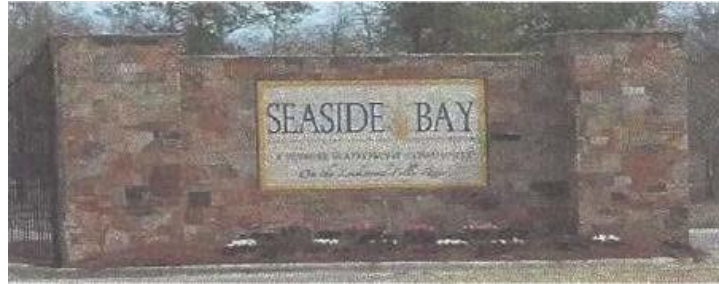
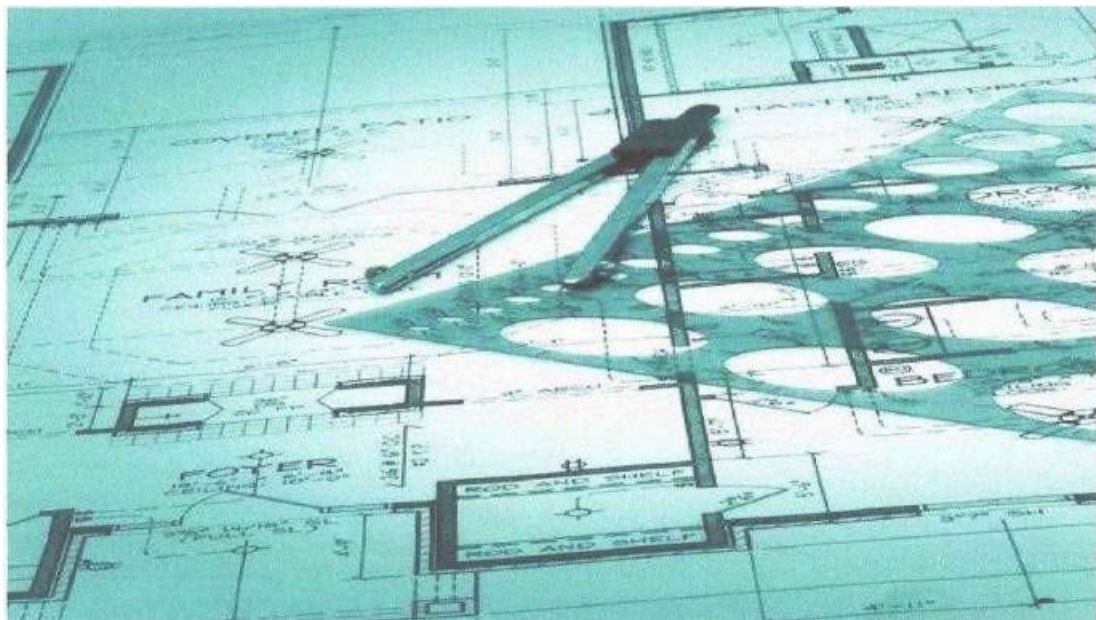


SEASIDE BAY



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DEFINITIONS

As written, the definitions set forth in the Seaside Bay Declaration of Covenants are incorporated herein. The following definitions are included for the Seaside Bay Design Requirements and Guidelines.

1. **“Design Requirements and Guidelines”**: A detailed set of standards, provided for both Contractors and Owners, for new construction or modification changes for existing residences in Seaside Bay, located in Brunswick County, NC.
2. **“Board of Directors (BOD)”** The membership-elected Association members who are responsible for the general operational decisions of the Seaside Bay Homeowners Association, Inc. (HOA), located in Brunswick County, NC.
3. **“Architectural Review Committee (ARC)”**: An architectural review committee of no less than three Owners who are members in good standing, chosen by the Board of Directors, who shall:
 - a. Draft Architectural Guidelines; be responsible for reviewing all designs and specifications for new construction or modifications to post construction homes which shall include, but is not limited to, any dwelling, out-building(s), fence, wall or other structure, or exterior addition to, or change, or alteration therein, or repair thereof; change in paint color, roof, excavations, changes in grade or other work which will, in any way, alter the exterior of any lot or any improvements located within the Property, from its natural or improved state, which existed on the date such Property was subject to the Declaration of Covenants;
 - b. Be responsible for informal and formal notifications to Owners regarding violations of the Declaration of Covenants and Restrictions and/or these Design Requirements and Guidelines;
 - c. Enforce the Design Requirements and Guidelines through violation notices and any required fines;
 - d. Interpret the Declaration of Covenants and the Architectural Design Guidelines; and
 - e. Ensure that all plans and features approved by the ARC are completed prior to returning the Construction Bond.
4. B
5. **“Owner”**: Any Owner holding a legal deed to property platted in Seaside Bay Property/Subdivision.

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6. **“Contractor”**: All builders, contractors and sub-contractors who are employed by any Lot Owner in Seaside Bay, either for new residential construction or modification to existing structures. Ultimately the lot owner is responsible for fines and violations.

7. **“Construction Bond”**: A refundable fee which is posted by the Owner for compliance of the Seaside Bay Declaration of Covenants and these Design Requirements and Guidelines. Fee may or may not apply for modification(s) request.
8. **“Non-Refundable building Fee”**: A non-refundable fee paid by the Owner for new construction. Fee may or may not apply for modification(s) request.
9. **“Site and Landscape Plan”**: A landscape design, submitted at the time of new construction or as a modification change which focuses on integrated vegetation for a lot, with specific garden designs for all proposed landscape elements, including but not limited to plants, trees, shrubs, architectural features and lighting.

10. **“Post-Inspection Report”**: An inspection report conducted by the ARC, conducted prior to the release of the Construction Bond, to confirm completion and compliance with the Seaside Bay Declaration of Covenants and the Design Requirements and Guidelines.

