and road shoulders caused by the repeated parking of vehicles, heavy equipment and trucks. The construction entrance must be maintained in a condition which will prevent tracking or direct flow of mud onto the roadway. Periodic top dressing will be required.

4.2 CONSTRUCTION FENCING:

Before beginning construction, construction silt fencing, minimum 36” wide, must be installed along the edge of the street pavement, across the entire width of the Lot in front of the home

site to prevent the parking of vehicles on the road shoulders. If the Lot Owner does not install such fencing prior to the beginning of construction, then the Declarant will install the fencing and bill the Lot Owner in the amount of \$1,000.00 or take this amount from the Construction Escrow Deposit. This fencing must be maintained throughout the construction period. Silt fencing removal must occur within 30 days of initial occupancy.

4.3 DUMPSTER:

A commercial dumpster or temporary construction debris and trash containment area or bin is required on site to keep a neat and clean construction site. At the end of each work day all construction materials must be stored neatly and trash placed in the dumpster or single location designated construction debris and trash area or bin. Fabricated wood or wire bins are permitted. The Lot Owner is encouraged to use the services of a disposal company that is environmentally friendly by using recycling and composting techniques.

4.4 DRAINAGE:

Water runoff for each individual building site must be handled by adequately sloping all areas so that runoff is directed to storm drainage facilities of each Lot Owner.

4.5 FIRES:

Fires and burning are not permitted on Lots under any circumstances.

4.6 MATERIAL STORAGE:

All construction materials must be kept within the property lines and street rights-of-way must be kept open for vehicular access to all sites. Temporary storage structures must receive approval by the ARC prior to their use. Storage structures may not be used as living or office quarters.

4.7 SETBACKS:

All homes must meet the minimum setback requirements from property lines as set forth in the Declaration, recorded plat, deed restrictions and governmental regulations and are subject to public utility easements, drainage easements, trail system easements, landscape easements and rights-of-way.

The ARC reserves the right to require alternate setbacks, to be determined at time of the ARC review, in order to preserve particular view corridors, or to account for unusual topography, natural site features, or other extenuating circumstances.

4.8 SEDIMENT CONTROL:

Sufficient sediment control measures, including, but not limited to, installation and maintenance of silt fences, straw bale fences, storm water inlet protection and temporary seeding, to the extent deemed reasonably necessary by Declarant or the ARC, shall be taken by the Lot Owner to ensure that all sediment resulting from any land disturbance or construction operation is retained on the Lot in question. All sediment control measures must be maintained and shall meet all governmental requirements until such Lot has been permanently stabilized with respect to soil erosion. In the event that after the ARC has notified the Lot Owner, and the sediment issues have not been resolved within five days of notification, the ARC reserves the right to maintain or install sediment controls on the Lot and charge the Lot Owner all related costs.

4.9 TREE REMOVAL:

Except to the extent necessary to install a driveway and dwelling foundation, trees with a caliper of 3 inches or more may not be removed from any Lot without the prior written approval of the ARC.

4.10 VEGETATION PROTECTION:

All existing trees or other vegetation shown on the plans, or required by the ARC, to be preserved must be left undisturbed during construction. Prior to beginning construction the Lot Owner must erect wire or plastic environmental barriers, or protective fencing to protect these natural areas. It will be the financial responsibility of the applicant to mitigate or restore any disturbed areas and to keep the barriers in good repair during construction.

4.11 WASHOUT AND CLEANING:

Washout of concrete delivery trucks, or the washout, cleaning or dumping of any equipment containers used by masons, plasterers, painters, dry-wallers or any other construction trades must be contained within a designated area. Washout or cleaning residue must not be allowed to run off of the Lot or specified area, or to be otherwise dumped or deposited upon any wash, drainage way, Waterfront and Natural Areas, Easement, adjacent Lot, street or Common Area. Excess concrete left over after delivery should be considered on the same basis as any other construction debris, and treated appropriate to avoid being an unsightly element on the Lot or specified area.

The Lot Owner is responsible for the construction on the Lot and will be required to promptly restore to undamaged state, any damaged area outside of the Lot. Should the Lot Owner for any reason, fail to repair any damage, the ARC will cause the remedial work to be taken by others at the expense of the Lot Owner.

5.0 BUILDING REQUIREMENTS:

5.1 ARCHITECTURAL STANDARDS:

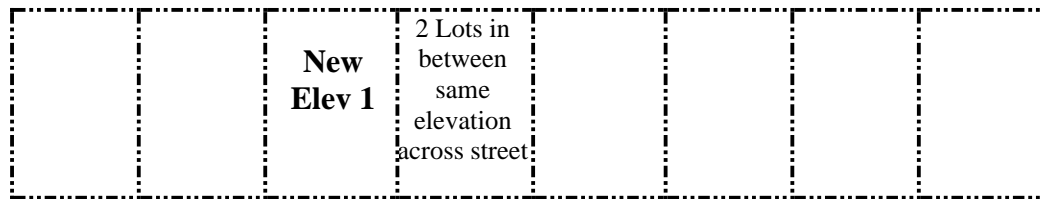
The exteriors of all Improvements must be designed to be compatible with the natural site features and landscaping of the Dwelling/building and to be in harmony with their surroundings. The landforms, the natural contours, local climate, vegetation, and views should dictate the building location, the building form, and the architectural style. The ARC may disapprove plans if in its judgment the massing, architectural style, roofline, exterior materials, colors or other features of the building do not meet these standards. No type of modular, manufactured or mobile home construction shall be permitted.

Architectural diversity and correctness is very important to the Community. Local and regional historically traditional compatible architectural styles including but not limited to styles such as Colonial Revival, Craftsman, Georgian, Federal, Coastal, English Revival / Cottage, Shingle Style, Charleston, Savannah, French Country, English Country, Neo-classical, etc. are recommended. Variances on specific architectural details relative to these vernaculars may be considered on a case by case basis. This detailing along with other acceptable traditional / regional style architectural styles helps achieve the diversity and classic neighborhood features which are the highest priority at the Community. Only homes which embody such local and regional American architectural styling will be approved. Contemporary and / or modern architecture may be considered, considered on a case by case basis. Each house style proposal will be reviewed and approved by the ARC on its own specific architectural style merits and details. Past / existing house approvals shall not indicate likelihood of future ARC approvals based on these Guidelines.

Corner Lots and other highly visible Lots as determined by the ARC (i.e. Lots adjacent the main entrances to individual neighborhood sections, adjacent the main amenity, commons areas, etc.) shall also require additional detailing, windows, materials to match front elevation, etc. due to such Lots' importance (all neighborhood sections). Corner Lots shall also require additional landscaping as determined by the ARC on a case by case basis.

Streetscape Diversity: (Excluding The Villas) The same elevations (or similar elevation as determined by the ARC) and color schemes will not be approved to be built within 3 Lots on the same side of street or same distance opposite side of street (i.e. 2 houses separating the same elevation, note that the street will be considered as a Lot when determining diversity for houses across street from same elevation). Corner lots may be subject to additional requirements.

Diversity for houses same side of street as well as across street:



S T R E E T (counts as a Lot when determining same elevation across street)



Houses that back up to each other are not subject to this requirement.

