



SCHOONER RIDGE

PROPERTY OWNERS ASSOCIATION

P.O. Box 8111, Duck Station
Kitty Hawk, NC 27949
252-261-1200

SCHOONER RIDGE PROPERTY OWNERS' ASSOCIATION **ARCHITECTURAL REVIEW GUIDELINES** **(revised July 2007)**

I. Background

The Schooner Ridge Declaration of Covenants state, in part:

In order to preserve a desirable uniformity of beauty and to protect purchasers of lots within the subdivision from having undesirable types of architecture placed on adjoining lots, no building, fence or other structure shall be erected, placed, moved onto, maintained or in any way altered on any lot in the subdivision until such time as the proposed building plans, specifications, exterior color or finish, plot plan (showing the proposed location and elevation of such building or structure, drives and parking areas) and construction schedule shall have been approved in writing.

The Covenants also state that the Architectural Review Committee (ARC) of the Schooner Ridge Property Owners' Association (SRPOA) shall be responsible for review and approval of plans as set forth in the Covenants.

II. Application for ARC Approval

1. Requests for architectural approval shall be submitted to Seaside Management (SM) for approval by the Architectural Review Committee before construction is started. Requests shall be on the approved form and include a complete description of the work to be done, construction drawings showing interior and exterior views, color match/material finish samples, and a copy of the plat showing the footprint of the construction, the project schedule including start and proposed completion dates and the name of the proposed contractor. A "stop work" order will be given to any contractor who starts work prior to approval by the ARC.
2. For minor construction projects, such as enclosing a portion of an existing structure, two copies of the paperwork are required. Major construction, such as building a house, or changing the homes "footprint" by adding additions, decks or a swimming pool, require three copies of all required paperwork.

3. For all correspondence related to Architectural Review , contact Seaside Management, P.O. Box 8111, Duck Station, Kitty Hawk, NC 27949, Office: (252) 261-1200 Fax: (252) 261-1224. Applications are also available from the attendant at the Recreation Center. All applications for residential building projects must be accompanied by a *non-refundable review fee* (See attached fee schedule below), checks made payable to Schooner Ridge Property Owners Association. All applications for interior or exterior residential building projects which include new pilings, significant earth movement (including pools), heavy equipment, or which require a Porta-John or dumpster on site shall also be accompanied by a *refundable common area property disturbance deposit* of \$500.00, checks made payable to Schooner Ridge Property Owners Association.

4. Seaside Management will conduct interim and final inspections of the project. The security deposit will be returned to the owner once the project is completed and the work site is cleaned. In the event that the site is not cleaned up within 30 days of the work being completed, the security deposit may be used for cleanup of the site and repair of any common property.

III. Appeals

1. A property owner who disagrees with the action of the Architectural Review Committee may appeal that action to the SRPOA Board of Directors through written correspondence sent directly to Seaside Management.

IV. Non-Compliance With Guidelines

1. Inspections: Seaside Management and the ARC will conduct semiannual inspections of each property for compliance with the guidelines. Seaside Management (SM) will send a Notification letter to any property owner in violation of SR ARC guidelines with a request to remedy the violation within a specified time. If the property owner does not comply with the Guidelines as listed below, the Board of Directors may take action against the property owner. This action may be in the form of denial of guest privileges in the community facilities, a lien against the property, or other appropriate action.

2. ARC Policy and Internal Process Flow: This document serves to establish the process in which applications come to Seaside Management (SM), then flow through ARC for approval, and go back out from SM to the applicant. ARC still makes the decision, but SM manages the communication process and monitors the project for compliance. All letters (including non-compliance letters) are sent by SM (after flowing through ARC).

The process summarized above occurs at the end-of-project inspection or during Seaside Management's semiannual inspection of Schooner Ridge to ensure that all SR homes are in ARC compliance. SM inspects, notifies ARC of violation, ARC makes a decision, SM notifies owner.

3. Notice and Enforcement Procedures for ARC Non-Compliance:

a. Courtesy Call + 1st Notification -- requires a written response from the homeowner with a correction within 45 days to bring the home back into compliance with SR ARC guidelines. To appeal the ARC decision, the homeowner is required to submit a written application for an appeal, addressed to the ARC and sent through Seaside Management, postmarked within 30 days from the postmark of the 1st Notification letter, to begin the appeals process.

In special cases, when approved by the ARC and agreed to in writing by the owner, the ARC may authorize a modified schedule of additional time to bring the home into compliance. This modified schedule may be requested by the homeowner and will be considered after a proposal has been submitted to and reviewed by the ARC for approval as appropriate. The justification may be due to scheduling and/or access issues during prime rental season or when contractor availability and/or contractor scheduling is known to be a factor. In all other cases homeowners are expected and encouraged to bring the property into compliance within the normal 45-day requirement as outlined in the 1st Notification non-compliance letter.