11. **“PMO”** (Property Management Office): A privately owned company in business to serve the needs of Homeowner Associations. The Seaside Bay property management company will act as a collection point for all construction documents from Owners wishing to build or modify a residence in Seaside Bay.

PREFACE

A. Single-Family Residential Plan Concept

Seaside Bay is a gated, planned single-family residential community where resident/owners may take advantage of water views, wetlands, nature preserves, and river access. Common areas, private roadways, community boat launch and docks are maintained by the Seaside Bay Homeowners Association.

B. Architectural Review

To assist the ARC and Seaside Bay homeowners in understanding the details of the Declaration and By-Laws, the Board has developed an approved set of ARC Guidelines. These provide interpretive guidance and explanation of the key sections of these governing documents. However, homeowners should request assistance from the ARC before a project is begun.

Applications for approval by the ARC shall be in writing. Each Owner is responsible for submitting an application for approval of plans and specifications for all projects that modify change or improve the external appearance of their property. The ARC is responsible for approving or rejecting each application. Work should not be started until the Owner has received written ARC approval. ARC failure to respond in writing (or electronically) within thirty (30) days of receiving the application shall mean approval of the application. Modification or changes to Owner property made prior to ARC approval and subsequently disapproved by the ARC or Executive Board, will be removed at the expense of the Owner. The submitting Owner may appeal in writing to the Seaside Bay Executive Board within thirty (30) days of the receipt of the ARC's written decision. The Executive Board will normally consider such appeal at its next regularly scheduled meeting if sufficient time exists from the date of notice of the appeal for investigation, hearing and deliberation. Any delay in action or lack of action by the Board should not be assumed to be acceptance or rejection of the ARC decision.

ARC meetings are closed; however, Association members and Contractors who wish to address the Committee shall contact the Property Management Office in advance of the next scheduled ARC meeting, stating the subject and nature of their comments. ARC members shall not be held liable for any injury, damages or loss resulting from the manner or quality of approved construction or modification to any property. In all matters, the committees and their members shall be defended and indemnified by the Association, as provided in the Seaside Bay Declaration of Covenants and By-Laws.

SECTION 1.0 NEW CONSTRUCTION

The New Construction Design Requirements and Guidelines provide property Owners and Contractors with a detailed set of standards for new construction of Seaside Bay single family residences. The intent of these Guidelines is not to create a rigid, “cookie cutter” community, but to provide options within an architectural framework from which to create a quality living environment.

1.1 HOUSE CONSTRUCTION TYPES

No lot shall be used except for single family residential purposes.

A. Stick-Built/Custom Built Homes

No stick-built/custom residential building will be less than 1400 square feet of heated and cooled living space for a single story ranch plan +/- a 10% variance and 1600 square feet for a story and one half to two stories +/- 10% variance. Minimum square footage shall be calculated as the total of all finished interior excluding all heated and cooled attached accessory structures, *i.e.*, screened porch, sunroom, garage, storage building, or other similar areas and structures. Stick- Built homes shall have no less than an 8/12 roof pitch with generous overhangs of twelve inches (12”) minimum. Homes in Seaside Bay shall not exceed 40’ maximum height measured from mean virgin grade.

B. Manufactured / Log Homes

Manufactured (home built on a non-removable steel chassis and not placed on a permanent foundation) and log homes are not permitted in Seaside Bay.

C. Coastal and Flood Plain Construction Standards

Homes built on pilings to raise the first floor house platform will comply with the 2018 North Carolina Residential Code, Section 46, detailing structural requirements. This code may be changed by the North Carolina Residential Code Council or the International Code Council at a future date. Owners should refer to the most current code compliance requirements to meet North Carolina Code Requirements.

1.2 CONSTRUCTION STANDARDS

A. Chimney and Outdoor Fireplace

Chimneys, chimney caps and outdoor fireplaces must be constructed of materials that are compatible with exterior materials.

B. Clearing

Clearing of lot will comply with Brunswick County regulations

C. Driveway

In Seaside Bay, no driveway may be closer than 50’ to a street intersection (can be reviewed by ARC if special conditions exist for lot and home layout), as measured from the right-of-way line to the edge of the driveway. Length of driveway shall extend for no less than 25 feet from primary roadway onto Lot. Remaining length may be finished in any other approved driveway material. Guest parking spaces are allowed.

Driveway materials in Seaside Bay may consist of the following:

Concrete	Pea Gravel Concrete	Brick Pavers
Stamped Concrete	Oyster Shell Concrete	

Circular driveways and multiple driveways will be reviewed on a case by case basis. Where driveway meets the street, may not exceed the width of any garage, carport, or other structure used to house or store vehicles that directly faces the street.

Parking pads for RV, Boat or trailers poured beside the home or garage should be noted on the plot plan submitted for approval by ARC.

D. Easements

The ARC does not have the power to waive or modify any recorded easement. No plant material may be planted in the easement for a swale. In the event of the improvement of combined lots, such easement shall not exist with respect to interior lot lines unless use of such easement for such purposes has already begun.

E. Exterior Materials

- **The exterior materials and architecture of the proposed home must be equivalent to the exterior architecture of the majority of the existing homes within the neighborhood.**

The following is a list of approved exterior materials in Seaside Bay.

Approved Siding Materials	Approved Window, door and trim Materials
Stone/ cultured stone	Vinyl soffit, aluminum fascia
Brick	Wood Doors, Painted or Stained
Cement Stucco	Aluminum-Clad Wood Windows
Cementitious Horizontal Siding	Vinyl Windows
Cedar Shakes	Vinyl Clad Wood Windows
Horizontal & Vertical Wood Siding	Color Coated Aluminum Trim
Vinyl siding and shake *	Fiber Glass Doors

● Vinyl siding and shake will be a minimum 0.042” thickness (42 mils) and meet a minimum 130 mph wind load rating as published by the manufacturer.