5.2 EXTERIOR COLORS:

Lot Owners must submit for approval color samples of all exterior surfaces to the ARC for review and approval. The same main body color (or similar color as determined by the ARC) will not be approved within 3 Lots on the same side of street or same distance opposite side of street (i.e. 2 houses separating the same elevation, note that the street will be considered as a Lot when determining diversity for houses across the street from same elevation). Houses that back up to each other are not subject to this requirement. Corner lots may be subject to additional requirements.

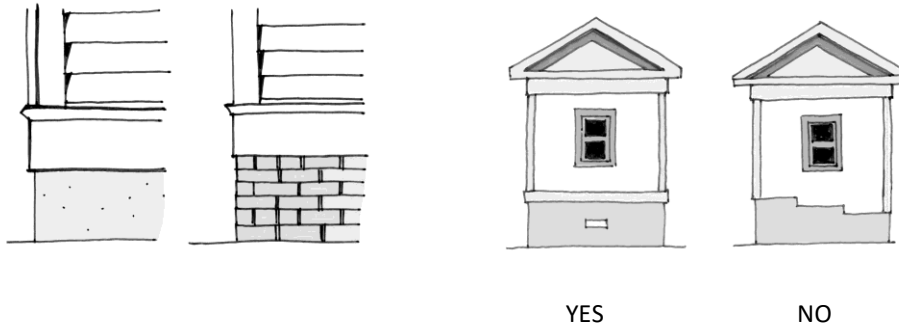
5.3 FOUNDATIONS AND FINISHED FLOOR ELEVATION: (Excluding the Villas)

All Dwellings shall be constructed with a minimum dimension of 6" from finished grade to the first floor.

All foundations sixteen (16) inches above grade shall be finished with brick, stone, parging, tabby, or ARC-approved veneer. Exposed concrete or concrete block foundation walls are allowed on foundations under 16", only if covered with a parge coating which hides mortar joint lines. Additional landscaping may be required to screen parge coated foundation walls.

Decorative block must be in keeping with the architectural character of the house and be approved by the ARC.

EXAMPLES OF MASONRY BASE WITH SUBSTANTIAL FLOOR BAND



5.4 EXTERIOR WALL TREATMENTS:

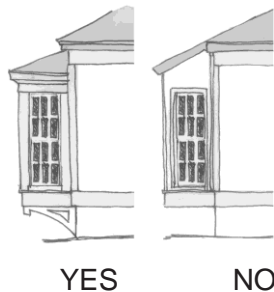
The materials listed below are acceptable exterior wall treatments for vertical and horizontal surfaces. When used in combination, transitions from one material to another shall be made in an aesthetically sensitive manner such that the appearance and style of the Dwelling is consistent on all sides.

- Traditional portland and cement stucco in muted colors, natural, tinted or painted. Synthetic stucco is prohibited.
- Cast stone, stone or brick veneer.
- Wood, wood composite material, or fiber cement horizontal siding. Vinyl siding is not allowed.
- Anodized, copper or paint finishes are required on all metal surfaces including windows, flashing, drips, and caps, in colors matching the approved trim colors.
- Soffits may be of wood, stucco, cementitious materials or aluminum.
- Gutters and downspouts shall be used at all eave lines unless deemed inappropriate and should be either aluminum or copper. Galvanized material is NOT permitted.

5.5 ROOFING AND ROOF SLOPE:

Roof pitches and overhangs shall be designed for compatibility with adjacent roof profiles in front, side, and rear elevation, and may vary as dictated by architectural design. A main body minimum roof pitch of 6 in 12 slope is required; however, accent roofs (i.e. porches, shed dormers, etc.) may be a minimum of 2.5 in 12 slope (flat roofs allowed on smaller stoops and accent areas as relative to architectural style of home), but must be consistent with historical reference and architectural style of the home. All overhangs shall be a minimum of 12” wide. Acceptable roof materials are: natural or synthetic slate, copper, metal, dimensional asphalt shingles, standing seam metal, clay or concrete tile in a barrel, flat or “S” profile.

Bay roofs shall be auxiliary forms, not an extension of the main roof.



5.6 ROOF ACCESSORIES AND EQUIPMENT:

ARC approval is required for all rooftop equipment and accessories. All rooftop equipment must match roofing colors or be a color that complements the Dwelling and must be placed as inconspicuously as possible. No exposed attachment straps will be allowed.

5.7 WINDOWS, DOORS, AND TRIM:

Windows should be clear glass or a tinted glass gray or smoke colors. Samples must be submitted for gray and smoke glass colors for approval by the ARC. Screen enclosures shall match exterior trim color.

Window screen fabric must be dark bronze or charcoal color. The ARC must approve security treatments for doors and windows; however, no “burglar bars,” steel or wrought iron bars, or similar fixtures shall be installed on the exterior of any windows or doors of any Dwelling. Note that window frame and sash colors shall be coordinated with the proposed trim color. Other window / sash colors will only be considered by the ARC on a case by case basis and as coordinated with proposed houses colors.

Note that shutters should only be located on single windows typically and only on other windows as proportioned to cover the window as if operable (i.e. oversized on double windows larger than the single window sized shutters). Shutters are not allowed on triple or more window widths / locations. Composite (not vinyl) or wood material shutters may be used.

Window jamb trim shall be nominal four (4) inches wide and included on all front and side elevations. Decorative trim is encouraged. Jamb trim is not required where windows are placed within a brick or similar façade.

Non-shuttered windows visible from the street should have a more decorative head and sill treatment. Simpler trim is permitted with shuttered windows.

Shutters are encouraged on house facades visible from the street. Shutter materials must be wood or solid PVC and should be proportioned to cover the window individually or in pairs when closed. Shutters may be louvered or paneled in design and must be attached to the house using appropriate holdback hardware. (not required to be operable).

5.8 SCREEN / STORM DOORS:

Screening is not allowed at the garage doors and ARC approval is required for all other screen door applications. Screen door design and color must match and be generally accepted as complementary to that of the actual entry doors of the Dwelling. Front screen doors must be single pane.

5.9 VENTS:

Plumbing vents, mechanical vents and fans, turbine type attic vents and other similar types of vents must be painted to match the roof/wall. Fireplace vents are not required to be painted. No vents shall be located on the front elevation.

5.10 SKYLIGHTS:

Skylights must be painted to match roof color and not located on the front elevation or visible from street.

5.11 DORMERS:

Dormer windows in single or paired configurations are encouraged. Dormers may have gabled, hipped or shed roofs. Trim should be in keeping with the overall character and detailing of the home.