Exceptions may be considered by the ARC in the following cases:

(1) the homeowner has already retained a contractor to correct the non-compliance issue(s)

(2) the ARC has agreed in writing to the homeowner's proposed timetable and solution to remedy the non-compliance issue

(3) home access, e.g. during prime rental season, makes the normal 45-day timetable unrealistic. In these cases the homeowner may provide an alternate proposal and request an extension of additional time to bring the home into ARC compliance. The homeowner must submit a specific date in writing to the ARC through Seaside Management with a detailed justification for additional time. Seaside Management will send written notification of the ARC decision to the homeowner. No action will be taken against the homeowner while this 30-day appeals process is ongoing. A written response from the homeowner is required to work out an approved solution and timetable with the SR ARC.

a.1. **ARC Appeals Process Option** – after the initial courtesy call and 1st Notification mailing - if the homeowner disagrees with the ARC's decision and wishes to appeal that decision to the SRBOD's, he/she must submit a written appeal to the ARC through Seaside Management, postmarked within 30 days from the postmark of the 1st Notification letter, or waive the right to an appeal. This written appeal is required to preserve the homeowner's rights under the appeals process. By agreeing to and using the SRBOD/ARC appeals process, the homeowner must comply with the specific timetable established by the SRBOD/ARC's appeal decision and shall forfeit the 135-day maximum time allocated for any additional notifications of non-compliance prior to enforcement action being taken by the SRBOD/ARC.

Note: If the homeowner simply requires additional time to bring the home into compliance, he/she may submit a written request for special consideration for one of the reasons listed above, or may choose to appeal the ARC's decision through Seaside Management under the terms and conditions listed in the ARC appeals process.

b. 2nd Notification – SR ARC notice and warning of possible suspension of SR Rec Center and pool privileges for homeowners and their guests. The warning letter also advises the homeowner that the property management company will also be notified (in the case a rental property) if the non-compliance issues are not resolved as required by the ARC within 90 days from the 1st Notification. A written response from the homeowner is required to work out an approved solution and timetable with the SR ARC.

c. Final Notification Prior to Enforcement Action -- Seaside Management (SM), with ARC approval, sends the homeowner and the property management company a letter stating that if the non-compliance issues are not resolved as required by the ARC within 135 days from the 1st Notification, all SR privileges for the homeowner, guests and renters will be revoked. A written response by the homeowner is required to work out an approved solution and timetable with the SR ARC.

If the homeowner and the ARC have not agreed to a solution in writing within 135 days from the first notification letter, the following enforcement action will be taken against the homeowner. **No further ARC notices will be issued.**

d. Enforcement Action -- The property management company will be notified that the homeowner's and guests' SR privileges have been suspended. This suspension will remain in effect until the homeowner resolves the issue(s) to the satisfaction of the ARC. The SRBOD will make the final decision to reinstate the homeowner's SR privileges. Uncorrected non-compliance issues are subject to the recording of a *pendente lite* against the property.

V. Building Requirements

1. Structures

1. All lots are to be used for single family, residential purposes only. Outbuildings, such as tool sheds and free-standing pool equipment houses, are not permitted.

2. Siding

1. The only exterior sidings approved for construction in Schooner Ridge are horizontal wood lap cedar siding, wood lap cedar shakes, or James Hardy brand, Hardi-Plank color, "Light Mist," #JH 70-10. All other siding products, including aluminum and vinyl siding are not permitted.

3. Roofing

1. Roofing materials shall be machine-cut or hand-split cedar shakes or architectural grade asphalt or fiberglass shingles, "weathered wood" in color. Select from the attached pre-approved list or submit a sample.

4. Landfill, Bulkheads and Retaining Walls

1. Any earthmoving or landfill activity, including the construction of bulkheads and

retaining walls shall be approved by the ARC in writing prior to the commencement of such activity. Earthwork activities must be confined to the owner's lot and should not carry over to adjacent lots without those lots' owners' written permission. Plans for bulkheads and retaining walls abutting adjacent lots must be accompanied by a written statement from the property owner that they have reviewed and accept the plans.

5. Dare County Laws and Regulations

1. All homeowners in Schooner Ridge must follow Dare County and Town of Duck laws and regulations, including obtaining the proper permits. Approval by the Architectural Review Committee does not imply that the requested construction Meets county/town requirements. It is the responsibility of the homeowner to ensure that county/town requirements are met.

6. Fencing/Piling

1. Plans for fence/piling construction must be submitted for Architectural Review. Approval will be based on the following guidelines:

- a. Only post-and-rail style fences are permitted in the front and side of the house.
- b. Wood fences may be built around swimming pools, but the fence must attach to the house (footprint). Free-standing fenced areas are not allowed.
- c. Chain link or other metal fences are prohibited.
- d. The owner is responsible for maintaining all fencing.
- e. Fencing may remain natural in color or may be painted the same color as the house.

7. Basketball Backboards

1. Basketball backboards may be attached to the house or may be on freestanding poles. They must be sited to ensure that the normal playing surface is on the property and not in the street.

8. Maintenance

1. All buildings, structures, and their appurtenances shall be maintained in a suitable state of repair, including maintenance of the exterior finish of the building and surrounding grounds.