F. Fences

Fencing shall be shown on new-construction Site & Landscape Plan.

- Seaside Bay fences for privacy, screening and defining outdoor space are allowed on the sides and/or rear of the home only.
- No fence shall be installed in an easement.
- Fences shall be allowed to extend no more than 10 feet forward of the rear corners of the home. Allowed fencing will be in the design, listed below.

Submit selection of fence material and style for approval

1. Aluminum, steel, wood or vinyl fencing
2. Maximum height is 72”
3. Fencing around pools shall follow State and County codes and ordinances.

Rear fences must include the entire rear property and be placed no closer than one foot of the property line.

Any variance shall be considered by the ARC, on a case by case basis.

G. Foundation/Floor Level

Construction submittal should include foundation material

H. Garage

- Materials and colors to be identified in building plans and Construction submittal
- Must have a garage door

I. Grading

- Should be identified on site plan with arrows showing flow directions.
- Check with Brunswick County Stormwater Management for any required permits
- Refer to the Declaration of Covenants of the Association Documents for more information regarding Stormwater.

J. Impervious Percentage

Maximum allowed impervious area for each lot in Seaside Bay is 4300 square feet

K. Position of House on Lot (Setbacks)

The setbacks shall be as stated in the Declaration of Covenants, Article 13.4(e).

Each structure shall be built or maintained within five (5) feet from any property side line, twenty-five (25) feet from the front right of way, and nine (9) feet from the rear property line as noted on the recorded survey. The setback requirements predetermine the distance from the property line within which no home, outbuilding, or outdoor living space (steps, porches, patios, terraces, decks, swimming pools, etc.) shall be constructed.

The orientation of a home will be considered on a case by case basis as submitted on the site plan

L. Roof, Gutters and Downspouts

Roof materials, colors should be submitted for approval with the site plan

Approved Roofing Materials	
Cedar Shakes	Slate
Synthetic Slate	Architectural Fiberglass Shingles- 25-Year or better
Non-Reflective Standing Seam Metal that does not have a highly reflective finish.	Asphalt shingles 25 year or better
	Cement Tile

M. Sidewalk

■ Sidewalks shall be poured from the front door of the house to the driveway ■ Materials shall be approved by the ARC.

N. Signs

- All contractor signs are allowed while work is being performed and must be removed within 30 days of completion of work.
- Signs will not exceed 24” in height by 36” in width. The top of the sign will not exceed 48” above the natural grade.
- Signage must be through a North Carolina license realtor for any home or property that is for sale.

O. Silt Fences

All erosion control devices are integral to the site plan and must be installed before adding fill or grading. The fence shall be moved to the setback, outside of the swale.

P. Storm Water Management

Storm water management must be a major consideration throughout the entire construction process. Storm water drain protection shall be installed and maintained by the Contractor throughout the construction process to minimize the amount of sediment entering the community’s storm water system. To minimize flooding in streets, water from roofs, driveways and other hardscapes should be directed to swales and other infrastructure systems that may exist as part of the storm water system in the neighborhood.

Water must not be drained onto a street unless that is the best route to a swale, pond or wetland. Builders and homeowners are prohibited from changing the design of a swale or from obstructing a swale in any way.

The ARC must review all pre-construction water drainage systems to ensure that the storm water management plan for the new construction site supports the storm water plan in the community. Please refer the Association Declarations for the details of the Seaside Bay Stormwater Permit

Q. Utilities

1. All utility services must be placed underground a minimum of 10’ from the house and 10’ from the property line and cannot be in an easement. The LP tank may be placed above or below ground; however, if placed above ground, it must be screened so as not to be viewed from the road.
2. Exterior television and radio antennas are not permitted.
3. Solar collectors are permitted. Requests will be considered on an individual basis.
4. Satellites dishes, eighteen inches (18”) and under are allowed. Dish should be installed on the property in the least visible location from the street and from adjacent properties. Ground placed dishes should also be screened to minimize the visual impact. (Line of

sight exceptions will be considered). Roof mounted exterior dishes may not exceed 12” above the nearest roofline.

R. Variances

The ARC reserves the right to waive and/or modify any setback, color, material or impervious percentage on a case-by-case basis when a unique circumstance (*e.g.*, topography, natural obstructions, hardship, aesthetic or environmental issue) is presented during plan review.

The ARC will grant or deny all variance requests in writing. Failure to obtain a written variance shall be subject to fines, a stop work order, or removal of the structure at the cost of the contractor or owner.

S. Accessory Structures

Only one detached garage, storage shed, workshop, gazebo, etc. per lot can be approved in Seaside Bay and must be consistent with the architecture, including roof line, style and material of the house; and approved by the ARC.

T. Bulkheads, Piers, Walkways, Decks, Docks and Lifts

ARC shall be notified regarding any planned construction of bulkheads, piers, walkways, decks, docks and lifts. Copies of permits for bulkheads, docks and lift must be on file in the PMO before work can begin on these structures. All private docks and piers shall be in compliance with the Seaside Bay Declaration of Covenants and Restrictions and the CAMA (Coastal Area Management Act) state guidelines.

U. Porches/ Sunrooms/Patios/Terraces

The size and location shall be designed not to encroach onto the setbacks. Sunrooms, screened porch additions, steps and railings should be constructed with materials, colors, and styles that are compatible and consistent with the exterior materials, detailing, and style of the house.

Patios, terraces, and decks should be constructed with materials and in colors that are compatible with the architectural character of the house (*e.g.*, concrete, stone, or pavers). The size and location must comply with setback requirements.