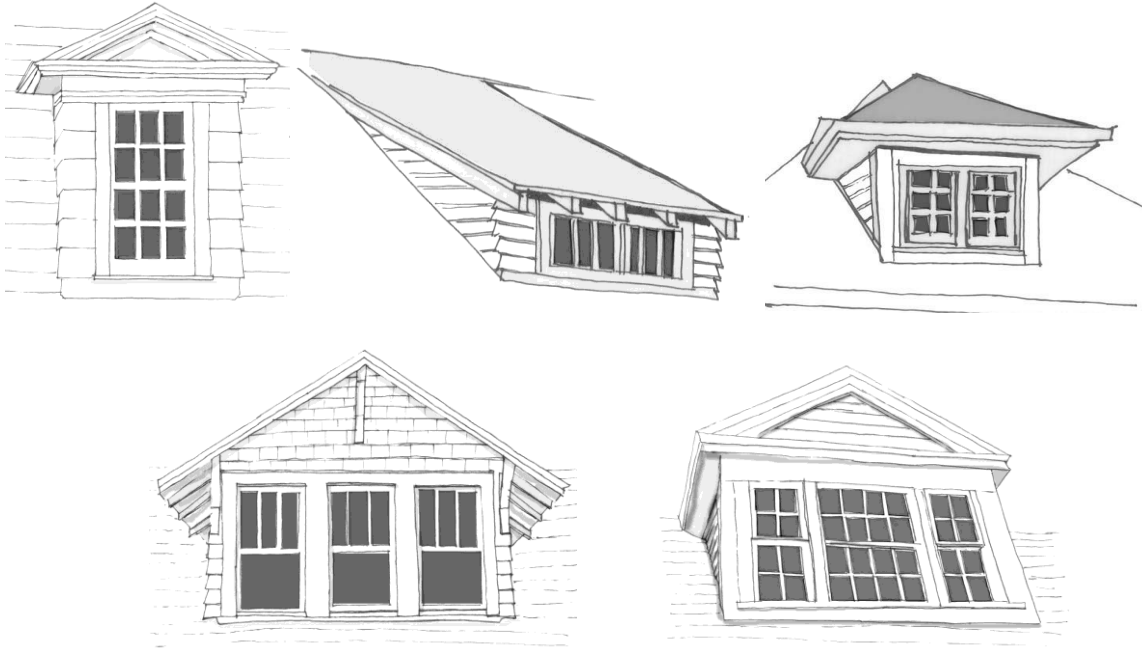
Dormer and windows should be correctly proportioned so that the window fills the dormer face.

The dormer roof should also be proportional, not oversized.

Dormer styles should match the architectural style of the house.

Bay window roofs may be copper, prefinished metal, asphalt or fiberglass shingles.

ACCEPTABLE DORMERS STYLES



UNACCEPTABLE DORMER STYLE

Excessive use of siding on face of dormer with no window trim.

Dormer roof must have roof overhang comparable the rest of the home.



5.12 HVAC UNITS:

HVAC units should be located to minimize the transmission of noise to adjacent properties. Window air conditioning units and through-wall units are not permitted.

5.13 AWNINGS & OVERHANGS:

The installation of awnings or overhangs requires ARC approval. The awning or overhang color must be the same as or generally recognized as complementary to the exterior of the Dwelling.

5.14 GLASS BLOCK:

Glass block on the exterior of a Dwelling shall be subject to the ARC approval. Glass block shall not be visible from the main street (i.e. not allowed on front elevations and not suggested on street side elevations of corner Lots) or be a dominant feature for the Dwelling or elevation. All glass block located on the Dwelling shall be treated similar to windows with banding and/or architectural trim. Glass block locations should also provide either a privacy wall and / or sufficient landscaping that simulates a wall to diminish the impact on the elevation.

5.15 PORCHES / SCREEN PORCHES / PATIOS & OTHER ENCLOSURES:

Full architectural details are required for all decks and patios. Detailing of all patios and decks must be architecturally compatible with the home. Patios and decks shall be designed to appear as an extension of the house, using similar materials, colors and details. Rails, pickets and underpinning must be painted or stained to complement the trim of the house. Enclosed patios shall be constructed of materials that are similar to or generally accepted as complementary to those of the residence.

Porch screening colors shall complement and blend with the house. No mill-finish aluminum will be allowed as fanning for a porch.

All houses are encouraged to have a front porch or covered entry stoop. Decks, patios and screened porches are encouraged off the rear of the house.

Porches shall have a minimum front projection of 5 feet. Wrap-around porches may have a narrower side projection but in no case less than 5 feet. Porch floor treatments may include wood or composite decking, brick, brick edged and divided concrete, stone or tile.

Railings may be constructed of wood, composite material (no vinyl) or metal (sample may be required).

5.16 GARAGES: (Excluding Mason Walk)

All Dwellings shall have a fully enclosed garage designed to accommodate at least two vehicles when garage doors are in the closed position. Such garages shall be compatible with and complementary to the main Dwelling in architectural style, material, color. Carports are only allowed on a case-by-case basis and where compatible with the architectural detailing of the house. Front loaded garages are permitted.

Projecting front load garages are not recommended, however, will be reviewed only on a case-by-case basis. Such approved projecting front load garages shall not project more than 8' in front of main body of the house or maximum 14' if in front of a minimum 6' deep front porch element.

Garages on corner Lots shall not face the main collection road. The garage and specifically the garage door(s) shall not be the focus of the main front façade. Front load garages or street facing corner Lot garages with double width doors shall also have upper panel glass on a minimum of 50% of all garage doors within Westport, Villas on the Loop and Sound Side. Side load garages may have solid double width garage doors (glass upper panels recommended). Garage color should match or compliment the house trim as defined in Section 5.8.

Additional enhancements such as trellis, roof overhangs, etc. may also be required on projecting front load garage conditions as determined by the ARC. Three car front load garages are allowed, however, on a case-by-case basis and the third car shall be set back from the main two car garage a minimum of 2' and shall require additional garage door and architectural enhancements as previously noted.

5.17 GUTTERS:

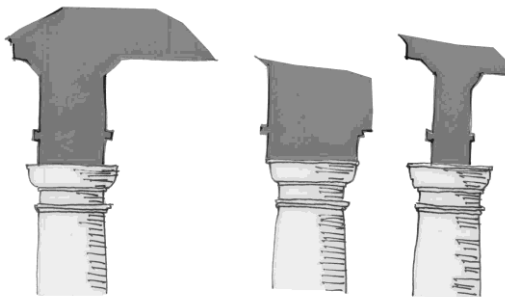
If gutters and downspouts are used, gutters must be of a material and color that complements the materials and colors of the home's exterior. Downspout locations should be coordinated with the building elevations (i.e. located in corners, not protruding from walls).

5.18 RAILINGS AND COLUMNS:

Porch columns should be architecturally correct and proportioned to the house. (A minimum of 8 inches square or 8 inches in diameter is recommended.)

Railings shall consist of round, decorative or square balusters with appropriate horizontal cap and bottom rails. Intermediate or end railing posts or piers should utilize decorative newel ball caps and moldings.

All support posts must be a minimum cross-sectional size of 6 x 6 inches nominal or greater in proportion to height of deck. All metal posts must be boxed in wood or other approved materials. Views to underside of deck must be screened as described in decks and porches section above.



YES

NO

Both faces of the beam or architrave should align with the top of the column shaft, regardless of column style.

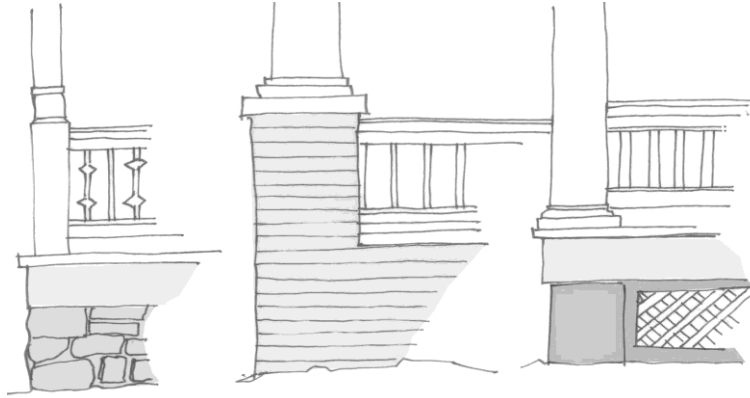
Rules governing column styles should be derived from the overall architectural style of the house.