9. Exterior Painting

1. Exterior staining/painting shall be done with one of the shades of gray approved for use in Schooner Ridge. The list of approved stains/paints, including recently approved liquid ceramic colors, is on display, with color samples, in the clubhouse. Trim may be of the same color as the rest of the exterior or may be white. The color of the exterior doors is not regulated. Top rails and pickets on decks are considered to be trim and may be natural, white or the color of the house. The deck, substructure, and band board are NOT considered trim and *must* be left natural or stained/painted to match the home's Schooner Ridge ARC pre-approved stained gray color. A list of pre approved colors is attached, and samples are on display in the SR Recreation Center for the convenience of SR owners. (SR ARC application and fee required) Select from

the pre-approved list or provide a sample.

10. Parking

The number of off-street parking places shall be equal to or greater than the number of bedrooms in the house. Parking places include garages, under-house parking, parking spurs (paved or graveled) and driveways.

11. Signs

Any size, style, or color of sign naming and identifying the house may be attached to the house structure. Commercial signs (rental and sales) must be no larger than 6 by 24 inches or 12 x12 inches in size and shall be attached to the house. If there is no house on the lot, a 6X24 inch sign may be placed on the property. No other commercial signs are permitted.

12. Swimming Pools

Plans for construction of swimming pools must be submitted to the Architectural Review Committee for approval. The approval will be based on the following guidelines:

- a. The construction must conform to Dare County/Town of Duck requirements. The pool plans must be submitted to and approved by the appropriate county/town authorities. The Architectural Review Committee will not provide an opinion on county/town requirements.
- b. The pool shall normally be located behind the house.
- c. If the house location or septic system location prohibits placing a pool behind the house, a request for variance must be submitted, with justification, to the ARC for approval. If justified, a pool along the side of the house may be approved, provided that neither the pool nor the fence shall extend closer to the roadway than a line extended across the front of the house (footprint if there are front decks). Plans must also include installation of landscaping to obscure the view of the fence and the pool from the roadway.
- d. The pool shall be fenced with a wooden privacy fence in accordance with Dare County/Town of Duck requirements.
- e. The fence shall attach to the house structure. (footprint) and remain natural in color or be painted the color of the house.
- f. All pools shall be constructed below ground.
- g. Pool equipment (pumps and filters) shall be secured in an enclosure.
- h. Outbuildings (pool houses, equipment sheds, etc) are not allowed. All structures must be attached to and be part of the main house structure, and are subject to the same covenant requirements as the house.

13. Decks

a. Decks may be constructed using pressure-treated wooden building materials or Trex or Fibercon synthetic decking lumber having a surface texture resembling sawed cedar and of a color to match the gray weathered look of wooden decks. Similar products from other manufacturers may be approved by the ARC if equivalent to the specified brands. Other decking materials -- vinyl, plastic, PVC, etc. -- are not permitted.

b. Top rails and pickets on decks may be treated as trim and either left in their natural color, painted white, or painted the same color as the house. Top rails and pickets will be constructed of pressure-treated wooden building materials or Trex or Fibercon synthetic decking lumber or equivalent if the equivalent is approved by the ARC.

c. The deck, substructure, band board, and stairs are to be either natural color or painted the same color as the house.

Note: These surfaces are NOT considered trim and must be left natural or stained/painted to match the homes Schooner Ridge ARC pre-approved stained gray color. A list of pre-approved colors is on display in the SR Recreation Center for the convenience of SR Owners. (SR ARC Application and fee required)

d. Risers for deck and entrance stairs are to be either natural color or painted the same color as the house.

Note: These surfaces are NOT considered trim and must be left natural or stained/painted to match the homes Schooner Ridge ARC pre-approved stained gray color. A list of pre-approved colors is on display in the SR Recreation Center for the convenience of SR Owners. (SR ARC Application and fee required) Select from the attached list.

14. Trash and Construction Materials

a. Property owners are responsible for maintaining neat and orderly conditions during periods of construction and will require contractors to provide adequate waste containers and to comply with this requirement.

b. The work site will be policed at the end of each work day to maintain a neat and orderly appearance.

Appendix "A"

SRPOA

APPROVED EXTERIOR PAINT COLORS

Manufacturer	Color Name	Color Number
Pittsburg	Cape Cod Gray	SC-77
Pittsburg	Plymouth Gray	SC-56
Bruning	New England Gray	
Bruning	Weatherwood Gray	
Olympic	Cape Cod Gray	
Pratt & Lambert	Carolina Gull	
Benjamin Moore	Boothbay Gray	HC-165
Benjamin Moore	Sea Gull Gray	72
*Benjamin Moore	Cliffside Gray	74
*Cabot	Driftwood Gray	44
*Sherwin Williams	Gris	SW2114
**James Hardy Hardi-Plank	Light Mist	JH 70-10

*Colors that have been approved for use with LIQUID CERAMIC PAINTS

** Pre-painted fiber cement siding