1.3 ARCHITECTURAL GUIDELINES

A. Storage: Boats/Jet Skis and Trailers/ Recreational Vehicle / Camper

The homeowner can store boats, jet skis, trailer /RV or camper trailers as follows:

In garage or out building, or

In a screened back yard with fencing once primary residence is established, or

Beside the home or garage on a 4” thick nominal concrete slab large enough to prevent weeds from growing under the vehicle and mud from being tracked from property.

No more than one boat/jetski(pair)/Trailer/Rv or camper per lot shall be permitted unless they are stored inside of a garage/outbuilding or concealed behind a privacy fence to restrict them from public view; must be road worthy; shall be in good working condition; and shall have current state registration and tags

Recreational Vehicles (RV) and Campers are defined as either motor homes or tow-able trailers and are primarily intended for leisure activities such as vacations or camping.

B. Clotheslines

Clotheslines of any type (permanent or portable) are not permitted outside the residence.

C. Dog Houses/Runs

- One (1) dog house is permitted on each lot
- Dog runs are not permitted in Seaside Bay.

D. Exterior/ Architectural Walls and Retaining Walls

- Exterior walls must be compatible with the architectural style of the house and used primarily for screening and defining outdoor space.
- The location, materials and landscaping to be used must be shown on the submittal

E. Flagpoles

- ARC approval of the installation of small house mounted flagpoles is not required.
- Permanent in ground flagpoles should be between 15' and 25' in height.

F. Golf Carts

- No more than two golf carts per Lot are allowed in Seaside Bay.
- Carts are not to be stored outside.

G. Lighting

(Exterior/Landscaping) Generally:

1. All bulbs must be white or off-white.
2. Exterior lighting, including security lighting, will not be permitted when it would create a nuisance to adjoining properties (*i.e.*, poorly directed lighting or lighting that comes on in the middle of the night).

Examples of permissible exterior lighting include the following:

1. Driveway entry post lights (only one per side) with shades that cover the bulbs and direct the light downward.
2. Lamppost light (only one in the front yard of the property).
3. Downward-directed floodlights in the back yard only.
4. Upward-directed floodlights illuminating only the front elevation of the house.
5. Sidewalk, path, patio, driveway or other ground-level lighting fixtures 24" or less in height with shades that direct the light downward. Lighting may be low-volt electric or solar.
6. Photocell and motion sensor security lights, as long as they are positioned not to disturb neighbors.

7. Landscape up-lighting of shrubs and trees.
8. Temporary holiday lighting.
9. Gas lighting is acceptable.

H. Mailboxes

All neighborhood mailboxes will be uniform and style will be designated by the HOA. No other style, design, construction, color, or structure will be allowed.

Please adhere to the USPS installation requirements for the mailbox to be 41” to 45” off the ground and 6” to 8” from the curb. Refer to Appendix B.

I. Pools and Hot Tubs

Pool, hot tubs and related equipment enclosures will be reviewed on an individual basis and must relate architecturally to the house and other structures in their placement, materials, and detailing. No temporary above ground pools or inflatable bubble covers are allowed. Above ground pools must be professionally installed and must be concealed by privacy fencing. In

ground pools are not required to have privacy fencing per ARC guidelines however must comply with Brunswick County code for pool fencing.

Landscaping shall be planted to a height necessary to screen pool pumps, pool equipment, and pool heaters from the street or neighboring lots or be concealed from public view behind a privacy fence.

*Temporary above ground pools are defined as those purchased from big box stores or suppliers that consist of an inflatable upper ring and exposed liner or an exposed metal frame with liner that are assembled by the homeowner from a box, this does not include plastic “kiddie pools” however said “kiddie pools” should be concealed from public view within the back yard of the property

J. Sports Equipment and Playground Structures

1. Basketball goals are allowed but must be used only in driveways and not within the roadways. Basketball goals must be portable and be stored in a garage or behind the home during extended periods of non-use (more than 3 consecutive days)
2. Swing Sets/Play Structures will be allowed in the rear of the home in a screened area with approved fencing
3. Tennis courts, permanent volleyball courts, permanent batting cages are not permitted on any lot. Any temporary equipment is to be stored inside when not in use.

4. Trampolines, soccer goals, and other similar equipment, must be stored inside when not in use, unless completely hidden from view by landscaping or fencing.
5. Kayaks, Canoes, Surf Boards, Paddle Boards and Inflatables are to be stored inside or behind a screen out of sight of neighbors.

K. Statues, Sculpture and Yard Art

Items shall be considered by the ARC, on a case by case basis and must be approved prior to installation.

L. Trash Receptacles

Trash and recycle receptacles can be stored inside of the garage or on the side of the house. Any receptacle stored externally, shall be screened from view (screening material of wood or vinyl fencing/lattice to be approved by ARC) of any adjacent Lot shown within the building envelope on the site plan. The screening shall be 5' in height and length to screen trash and recycling cans as approved by ARC.

M. Underground Dog Fences

Underground dog fencing is allowed but must be installed two (2) feet from the property line around the back and sides of the lot and ten (10) feet from the front of the property line. Installation on a corner should be ten (10) feet from both sides along the road.

1.4 LANDSCAPE INFORMATION & RECOMMENDATIONS

For information only, please see Appendix F for a list of turf and plant options.

General Information

It is suggested by the Brunswick County Extension Service, that you begin by taking a soil sample and take it to the Brunswick County Extension Service for analysis, so you know if your soil is acid or alkaline. That will help you select plants that prefer your soil conditions.

Planting should provide screening for pools, hot tubs, decks, patios and accessory structures such as work/storage areas, etc.