The column base should not project more than the line of the foundation below.

5.19 TYPICAL PORCH FOUNDATIONS

Railings should have a top cap, both top and bottom rails, with the bottom rails clearing the floor, and balusters or pickets spanning between.

The area underneath the porch shall be enclosed with masonry, wood boards, or lattice.



A VARIETY OF PORCH BASES DEPENDENT ON ARCHITECTURAL STYLE

5.20 LIGHTING:

All exterior lighting must be approved by the ARC. Fixtures should enhance the design of the house, lot and community. Light source shall not create a nuisance or emit glare directly to streets and adjacent properties. Soffit mounted spotlights are allowed only at the back of the house and all light shall be directed downward as to not affect neighboring homes.

All landscape lighting improvements must be approved by the ARC prior to installation. Up lighting of the front residence façade, trees, and other landscape features is acceptable. Fixtures shall be selected to compliment the residence and limit visibility of the fixture and light source. Direct glare to adjacent lots, streets or other adjacent uses is not acceptable. Lighting of designated street trees is discouraged. Above ground pathway lighting may be placed along walks within planting beds. These lights shall fall below the 4,000 Kelvin Temperature Scale. Path lights along drives or within turf areas in the front yard is not acceptable. Inexpensive solar “kit” lights and similar are not allowed. The ARC may require removal of any landscape lighting that is damaged, inoperative, or otherwise not maintained as determined by the ARC. No stand-alone street-type light poles are permitted in back yards.

5.21 ADDITIONS, MODIFICATIONS & EXPANSIONS:

Any addition, modification, expansion or similar alteration, including changes to the color scheme, of a previously approved Dwelling, whether before or after the initial construction, is subject to the requirements of these Design Guidelines and must be submitted to the ARC for approval.

5.22 HOUSE IDENTIFICATION NUMBERS:

House identification numbers shall compliment the architectural style of the home and shall be approved by the ARC.

5.23 DRIVEWAYS/WALKWAYS:

Driveways must be constructed of concrete, brick, stamped tinted concrete, pavers made of cast concrete, or pavers made from natural materials. Tinted concrete with a broom finish may be used, subject to approval of the ARC, when combined with aprons, borders, patterns, or accents made of brick, stamped tinted concrete, or pavers. Asphalt driveways are prohibited. Driveways shall be constructed and maintained in accordance with the rules,

regulations, and specifications approved by the ARC and all requirements of the NC Department of Transportation.

Walkways or patio areas must be constructed of concrete (tinted allowed), brick, flagstone, stepping-stones, or pavers made of cast concrete, or pavers made from natural materials. Walkways or patio materials shall be selected to match the appearance and style of the Dwelling.

5.24 EXTERIOR LIGHTING:

ARC approval is not required for exterior lighting if lighting is installed in accordance with the following guidelines: Exterior lights shall be conservative in design and as small in size as is reasonably practical. Exterior lighting shall be directed toward the house and be of low wattage (limited to 2,000 lumens) to minimize glare sources to neighbors and other homeowners. Lighting for walkways generally must be directed toward the ground.

Lighting fixtures shall be dark colored to be less obtrusive, Low voltage (12 volts) lighting is preferable to conventional house-voltage systems because of its safety advantages. Any deviation from the aforementioned guidelines or use of high-wattage spotlights, floodlights, or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, etc.) requires ARC approval. The ARC may take into consideration the visibility and style of the fixture and on the home. Light fixtures must complement the architectural style of the Community and the specific home and landscaping.

Lighting of walls can be achieved by use of eave or ground recessed fixtures. Landscape lighting should be concealed where possible by ground recessing or placing in shrub beds. Colored lights are prohibited, except as temporary holiday decorations. Post mounted light fixtures will be considered on an individual basis. Spillover of light on to neighboring property shall be avoided and lights shall be shielded where necessary.

COMMUNITY REQUIREMENTS

5.1 FLAGPOLES:

Yard-mounted flagpoles are not encouraged on any portion of the Properties, except for flags and flag poles installed by or for the Association at amenity sites.

Lot Owners may periodically attach one National flag for special occasions, not to exceed 4' x 6', to their house or garage without the approval of the ARC. No other flags are allowed.

5.2 FOUNTAINS:

ARC approval is required for all fountains regardless of location.

5.3 HOT TUBS AND SAUNAS:

A hot tub, Jacuzzi, sauna or spa of a maximum size of 8 foot by 8 foot may be permitted with the approval of the Architectural Review Committee on any Lot, but must be located in the rear yard space of the Lot in a location that is not visible from the street (including from a side street if the Lot is located on a corner). In addition, the hot tub, Jacuzzi, sauna or spa must be an integral part of the deck or patio area and rear yard landscaping. In addition to other grounds for denial, the Architectural Review Committee may deny installation if, in the sole discretion of the Architectural Review Committee, the hot tub, Jacuzzi, sauna or spa cannot be adequately screened from neighboring Lots and/or creates an unreasonable level of noise for adjacent Lots. All mechanical equipment necessary for the operation of any hot tub, Jacuzzi, sauna or spa must be located in the rear yard and shall be screened from the street and

neighboring Lots by a fence, wall, or landscaping, such screening to be approved by the Architectural Review Committee. Lot Owners may be required to install safety features such as locks or covers for these items when such are not in use. Hot tubs, Jacuzzis, saunas or spas should be set back at least 10 feet from the nearest property line; however, the Architectural Review Committee may issue a variance where such setback is not feasible.

Applications for hot tubs, Jacuzzis, saunas, and spas shall be accompanied by a screen or fence plan and a plot of the property with the Improvements indicated thereon and evidencing compliance with the above criteria.

5.4 POOLS:

No in-ground pools are allowed on Townhome Lots. In-ground pools may be permitted on Single Family Detached Lots with the approval of the Architectural Review Committee, but only in the rear yard space of the Lot, in a location that is not visible from the street (including from a side street if the Lot is located on a corner). Pools must be an integral part of the residence and rear yard landscaping. All mechanical equipment necessary for the operation of any pool must be located in the rear yard and shall be screened from the street and neighboring Lots by a fence, wall, or landscaping, such screening to be approved by the Architectural Review Committee. Pools should be set back at least 10 feet from the nearest property line; however, the Architectural Review Committee may issue a variance where such setback is not feasible. Pools shall be fenced for safety purposes, and Owners may be required to install safety features such as locks or covers for these items when not in use. Above-ground pools are prohibited.

5.5 ORNAMENTS AND STATUES:

Lawn ornaments, statuary, outdoor sculpture, yard art, etc. must be submitted for ARC approval in advance of installation and are prohibited in front, on front porches / stoops. Side and rear yard areas are acceptable if concealed within a privacy wall. Approved ornaments and statues installed in rear yard areas or behind a privacy wall must be placed to not be visible from streets. Seasonal ornaments are allowed per Declaration and time allotments.