Sod shall be installed along the side of the swale up to the edge to prevent erosion

Prior to CO owner should install a minimum of fifteen (15) 3-gallon plants on front/side elevations

While there are many reliable sources for information, two recommended websites are:

1. Brunswick County Extension Service Newcomers' Kit
<http://brunswick.ces.ncsu.edu/content/Newcomers%27+Kit>
2. North Carolina State University
<http://www.ces.ncsu.edu/depts/hort/consumer/factsheets/> **Landscape considerations include:**

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1. Sod from front of house to road and left to right property lines. Remaining disturbed areas are to be seeded with straw on top.
2. During construction sod may be installed to control erosion while still maintaining a silt fence on the perimeter
3. The utility company does have an easement to access utility boxes and may remove anything obstructing their access. Plantings around utility boxes should not block access to the box
4. Fire hydrants must remain clear of all plantings and visible from the street.
5. Per Brunswick County Ordinance Sec. 1-13-743, Brunswick County maintains smart water meter technology, which communicates via wireless radio from the meter to the water tower remotely. Water meters must remain unobstructed in order to communicate

Landscape planning:

1. Landscape plans shall include storm water management plans as runoff:
 - a. Shall not be directed onto neighboring properties.
 - b. Be directed to an existing swale.
2. Exterior lighting, water features, such as fountains and ponds, and irrigation systems must also be identified on a Landscape Plan.

Plant beds shall be mulched with natural materials

1.5 NEW CONSTRUCTION REVIEW PROCESS:

A. Lot Preparation Submission

1. Clearly identify lot parameters (four corners) with survey stakes that are a minimum of 24” above ground and marked with lot numbers.
2. Stake the footprint of the home on the property to allow the ARC a visual reference of the proposed home.
3. Identify all trees to be kept with orange tape that are visible from the street.

B. Submission

The ARC will only review complete submissions that include a completed Appendix A and checks for the following:

- Non-Refundable building Fee
- Construction Bond

Appendix A: Application Package for Seaside Bay Residential Construction

(Download a fillable pdf version of Appendix A from the PMO website to begin application process.)

Appendix A

- *Part 1; Page 3-2: Application Cover Sheet*
- *Part 2; Page 3-3, 3-4: Checklist for Electronic Submittal*
- *Part 3; Page 3-5, 3-6: Covenants of Contractor*

Appendix B: *Page 3-7: Mailboxes (Seaside Bay Model)*

Appendix C

- *Page 3-8: ARC Modification/Change Request Form*
- *Page 3-9: Modification(s) Requiring Review **Appendix D***
- *Page 3-10: Request for Final Inspection and Construction Bond Refund*
- *Page 3-11: Post-Construction Inspection Report*

C. ARC Review Process:

(NOTE: All fines or delinquent assessments must be paid in full in order for submittals to be reviewed.)

1. ARC will acknowledge receipt of electronic request from PMO
2. Within 10 business days ARC will schedule a committee conference call to review request and emailed documents
3. Within 5 business days following the conference call, the owner will be notified of approval / denial / or request for additional information. If denied, specific reasons will be listed and the lot owner will have an opportunity to resubmit.
4. If additional information is required, construction may not commence until formal approval is obtained from ARC.
5. The applicant has the option of appeal before the BOD/ARC if necessary. This must be in the form of a written appeal to the Seaside Bay Board within thirty (30) days of the receipt of the ARC's written decision. The BOD will normally consider such appeal at its next regularly scheduled meeting, if sufficient time exists from the date of notice of the

appeal for investigation and deliberation. Any delay in action or lack of action by the BOD/ARC should not be assumed to be acceptance or rejection of the ARC decision.

6. Make separate checks payable to Seaside Bay Homeowners Association, Inc. as follows:
 - a. No fee required for initial submittal; however, should changes need to be made and resubmitted, a \$200 fee will apply for each submitted change.
 - b. Non-refundable building Fee which is charged for new construction. (\$ 2000.00)
 - c. Refundable Construction Bond, paid by owner, which covers assessed fees and fines. This deposit will be held in an interest-bearing account, with interest paid to Seaside Bay Homeowners Association. (\$4000.00)
 - d. Should the refundable Construction Bond fall below \$750, the Owner must replace funds up to the original \$4000.00.
7. Final Inspection and Construction Bond Refund
 - a. Repair any roadway or curb damage and/or any damage to adjoining properties (including County utility damage).
 - b. Remove the builder's sign, port-o-let, and all construction debris from the site.

- c. In order for the owner to receive the refundable Construction Bond (minus any fees or fines) Owner shall request and have received a final inspection by submitting photos to the ARC via the PMO of all four house elevations. (Appendix D).
- d. An ARC representative will conduct a Post-Construction Inspection Report (Appendix E) within 30 days of issuance of CO to confirm completion and compliance with the Seaside Bay Declaration of Covenants and the Design Requirements and Guidelines
- e. Pay any outstanding fines and/or fees.

1.6 CONTRACTOR INFORMATION AND REQUIREMENTS:

In order to maintain attractive surroundings and promote a safe environment for residents and guests, the following requirements and guidelines have been developed to monitor Contractor activities during construction:

No Pre-Construction Activities shall begin until the ARC approves the Application Package for Residential Construction.

1. Silt fences must be installed and maintained when the lot is cleared.
2. Permit boxes must be installed, with Lot number clearly visible.

A. Builder's Sign

Builder identification sign may be installed on the construction site after the ARC approves the final submission of the construction plans, and after the Lot is cleared and graded. The Builder's sign must be removed within 30 days after receiving the CO and final inspection by the ARC.

B. Change Requests

Changes to an approved plan require that an ARC Modification/Change Request Form (Appendix C) must be submitted to the PMO and approved before any work begins. Please refer to #6 (a) under Section 1.5, Item B. Changes made after the Construction Bond has been returned require a Modifications Request (Appendix C)

C. Changing Contractor

The Owner shall notify the ARC, in writing, of any decision to terminate or replace a Contractor.

D. Clean-up After Construction

Upon completion of all planned construction and landscaping, all debris shall be removed from the site and surrounding areas

E. Entrance

Subcontractors and suppliers should use the main gate into the subdivision. All construction vehicles must be mindful of the entrance surroundings, *i.e.*, Iron Gate, fencing, brick columns, flower beds, etc., to prevent damaged during entry or exit.