5.6 ANTENNAE & SATELLITE DISHES:

No radio, television or other antenna, aerial or satellite dish may be installed without the approval of the Architectural Review Committee, except as follows:

Satellite Dishes: Satellite dishes that are one meter or less in diameter and are designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite, may be installed without pre-approval. As long as adequate reception is available, satellite dishes must be located on the rear exterior wall or rear roof of the residence, or the rear yard behind the residence, and to the extent possible must not be visible from adjoining lots, streets, or common area.

Other Antennas: Antennas that are one meter or less in diameter or diagonal measurement and are designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite and antennas that are designed to receive local television broadcast signals may be installed without pre-approval. As long as adequate reception is available, such antennas must be located on the rear roof of the residence, or the rear yard behind the residence, and to the extent possible must not be visible from adjoining lots, streets, or common area.

Dishes and other antennas and accompanying equipment should be placed to blend in with the surrounding area where located and must be screened from view where possible. The Architectural Review Committee may require screening and plantings as may be necessary to ensure that dishes and antennas are screened from view. Owners are solely responsible for maintaining satellite dishes, antennas, and all related equipment. Owners are not permitted to install satellite dishes or antennas of any type on the Common Area.

5.7 **EXTERIOR WIRES & CABLES:**

No exposed exterior wires or cables of any kind are permitted, unless the utility installer deems that there are no other options.

5.8 **GARBAGE CONTAINERS:**

All garbage shall be stored in receptacles, which are picked up and disposed of at least weekly. Receptacles shall be always placed out of sight of the subdivision streets with the exception of the purpose of garbage pickup.

5.9 **WALLS & FENCING:**

Homeowners are encouraged to work with their adjacent neighbors to ensure fence locations are understood as they relate to property boundaries. Fences must be located directly on side and rear property lines on the applicant's lot shared by adjoining lots to allow for connection of future fences. Neighboring fences should adjoin existing fences. No double fences are allowed at property boundaries. Fence sections shall be maintained by the property owner that installed it. Fences located over utility easements are subject to removal as may be necessary for access or maintenance as allowed by the easement.

Sound Side, Westport, and Mason Walk - Walls and fencing should reflect the architecture of the Dwelling. Special consideration should be given to the design and placement of the wall or fence from neighboring home sites. Fencing shall not be located within 10' of front face of the house. Front and side yard fences are not permitted. Shared fencing is strongly encouraged. No fence shall be located inside easements unless otherwise approved by the ARC. Privacy fencing is not permitted. Corner lots may require supplemental fencing or landscape screening as determined on a case-by-case basis. Landscape screening is strongly recommended. Diversity in fencing materials are strongly suggested including metal, aluminum, masonry, etc. No chain link, vinyl, roll wire, or exposed cinder blocks will be allowed. All walls and fences, including description of materials, must be approved by the ARC prior to installation. Any fencing and / or walls to be installed shall be shown on the site plan. Fencing samples (photo brochures acceptable) must be submitted to and approved by the ARC. Approved fencing must be finished on both sides. Fencing shall not impede storm water flow to and from adjacent Lots, commons areas and easements. In addition, the ARC will allow fencing to a maximum height of 5 ft..

The following types of fence designs are encouraged:

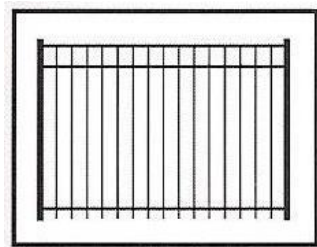




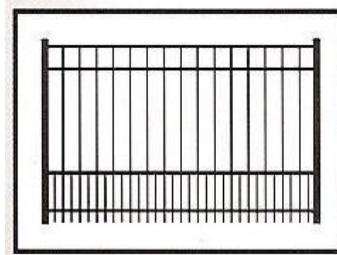
Westport homes *that back up to the main community pond* shall have specific fencing requirements to protect the aesthetics of the area around the pond. Fences shall have brick masonry columns at the lot corners. Black Alumiguard or stained privacy style is allowed, and all columns shall be brick and painted *SW7008 Alabaster*. Wood fencing shall be stained with *SW7046 Anonymous* (see below):



Villas– The ARC will allow black Alumiguard fencing only. In addition, the ARC will allow fencing to a maximum height of 5'. No privacy fencing will be erected or permitted to remain between the street right-of-way and the applicable minimum building setback line, as approved by the ARC. Fencing shall not be located within 10' of front face of the house. Shared fencing is strongly encouraged. No fence shall be located inside easements unless otherwise approved by the ARC. Corner lots may require supplemental fencing or landscape screening as determined on a case-by-case basis. Any fencing and/or walls to be installed shall be shown on the site plan. Fencing samples (photo brochures acceptable) must be submitted to and approved by the ARC. Approved fencing must be finished on both sides. Fencing shall not impede storm water flow to and from adjacent Lots, commons areas and easements.



Alumiguard Fencing



Alumiguard Fencing with Puppy Picket

5.10 PATIOS & DECKS:

Patios, decks, deck railings, and deck supports shall be substantial in appearance, and reflect the style and architectural detail of the Dwelling. Decks and patios shall be constructed of materials that are generally acceptable as complementary to the Dwelling. Decks and patios shall be designed and installed as an integral part of the Dwelling or patio area. Any such decks or balconies must be located so as not to obstruct or diminish the view of or create an unreasonable level of noise for adjacent Lot Owners. All decks shall have landscape screening around perimeter of deck. Construction shall not occur over easements unless specifically approved by the utility company having jurisdiction and must comply with the applicable governmental requirements. All vertical surfaces (i.e. handrails, structural posts, trim, etc.) on corner and highly visible Lots that are exposed to view shall be either painted or stained or through material color such as composite materials (no exposed natural wood allowed). Lattice material is not an accepted form of deck skirting. **It is the responsibility of the homeowner to ensure compliance with required impervious limits set by local jurisdiction(s) or the governing documents.**

5.11 WALKS & DRIVEWAY ADDITIONS:

All paving additions or extensions must be approved by the ARC. Paving is allowed within building setbacks however no closer than 1 foot from any property line or per local jurisdiction zoning, whichever is more stringent. Large expanses of paving are discouraged. **It is the responsibility of the homeowner to ensure compliance with required impervious limits set by local jurisdiction(s) or the governing documents.**

5.12 ACCESSORY BUILDINGS:

Lot Owners shall obtain ARC approval prior to construction of any accessory structures such as playhouses, gazebos, pergolas, or any other improvements as defined in the Declaration whether built during initial construction or after. Accessory buildings shall meet the following criteria:

- A. **Westport and Sound Side** - Accessory buildings generally shall be located in the rear one third of the yard as long as it does not front onto a street, shall be incorporated as an integral part of the landscape plan, shall not unreasonably obstruct any adjacent neighbor's views of the ponds, open areas, or other amenities, and must be screened by a fence or vegetation. No storage of ladders, tools, building or landscape materials, or similar is allowed outside of the main residence or accessory building/shed.

Accessory buildings and sheds must meet the following criteria:

- Accessory buildings and sheds are of the same color, material and architectural style as the main residence or of color, material and style that is generally recognized as complementary to that of the main residence.
 - Roofing material shall match those of the main residence.
 - Accessory buildings shall not exceed 144 SF (10' x 12') and maximum 10' in height.
 - Structure must set back at least 5 ft. from the property line.
 - Front and side elevations facing adjacent property owners must be screened with low lying shrubs to be approved by ARC.
- B. Any utilities servicing accessory buildings shall be installed underground.
- C. Freestanding metal utility sheds or storage sheds or any other similar accessory structures are not permitted.
- D. Dog houses, dog lots, dog runs, and dog kennels are not permitted.