F. Construction Site Inspection

During the construction period, the ARC and/or their agent(s) have the right to inspect the property with no less than 24 hours prior notice given to Owner via written or electronic communication. The Owner shall be notified in writing, of any items.

G. Construction Time Limit:

All new construction, modifications and landscaping are expected to be completed in a timely manner, but must be completed within 12 months of receiving the ARC approval and building permit. Please inform the ARC as soon as possible if delays are anticipated.

H. Dumping

Any excess concrete, gravel, dirt, paint, tree/underbrush, etc. must not be dumped in any areas within Seaside Bay. Dumping debris shall result in fines. Concrete trucks shall only be allowed to wash out excess material on the site while work is being performed and lot owner will be responsible for clean-up. Actions of contractors shall be responsibility of lot owner.

I. Parking

Written permission must be obtained from adjacent property owners and filed with the PMO before using an unimproved adjacent property either for parking or as access to the construction site. Vehicles must be parked on one side of the road as close to the curb as possible. At no time will construction vehicles obstruct traffic.

J. Site Maintenance/Storage

The job site must be maintained in a neat and clean condition. All materials and construction equipment must be stored within the lot boundaries in an orderly manner.

K. Temporary Facilities

All temporary facilities shall be removed after construction is substantially completed.

1. Dumpster

Adequate waste container/dumpster is required for each job site. Concrete, paint or other materials may not be dumped in storm drains, swales, ponds, etc. - all excess construction material are to be removed from site and Seaside Bay. Fine shall be assessed for any violation.

2. Port-o-let

At least one port-o-let for workers must be placed on site with the door facing the home under construction.

L. Work Hours are restricted as follows:

DAYS	ARRIVAL	DEPARTURE
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Amended May 21, 2024

Monday –Saturday	7:00 a.m.	7:00 p.m.
Sunday	10:00 a.m.	5:00 p.m.

M. Use of Common Areas

The use of common areas are for the use of homeowners in accord with the Declaration of Covenants.

1.7 OWNER VIOLATION(S) ENFORCEMENT AND FINES

The property Owner will be the primary contact for notification of any and all violations and/or fines. If any Owner fails to comply with any provision of the Declaration of Covenants or the Design Requirements and Guidelines, enforcement actions may be taken. Violations / observations should be reported to PMO with the following information:

- Lot # / Address of violation / observation
- How long has the violation / observation lasted

In the event of an observed or alleged violation, the Owner will receive a Notice of Violation(s) with description of the alleged violation(s). The Owner will have 72 hours to respond to notice of violation.

SECTION 2.0 MODIFICATIONS TO EXISTING HOMES

Modifications to existing homes shall be subject to **Section 1.2 Construction Standards** for new homes. Homeowners should complete the **ARC Modification/Change Request Form** found in Appendix C and submit the form along with any supporting documents, plot plans, materials list, etc., to the PMO. A fillable pdf of this form can be downloaded from the PMO website. A list of reviewable modifications can also be found in Appendix C.

Requests for modifications to an existing home will follow new construction submittal process; building fees and construction bonds will be waived for modifications not requiring heavy equipment in the community.

2.1 GENERAL

Owner should work with licensed architects and contractors to determine that the design and materials are appropriate for the intended use. Permitting by local, state, or federal agencies does not guarantee ARC approval.

2.2 CONTRACTOR/OWNER VIOLATION ENFORCEMENT AND FINES

Please refer to Appendix A; Part 3 of the Design Guidelines

In the event of a major violation or repeated violations by a contractor and/or owner, the ARC or Board of Directors may take other appropriate actions in accord with the Declaration of Covenants, and after conferring with legal counsel.

SECTION 3.0 APPENDICES

Appendix A: Application Package for Seaside Bay Residential Construction

- Application
- Owner/Contractor Construction Application Checklist
- Covenants of Contractor
- Schedule of Violations/Fines

Appendix B: Mailboxes

Appendix C: ARC Modification/Change Request Form

- Change Request Form
- Modifications Requiring Review

Appendix D: Request for Final Inspection and Request Construction Bond Refund

Appendix E: Post Construction Inspection Report

Appendix F: Turf / Plant Ideas for Informational purposes

APPENDIX A- Part 1: APPLICATION PACKAGE FOR SEASIDE BAY RESIDENTIAL CONSTRUCTION

Submit this application along with the completed Owner/Contractor Construction Checklist (Appendix A-1) with attachments/electronic links to: arcbrunswick@camsmgt.com

Property Site (Section/Lot)		
Property Street Address		
Property Owner(s) Names		
Mailing Address		
City, State, Zip		
Telephone	Cell	
Email Address		
Contractor/ Company Name		
Contractor Contact Name		
Address		
City, State, Zip		
Telephone	Fax	Cell
Email Address		
N.C. License #		
Owner Printed Name	Owner Electronic Signature	
Owner Printed Name	Owner Electronic Signature	
Date Signed/Submitted	Dated Signed/Submitted	

**APPENDIX A – Part 2:
OWNER/CONTRACTOR CONSTRUCTION APPLICATION
CHECKLIST**

The following items should be submitted electronically to the Seaside Bay Property Management Office along with the Application for Residential Construction: (Please enter the electronic link to the items below or a note that the item is attached to your email)

- Appendix A – Application Package for Residential Construction
- Full set of house plans that include the following information
 - Floor plan
 - Foundation plan
 - Elevation (front, sides and rear)
 - Heated square footage
- Site plan (should include the following elements)
 - House placement
 - Driveway / walkway outlines, dimension
 - Propane tank location
 - HVAC location
 - Proposed decks/porches/patios/fences/garden walls
 - Materials for each
 - Drainage plan
 - Pools/spas/water features/gazebos/playground equipment
 - Any existing utility structures on property or in an easement
 - Property lines, setback lines, wetland limits and easements with dimensions shown
 - Outline of proposed lawn & shrub bed locations, natural areas w/mulch type
 - Landscape plan
- Exterior Materials Lists (include electronic link to product or labeled pdf of proposed product)
 - Foundation Materials : _____