E. **Villas and Mason Walk** – Accessory Buildings are not permitted.

5.13 RECREATIONAL/PLAY EQUIPMENT:

Installation of temporary or permanent play equipment (for example, tree houses, playhouses, swing sets, sandboxes, and permanent basketball goals) is not permitted on Townhome Lots but may be permitted on other lots with ARC approval. Where possible, equipment should be constructed principally of wood or composite materials. Play equipment should be shielded from the view of neighbors by appropriate landscape screening such as tall plants and shrubs. Play equipment should be located directly behind the house (not outside rear corners), and no closer than 10 feet from the rear property line. All play equipment must be maintained in good condition and repair. Trampolines are not permitted on any Lot.

In general, in-ground basketball goals should be located as follows: *Side load garage* – locate goal perpendicular to the street at the rear of the drive. *Front load garage* – locate goal at the outer side of the drive no closer to the street than the midpoint between the garage and sidewalk, and perpendicular to the street. Basketball goals shall not be attached to the house, garage, or other structure. All basketball goals shall have transparent backboard material. Portable goals shall not be located in the street or in the street right-of-way. All portable play equipment, including goals, must be stored out of site when not in use. No portable basketball goals are permitted.

5.14 RECREATIONAL VEHICLES:

The parking and storage of vehicles is governed by the Declaration. Personal automobiles shall be parked in an enclosed garage or driveway on the Lot. No boats, trailers, buses, equipment, campers, motor homes, tractors, golf carts, recreational vehicles or other similar items may be parked on the streets in the community or on any Lot unless such items are parked in an enclosed garage or in an area approved by the ARC which is screened from view from the street and adjoining Lots. In no case shall recreational vehicle parking be allowed in front of or beside a residence.

5.15 PETS:

Please see the Declaration for specific pet restrictions. In general, up to three (3) household pets are permitted. Per the Declaration, no doghouses, kennels, or runs are allowed. At no time is any household pet allowed to run free. Owners are responsible for promptly removing any pet waste deposited in the Common Area or on another Owner's Lot and every pet owner must keep his or her own Lot in a clean and sanitary manner, including the removal of pet waste as needed. The Declaration prohibits the following breeds: Pit Bulls or Pit Bull Terriers, Rottweilers, Doberman Pinschers, or Staffordshire Terriers, or any mixed breed animal that contain any of the foregoing breeds.

5.16 BIRDBATHS, BIRDHOUSES, AND BIRD-FEEDERS:

ARC approval is not required for the rear yard installation of a birdhouse, or a bird-feeder that is less than one foot wide by one and a half feet tall, or a birdbath that is three feet tall or less, including any pedestal. Placement in any front or side yard requires ARC approval.

5.17 CLOTHESLINES AND DRYING AREAS:

No exterior clotheslines nor similar structures are permitted.

5.18 SIGNS:

Per the Declaration, all signs require ARC approval except for the following:

For-Sale and For-Rent Signs. Owners may place one (1) low-profile “For Sale” or “For Rent” sign on their Lot during any period when their property is being marketed. No sign can be more than eighteen (18) inches by eighteen (18) inches and a maximum height of two (2) feet above ground level. Signs should be professionally made of metal or composite material. Homemade or handwritten signs of any type are not to be allowed. “For Sale” or “For Rent” signs may not be attached to wooden posts, placed in any windows facing outward, or nailed to a tree. In addition, one (1) “Open House” sign is permitted during the hours that a house is open for public viewing. No other signs related to the sale of the property are permitted, including at the entrance of the subdivision.

Political Signs. One (1) political sign with maximum dimensions of 24 inches by 24 inches may be posted in the front yard space of a Lot, but such sign may not be posted earlier than 45 days before the day of the election and must be removed within seven days after election day. For the purposes of this section, “political sign” means a sign that attempts to influence the outcome of an election, including supporting or opposing an issue on the election ballot. No political signs may be posted on the Common Area.

Alarm Signs. One (1) professional security sign may be posted on the Owner’s Lot near the front entrance of the dwelling, and one (1) professional security sign may be posted on the Owner’s Lot at the rear entrance of the dwelling.

Signs Required by Legal Proceedings. Signs required by legal proceedings may be posted on a Lot.

5.19 RAIN BARRELS:

Rain barrels must be approved by the ARC and typically will only be permitted at the back of each house.

5.20 SOLAR EQUIPMENT:

Solar collectors may be installed only after approval of the ARC. Applications must include the type of solar collector, a photo of the same if available, and a drawing detailing the proposed location. Solar collectors may not be placed in the following locations if visible by a person on the ground: (1) on the façade of a structure that faces areas open to common or public access; (2) on a roof surface that slopes downward toward the same areas open to common or public access that the façade of the structure faces; or (3) within the area set off by a line running across the façade of the structure extending to the property boundaries. The ARC may require screening of solar collectors depending upon the type and placement desired. All supports, wires, mounting hardware and other portions of the solar collector, to the extent possible, must be painted to match the color of the roof or wall to which they are attached.

5.21 HOLIDAY DECORATIONS:

Owners wishing to display holiday decorations on their Lot may do so; however, holiday decorations may not be publicly displayed more than twenty (20) days before the holiday and must be removed within seven (7) days following the end of the holiday.

6.0 LANDSCAPING REQUIREMENTS:

6.1 PURPOSE:

These landscape requirements have been established to maintain the high standards of the Community and to reflect the Community's emphasis regarding the value of open spaces, natural landforms, and landscapes. Such requirements and guidelines help assure a positive impact on property values, quality of life, and the overall enjoyment and benefits of outdoor living. Special consideration should be given to the following aspects of landscape plantings. Specific requirements for each specific neighborhood will be confirmed as coordinated with ARC and on a neighborhood and Lot by Lot basis. Note that a generic / typical landscape plan may be submitted for ARC review, approval and record as designated by the ARC. Note additional landscape requirements will be required on all corner Lots and highly visible Lots as designated by the ARC.

6.2 STREET, SHADE & CANOPY TREES:

The establishment of street trees (final species per neighborhood and street to be coordinated and verified with Declarant, minimum 3.5" to 4" caliper), trees in open areas and the re-vegetation of wooded Lots will be required to restore, over time, the natural forest canopy lost during construction. Specific requirements will be reviewed on a Lot-by-Lot basis.

6.3 EVERGREEN FOUNDATIONS:

Evergreen Foundation Plantings are required on all front elevations and on side elevations on the street side of corner lots. Interior side elevations are required to have appropriate plantings to provide foundation screening while not obstruction egress between adjacent homes.

6.4 EVERGREEN SCREENING:

Evergreen screening is needed to conceal service and utility areas. Quantities and sizes will be considered on an individual basis but should provide immediate screening, i.e., HVAC located on side lots, or if visible and located in the back yard of corner lots shall be concealed by plantings at time of installation.

6.5 LAWN, GROUND COVER & MULCH:

Areas should be established to control erosion in compliance with all environmental rules and regulations of the Community, City of Wilmington and the State of North Carolina. Front lawns must receive sod (Zoysia or other warm weather grass as approved by the ARC). All other lawn areas must be sodded. Natural areas must be mulched (pine straw or wood chip / bark mulch), and ground cover is required on slopes steeper than 3:1. No red mulch shall be allowed.

6.6 SPRINKLER SYSTEMS/IRRIGATION:

Sprinkler systems/irrigation for new builds is strongly encouraged to minimally serve lawn.

6.7 MAINTENANCE OF LAWN:

Weeds must be controlled. If you have excessive weeds, lawn fungus, or other containments damaging your lawn you must provide documentation that you are trying to correct the situation.

Lawn clippings must be removed from street after you cut your lawn.

APPENDIX

ARC SUBMITTAL FORMS

ARC SUBMITTAL CHECKLIST

ARC COLOR SELECTION FORM

ARC ALTERATIONS AND ADDITIONS REQUEST FORM

ARC ALTERATIONS AND ADDITIONS CHECKLIST

CHECKLIST ARC VARIANCE FORM

ARC CERTIFICATE OF COMPLIANCE FORM



ARC SUBMITTAL CHECKLIST

BUILDER SUBMITTAL FORM

NO SUBMITTAL WILL BE REVIEWED UNLESS ALL INFORMATION IS INCLUDED

Note: Submit completed ARC Submittal Checklist and required information to ARC for review and approval prior to proceeding with any permitting or construction.

Lot Owner Name _____ Lot No. _____
 Plan Name _____ Date Submitted _____
 Street Address _____

Site Plan (8-1/2" x 11")

- Scale
- Setbacks and easements
- Building footprint and finished floor elevation(s) as possible
- Clearing limits not to exceed necessary construction zone (indicate on plan)
- Water meter & sewer locations (from field observation)
- Driveway (include any special materials) and finished elevation at street
- Decks and patios
- Walkways (include 3' min. walkway to street sidewalk), other on site, etc.
- Fencing, retaining walls, etc.
- Service areas (include method of screening)
- Accessory buildings (if any)
- Impervious square footage (per municipality requirements)

Landscaping Plan (8-1/2" x 11" or 11" x 17" max. size)

- A Landscaping Plan is required for each specific Lot (Or ARC Approved generic package plan) and may be submitted at dry-in phase of construction

Architectural Plans (8-1/2" x 11" or copy of Approved Portfolio Builder Cut-Sheet)

- Floor plans with finishable square footage (within limits / requirements)
- Front, sides & rear elevations (with material indications)
- Special details (porch railings, columns, etc.)

Colors and Materials

- Color Selection Form must be attached

Portfolio Initial Review

- Floor plans and all elevations with exterior material indications only required for this review phase

ARC Review is only for conformance with the Guidelines. The Lot Owner is responsible for compliance with the Guidelines and Declaration, local and other ordinances, applicable building / safety codes, regulations, etc.

- Approved Approved as Noted Not Approved Resubmit

 Reviewed By
 East & Mason Community / ARC Representative

 Date



EAST & MASON

ARC COLOR SELECTION FORM

Note: Submit completed ARC Color Selection Form and required information to ARC for review and approval prior to proceeding with any exterior finishing, painting, etc. as required.

Lot Owner Name _____ Lot No. _____
 Plan Name _____ Date Submitted _____
 Street Address _____

All exterior colors must be selected and submitted to the ARC for review and approval prior to painting / finishing house. In case of conflict with existing homes, another color choice may be required for ARC review and approval. Review the permanent files and adjacent house colors for color coordination and prevention of color duplication prior to submittal. Provide material manufacturer, product / model name, color name, color number, etc. as required for each material and color to best indicate / identify such material and color. Paint colors, pre-finished siding colors, brick / stone / etc. veneers, etc. other than colors on file with the ARC shall be submitted with actual material samples (to be returned after ACC review) and paint / siding / other materials color chip samples (minimum 1” square in size and larger samples may be required on site) for ARC review, approval and record. Provide a color brochure sheet for all brick, stone, other veneers, roof, special door and window colors, etc. proposals for review, approval and record. Any requested material samples needed back may be picked up after ARC review. All exterior materials and colors should be submitted with the original house submittal to best assure your first choice selection. Note: Color selection approval based on a first-come first-serve basis. See the Standards for other specific exterior material and color requirements and diversity separation requirements.

Brick _____	Stone _____
Siding _____	Trim _____
Shakes _____	Board and Batten _____
Front Door _____	Garage Door _____
Windows _____	Shutters _____
Roof _____	Fencing _____
Other (Accent areas, accessory buildings, etc.) _____	

ARC Review is only for conformance with the Guidelines. The Lot Owner is responsible for compliance with the Guidelines and Declaration, local and other ordinances, applicable building / safety codes, regulations, etc.

- Approved Approved as Noted Not Approved Resubmit

 Reviewed By
 East & Mason Community / ARC Representative

 Date



EAST & MASON

ARC - Alterations and Additions Request Form

The Declarations of Covenants, Conditions and Restrictions for your community specifies that all exterior improvements to your property must be approved in writing by the Architectural / Design Review Committee before improvements begin. Please complete and return this form according to the provided instructions. One form per project.

Name: _____ Request Date: _____

Street Address: _____

Home Phone: _____ Cell Phone: _____ Email: _____

Estimated Start Date: _____ Completion Date: _____

List the Type of Modification: _____

Location: _____

Size: _____

Color: _____

Material: _____

Contractor Name: _____

Owner Signature: _____

Date: _____

REQUIREMENTS:

Type of Modification:	Location on Plot Plan / Survey	Material	Style	Size and / Height	Stain / Color	Built Upon Area / BUA *** (see BUA instructions)	Images / Plans
Fence / Fence Enclosure	X	X	X	X	X		X
Utility Building / Shed	X	X	X	X	X	X	X
Porch Conversion	X	X	X	X	X	X	X
Exterior Paint					X		X
Pool	X	X	X			X	X
Patio / Deck	X	X		X	X	X	X
Extended Driveway / Walkway	X	X		X		X	X
Gazebo	X	X	X	X	X	X	X
Landscape	X						X
Addition	X	X		X	X	X	X

INSTRUCTIONS: Please read and follow carefully.

- Please refer to the above chart for specific requirements for your particular project. **Provide all "X" items along with this completed Request Form.** If your project is not specified above please provide a written description (see next paragraph).
- For ALL requests, attach a **written description** of the scope of the proposed changes including the general nature of the work, location of the changes, colors and materials to be used plus any plans, drawings, photos or brochures necessary to illustrate the dimension, size and appearance. Please be sure to include details of any landscaping changes or removals which may be necessary to accomplish the changes proposed.
- Attach a **property survey / plot plan** with the location of the proposed changes **clearly marked on the survey / plot plan.** This item **MUST** be included so that there is a clear understanding of precisely where the changes will occur in relation to the home, driveway, other structures and any easements or rights of way which may exist on the property. Note: Your project will not be sent for Committee review without a copy of the property survey / plot plan. A **plot plan** can be obtained from your closing documents or you may reach out to your builder for a copy.