 - Color: Window Type: _____ ▪ Color: _____
 - Roofing material: _____

 - Roof Color: _____
 - Exterior Trim type: _____
 ▪ Color: _____
 - Exterior Walls (siding/shake/accent) including color for each: _____
 ▪ Siding: _____

- Shake/Board & Batten: _ _____
- Stone: __ ▪ Other: _____

**APPENDIX A – Part 2 (Cont’d):
OWNER/CONTRACTOR CONSTRUCTION APPLICATION
CHECKLIST**

- Exterior Front Door:
 - Type/Style: _____
 - Paint or Stain color: _____
- Garage Door:
 - Type/Style: _____
 - Color: _____
- Shutters
 - Type/Material: _____
 - Color: _____
- Driveway /walkway / patios / terraces material type/color
 - Driveway: _____

 - Sidewalk/walkway:
 - Patio:
 - Other:

The following should be mailed to the Seaside Bay Property Management Office

- Construction Bond Check \$4000 **
- Non-Refundable building Fee \$2000

** Refundable in full if no violations/fines are incurred during construction process

APPENDIX A - Part 3: COVENANTS OF CONTRACTOR

THIS COVENANTS OF CONTRACTOR (“Agreement”), made and entered into as of the ~~—day of —, 20—~~ (the “Effective Date”), by and between SEASIDE BAY LOT OWNER (the “Owner”); and Lot Owner’s Builder of Choice (“Contractor”);

Covenants of Contractor. Contractor acknowledges and covenants as follows:

- Contractor has read and understands the Declaration as it applies to the Construction Project, the Premises, and the Design Requirements and Guidelines.
- Contractor shall comply with the Declaration, the Design Requirements and Guidelines, and the plan for the Construction Project, as approved by the ARC.
- Contractor shall, in a professional and workmanlike manner, complete the Construction Project in accordance with the approved plan for the Construction Project.
- In the event of new construction, Contractor shall, following approval of the plan, clear the Premises, install and maintain silt fences, and install a permit box with the lot number clearly written on it.
- Contractor shall maintain a clean construction site at all times, install a job sign, dumpster, and job toilet, if applicable, in conformance with the Design Requirements and Guidelines.
- Contractor shall be responsible for the conduct of all contractors and subcontractors performing services with respect to the Construction Project, beginning from the time that such contractors and subcontractors enter Seaside Bay, including, but not limited to, compliance with the Declaration, Design Requirements and Guidelines, and plan for Construction Project.
- The Seaside Bay Homeowner’s Association (the “Association”) shall not be held responsible for any delays with respect to the Construction Project due to Contractor's failure to apply for utilities in a timely manner or for the failure of any utility provider to provide their services to Contractor in a timely manner.
- Contractor shall provide a copy of their current General Liability and Workers Compensation Insurance Certificate to Owner to submit with application package.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in such form as to be binding, all effective as of the Effective Date.

Contractor Signature: _____

Effective Date: _____

Doing Business As: _____ Address: _____ Phone: _____

Owner’s Signature: _____

Effective Date: _____

Lot Number: _____

APPENDIX A - Part 3: COVENANTS OF CONTRACTOR (Continued)

SCHEDULE OF VIOLATION(S)/ FINES

- ARC will provide up to 3 warnings to the Owner about a violation.
- The Owner will be given 72 hours to correct violations.
- After the 3rd warning, Owner will be assessed fees based on the schedule below

Violations:

Commencing construction prior to ARC approval of plans \$500.00 Working outside of stated/approved hours (see Section 1.4; Letter Q) \$100.00

Silt fence down/missing	\$100.00
Overflowing trash receptacle (toppling out on the ground)	\$100.00
Littered site (blown debris not picked up, paper/plastic trash, bottles, cans, etc.)	\$100.00
Excessive mud on street	\$200.00

(Must be removed within 24 hours via broom, shovel or hose from road surface back to Owner's lot)

APPENDIX B: MAILBOXES: “Seaside Bay Model”

Sign Source, Inc; Wilmington, NC – Developer/POA Services Division
Sherye Bergmann
Creative Director/Street Management Coordinator
910-392-2290

Installed Mail Box Price is approximately \$450.00 installed and **must** be provided by above source.



APPENDIX C: ARC MODIFICATION/CHANGE REQUEST FORM

Date Prepared	Date Received
Address	Lot Number
Property Owner	Telephone
Contractor's Name (if applicable)	
Proposed Change	
Construction <input type="checkbox"/> Design <input type="checkbox"/> Accessory Structure <input type="checkbox"/> Landscaping <input type="checkbox"/> Other <input type="checkbox"/>	
Describe modification and attach drawings, plans, photos, materials, color samples, etc.	
A \$35.00 administrative fee is required by the management company for modification/change submittals at time of plan application. More than one modification/change may be submitted per application. Make check payable to Seaside Bay Homeowners Association and mail to Seaside Bay c/o CAMS, 3960 Executive Park Blvd., Suite 8, Southport, NC 28461. Owner accounts may not be charged. Submittal will not be reviewed until administrative fee is received. Identify property address of requested modification/change on check. Fee is subject to change. 10/18/2022	
Estimated Start Date:	Estimated Completion Date:
Applicant's Signature:	Date
<i>PMO forwarded to ARC Date:</i>	
<i>ARC Comments</i>	
<i>Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Disapproved <input type="checkbox"/></i>	
<i>Committee Chairman Signature</i>	<i>Date</i>