***** BUA INSTRUCTIONS (Built Upon Area)**

Projects which require owner(s) to submit BUA amounts, include but are not limited to the following; hardscape around in-ground pools, patio, patio extensions, driveway extensions, walkways and sheds. BUA is considered any impervious surface that does not allow rainwater to infiltrate into the ground – i.e. footprint of the home, sq. ft. of driveway, concrete walks/patios, etc. Note: For pool requests the surface area of the pool should not be included in your BUA calculations.

Complete this section for BUA / impervious surface projects:

Existing BUA – located on your plot plan: _____ sq. ft.
Proposed BUA – total square footage of your project: _____ sq. ft.
Maximum Allowable BUA – refer to CC&R's: _____ sq. ft.

IMPORTANT: Please allow up to 3-4 weeks for the Committee to complete the review and response process. Requests which do not include the items described above will delay the process. Email is the quickest and most efficient way to submit a request. The review and response is based on the community's governing documents and the information submitted with this request. **The property owner is responsible** for investigating and complying with any and all other local requirements, permits or jurisdictions the property is subject to as well as HOA governing documents. Homeowners are encouraged to review HOA governing documents prior to submitting a request.

HOW TO SUBMIT YOUR REQUEST:

- **Email, Mail or Fax request form AND supporting documentation to:**

East & Mason HOA
P.O. Box 12051
Wilmington, NC 28405
Fax: 888-799-7626
Email: ARC@PremierManagementNC.com

For email requests: Please assemble electronically into a **single email** with preferably a single PDF attachment. Include your Community's Name, your Last Name and your Property Address in the subject line.

Committee Use Only

Approved

Approved with Conditions

Conditions: _____

Denied

Comments: _____

Name of Committee Member: _____

Signature of Committee Member: _____

Date: _____



EAST & MASON

ARC ALTERATIONS AND ADDITIONS SUBMITTAL CHECKLIST

LOT OWNER SUBMITTAL FORM

NO SUBMITTAL WILL BE REVIEWED UNLESS ALL INFORMATION IS INCLUDED

Note: Submit completed ARC Alterations and Additions Submittal Checklist and required information to ARC for review and approval prior to proceeding with any additions, alterations, project permitting or construction.

Lot Owner Name _____ Date Submitted _____
 Street Address _____ Lot No. _____
 Telephone Numbers – Home: _____ Work: _____

Site Plan as required (8-1/2" x 11")

- Setbacks and easements
- Existing house and additions footprint and finished floor elevation(s)
- Driveway and parking improvements / additions
- Deck, patio, walkway, etc. improvements / additions
- Fencing, retaining walls (including fence details as proposed) additions
- Accessory outbuilding improvements / additions
- Other site improvements / additions as required
- Impervious square footage (per municipality requirements)

Landscaping Plan as required (8-1/2" x 11" or 11"x 17" max. size)

- A Landscaping Plan is required for any landscape improvements other than for maintenance purposes

Architectural Plans as required (8-1/2" x 11")

- Floor plans with square footage of improvements / additions
- Front, sides & rear elevations (with material indications)
- Special details (porch railings, columns, etc.)
- Color Selection Form must be attached

Neighbor Notification

- Notification (for information purposes only and not for their "approval") of all adjacent neighbors who would reasonably view the improvement from their property required (indicate names of neighbors contacted on back)

ARC Review is only for conformance with the Guidelines. The Lot Owner is responsible for compliance with the Guidelines and Declaration, local and other ordinances, applicable building / safety codes, regulations, etc.

- Approved Approved as Noted Not Approved Resubmit

Reviewed By
East & Mason Community / ARC Representative

Date



ARC VARIANCE FORM

SUBMITTAL MAY NOT BE REVIEWED UNLESS ALL INFORMATION IS INCLUDED

Lot Owner Name _____ Lot No. _____
Street Address _____ Date Submitted _____

The ARC decides whether a variance is to be granted or denied based on the requirements set out in the Design Guidelines and careful consideration of the merits of the individual request. The Lot Owner hereby makes application to the ARC for the following variance. Note: For any variance, include description of encroaching structures, number of feet / inches in existing setback, and amount of intrusion expressed both in feet and inches or feet to tenths, etc. and all related graphic information (site plan, floor plans, elevations, etc.) as required to best communicate and describe proposed variance. Use additional sheets and documents as needed.

The variance requested is described in detail as follows:

The reasons for the request are:

The impacts of the request on the neighbors and/or development are:

Affected adjacent Lot Owners (If Resident requested including Lot nos. and names of Lot Owners if available):

ARC comments are as attached / noted on submittal. Reviewing is only for this specific Variance request and conformance with the Guidelines. ARC Review is only for conformance with the Guidelines. The Lot Owner is responsible for compliance with the Guidelines and Declaration, local and other ordinances, applicable building / safety codes, regulations, etc.

Approved Approved as Noted Not Approved Resubmit

Reviewed By
Handsmill on Lake Wylie Community / ARC Representative

Date

Final Approval Approved as Noted Not Approved Resubmit

East & Mason Community / ARC Representative

Date



EAST & MASON

CERTIFICATE OF COMPLIANCE

Lot Owner Name _____ Lot No. _____
Street Address _____ Date Submitted _____

NOTE: This form is to be completed by the Lot specific Lot Owner and signifies an official request for the final ARC review and approval of construction and landscaping. Please submit this form a minimum of 14 days prior to final construction completion and prior to Lot Owner closing / occupancy of house for ARC on site review and approval. The ARC review is to be scheduled on an as needed case by case basis. Submit this Certificate of Compliance form request to ARC Representative.

LOT OWNER CERTIFICATION: I have reviewed and verified that all construction, site work and landscaping is completed per the original reviewed / approved ARC Submittal and as set forth in the Guidelines and hereby request the ARC site visit and final post construction certification. Attached to this application are any incomplete items for ARC reference at time of site inspection. It is our understanding that all such non-compliance issues (house as well as landscaping) found during the ARC on-site inspection review shall be communicated to the Lot Owner and it is the Lot Owner’s total responsibility to complete such non-compliance issues as follows: Lot Owner’s shall not close on the house / Lot without first either, (1) Bringing all such issues into compliance as required prior to closing and obtaining approved Certificate of Compliance from ARC, (2) disclosing any non-compliance items to the homeowner in writing specifying the time period for which such issues will be corrected and obtaining homeowner’s signature acknowledging that such items are outstanding and agreeing to such time period for correction. (If Lot Owner elects this clause, the Lot Owner shall provide a signed copy of the Lot Owner’s acknowledgement to the ARC for approval prior to closing of such property and final Certificate of Compliance will be issued after completion of such issues / after closing of property.)

Signature of Lot Owner _____ Date _____

The ARC has visited the site, has completed the Final Construction Inspection Review and hereby certifies the building and site improvements (as noted) to be in compliance with the original reviewed / approved ARC Submittal and Guidelines with any review comments as noted on attached Post Construction Summary.

The Certificate of Compliance is provided by the ARC for the purposes of documenting (1) aesthetic qualities, (2) compliance with the original ARC Submittal and (3) compliance with the Guidelines. The Lot Owner is responsible for compliance with the Guidelines and Declaration, local and other ordinances, applicable building / safety codes, regulations, etc.

- Approved
- Approved as Noted / Re-Submit (See attached comments for completion and ARC review and approval prior to occupying / closing the property and receiving the final approved Certificate of Compliance.)

Reviewed By
East & Mason Community / ARC Representative

Date