APPENDIX C-1: MODIFICATION(S) REQUIRING REVIEW

The ARC will review all significant modifications

All Residences
Exterior Alterations and Additions Changes to Exterior Building Materials and/or colors Additions/changes or removal of shutters, windows and doors Changes to Roof Materials or color Changes to Existing Decks Addition of New Deck Alterations to Existing Porches (enclosing) Adding Storm Shutters and/or Doors Additions/Changes to Chimneys Additions/Changes to walkways/driveways
Accessory Structures
Addition of new Change location Change style Change exterior appearance
Grounds & Landscaping
Addition of significant sized plants/foilage Significant change to area of lawn
Ornamental Landscape Features
Exterior house, grounds or tree lighting Additions of and changes to fences/walls Adding/changing landscape decorative features (i.e. statues, bird baths, fire pits) Additions or changes to permanent play structures. “Permanent” meaning a structure that cannot be moved indoors.
REHABILITATION of existing structures or landscaping to previously approved conditions.
EMERGENCY REPAIRS Emergency repairs may be immediately undertaken to preserve the weather integrity of a structure. If repairs will involve a substantial change to the original appearance of the structure, an ARC Modification/Change Request Form (Appendix C) must be initiated and further work suspended until approval.

APPENDIX D: REQUEST FOR FINAL INSPECTION AND CONSTRUCTION BOND REFUND

Date Prepared	Date Received
Section & Lot Number	

Address		Final Request		
Site/Building	Comments	Accepted		
Contingent Items				
Change Orders				
Fences/Walls				
Screening				
Swale/Drainage				
Driveway				
Street/ Curb /Berm				
Windows				
Garage/Doors/Steps				
Materials/Colors				
Landscaping				
Shrubs/Trees/Beds				
Condition of Adjacent Lots				
Inspector			Date	
Approved for release of bond			Date	
Reject Date	Reject Reason			

APPENDIX F: TURF AND PLANT IDEAS

A. Turf Options

The following turf information (and more) is available on the NC State University website http://turfselect.ncsu.edu/				
Grass Type	Bermuda	Centipede	St. Augustine	Zoysia

Growth	Aggressive	Slow	Moderate	Very slow
Maintenance	Highest (mowing and fertilizer)	Low	Moderate (fertilizer)	Moderate (fertilizer)
Traffic	Excellent	Poor	Poor	Good
Shade	Very poor	Good	Very good	Good
Heat	Very good	Good	Very good and salt tolerant	Very good
Cold	Very poor	Poor	Poor	Good
Drought	Excellent	Good	Good	Excellent
Issues	Large patch (spring/fall) – treatable	Most susceptible to large patch (spring/fall) - treatable	Large patch (spring/fall) – treatable	Most susceptible to large patch (spring/fall) - treatable
	Dollar spot – treatable	Dollar spot – treatable	Dollar spot – treatable	Dollar spot – treatable
NOTE: Ground pearl, a scale insect, can damage all warm weather grasses. No known treatment.	Can be damaged by ground pearl; but grows rapidly and repairs faster if damaged	Most desirable grass for ground pearl. It will kill the lawn. CENTIPEDE GRASS IS NOT RECOMMENDED	Chinch bugs can destroy lawn quickly Can be damaged by ground pearl; but generally grows fast enough to repair if damaged.	Can be damaged by ground pearl; but generally grows fast enough to repair if damaged.

APPENDIX F: TURF AND PLANT IDEAS

B. Plant Ideas

The following plant list is by no means all-inclusive, but is simply a sample of plants and trees that grow well in Seaside Bay (USDA Zone 8).

<p>TREES Ginkgo Honey Locust* American holly* Crape myrtle Southern magnolia* Sweet bay magnolia* Pines* Live oak* Bald cypress* Chaste tree</p> <p>ORNAMENTAL GRASSES Korean feather Reed grass River oats* Pampas grass Maiden grass Pink/Blue muhley grass* Panic grass* Fountain grass Indian grass*</p> <p>EVERGREEN FERNS Autumn fern Christmas fern* Florida shield fern* Holly fern Tassel fern</p>	<p>EVERGREEN SHRUBS Abelia Century plant <u>Wintergreen barberry</u> <u>Bottlebrush</u> Plum yew Eleagnus (dwarf) <u>Pineapple guava</u> <u>Yaupon</u> Anise shrub <u>Chinese juniper</u> Wax myrtle Gardenia Inkberry* Loropetalum Loquat Nandina Pyracantha <u>Oleander</u> (not cold tolerant) Southern yew <u>Rosemary</u> <u>Yucca</u></p> <p>GROUNDCOVER Ajuga Bugleweed Cross vine* Climbing fig Carolina jessamine Junipers Coral honeysuckle* Mondo grass Cherokee rose Creeping rosemary Star jasmine Confederate jasmine Periwinkle</p>	<p>DECIDUOUS SHRUBS <u>American beautyberry*</u> <u>Japanese barberry</u> <u>Butterfly bush</u> Blue mist shrub</p> <p>TRUNK FORMING PALMS Windmill palm Jelly or Pindo palm Palmetto or Cabbage palm*</p> <p>SHRUB FORMING PALMS Dwarf palmetto* Needle palm* Saw palmetto* <u>Mediterranean fan palm</u></p> <p>PERENNIALS Yarrow <u>Artemisia</u> <u>False wild indigo*</u> Angel's trumpet <u>Dianthus</u> Blanket flower <u>Gaillardia</u> Lenten rose <u>Red hot poker</u> <u>Lantana Hibiscus*</u> Bee balm* Catmint <u>Russian sage</u> Texas sage* Anise sage <u>Mexican bush sage</u> <u>Lamb's ear</u> Prickly pear *</p>
<p>KEY *Asterisk = native <u>Underlined</u> = drought resistant</p>		