



## **KILMARLIC RESIDENTIAL COMMUNITY ASSOCIATION, INC.**

### **ARCHITECTURAL STANDARDS GUIDELINES**

**Adopted September 19, 2016**

**Revised January 20, 2023**

The design philosophy for the Kilmarlic Residential Community is derived from the characteristics found within the Currituck region. The architectural character of Kilmarlic advocates a strong relationship to the environment promoting architectural features to adapt to environmental, site, and climate conditions. As such, a home shall be designed as a strong expression of its chosen architectural style – Traditional Southern architecture is encouraged. A home shall reflect the physical and climatic characteristics of the site and traditions of Carolina architectural styles.

In order to achieve these objectives, and to assure continuity of community, the Kilmarlic Residential Community Association's recorded Declaration of Covenants, Conditions and Restrictions and Easements dated March 19, 2003 and recorded in Book 658, pages 90-136 applicable to Kilmarlic. Article Seven of the Declaration establishes the Architectural Standards Committee (ASC) and sets forth its jurisdiction, powers, obligations and the rules and regulations under which it will conduct its review of proposed improvements within Kilmarlic. Any statements contained in this document are to condense, amplify and/or clarify provisions of the Declaration and the procedures set forth herein may be amended by the Board of Directors of the Kilmarlic Residential Community Association. The Covenants also state that the Architectural Standards Committee of the Kilmarlic Residential Community Association shall be responsible for review and approval of plans as set forth in the Covenants.

### **I. Background**

The Architectural Standards Committee is composed of 3 regular members and 2 alternate members appointed by the Board. It shall be the duty of the Architectural Standards Committee to consider and act upon any and all proposals or plans, and to adopt and enforce ASC Rules. It is the duty of Owners to apply and receive approval before starting any project that pertains to exterior appearance. No exterior modification, addition, or alteration may be made unless the plan has been submitted to, reviewed and approved by the Committee. The Committee may charge a reasonable fee for the examination of plans.

Vision of the Committee: Maintain the vision of an exceptional golf course community and maintain existing Covenants and Restrictions. Be considerate of neighbors. Enhance resale value of homes. A first time visitor

or prospective buyer should see a Community with consistent standards, homes in muted colors yet not cookie cutter style. That we have standards and restrictions should be obvious to a first time visitor.

As it is impossible to foresee all variations of Architecture, Landscaping and Alterations contemplated the ASC will have leeway to use discretion and common sense in carrying out their Duties. Decisions will be based on Covenants and Restrictions, established protocol, and the best interest of the entire Community.

## **II. Application for ASC Approval**

1. Requests for architectural approval shall be submitted to the management company for approval by the Architectural Standards Committee (ASC) 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 ASC.

2. For minor construction projects, such as enclosing a portion of an existing structure, only one copy of the paperwork is required. Major construction, such as building a house, or changing the homes "footprint" by adding additions, decks or a swimming pool, require two paper (2) copies and one (1) electronic copy of all required paperwork.

3. For all correspondence related to Architectural Review, contact the management company. Thirty (30) days prior to any lot clearing, filling, or any other site work, please submit two (2) sets of the following information for the committee's review, a \$500.00 non-refundable design review fee, and a \$1500.00 refundable damage deposit (to be returned following final inspection), made payable to the Kilmarlic Residential Community Association. The deposit must be cash or certified check and will be held in escrow by the Association for the purpose of ensuring the repair of any damage done to the common area or Association property caused by your site improvement or construction. Within thirty (30) days following the completion of the site improvement and the issuance of a Certificate of Occupancy for the construction, the deposit will be refunded unless there is damage caused by the construction to common areas or Association property. The Association will have the repairs made, pay the cost from the deposit and the balance will be refunded. Please note the deposit will be refunded to the individual who writes the check for the damage deposit.

Applications for new construction shall include the following:

- Drawings showing style and general design, including all four elevations. This drawing may be line drawings at this preliminary approval stage, or may be the complete final design and construction drawings. Changes may be required that could cause revisions to your final drawings.
- Total square footage of heated/air conditioned living area, garage and deck space.
- General listing of materials to be used in construction for the foundation, framing, exterior, roof, decking and driveway.
- Exterior color scheme and finish.
- Lot clearing (tree clearing) and filling plan.
- A site plan prepared by a North Carolina registered engineer or surveyor.
- Specifications and descriptions of any accessory improvements, such as a swimming pool which will be helpful to the committee during the review.

- Two (2) paper copies and one (1) electronic copy of a legal survey with application.
- Placement of all structures and other accessory improvements, such as garage or swimming pool on the lot.
- Driveway location.
- Approved septic tanks and septic field location.
- The height of the lowest heated and air conditioned living area above mean sea level.
- A landscaping plan.
- A description of other accessory buildings or improvements.
- Any subsequent alterations of the property or exterior modifications of structures that would materially affect what has already been covered by the Final Association Approval must be submitted to and approved in writing by the Committee prior to the incorporation of alterations or commencement of work.

4. The management company 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.

5. **Approval** of plans by the Architectural Standards Committee will be made in writing to the Applicant. Prior to the commencement of any construction, submit two (2) paper copies and one (1) electronic copy of the complete set of detailed design plans, drawings, and specifications (if not already submitted for preliminary review and approval). One set will be retained by the Committee for future reference; the other will be stamped and signed by the Committee and returned, along with the Certificate of Approval within 30 days if approved.

6. **Disapproval** of an Applicant's plans will be made in writing with reasons and suggestions for gaining approval. Basis for ASC application denial:

- Plans do not comply with Restrictions.
- Requested information not included.
- Failure to comply with ASC design guidelines or construction requirements.
- Any plan judged by the ASC to be inharmonious or incompatible with the property or Community.

7. If the applicant has not received approval or disapproval within 35 days of submission, the applicant may notify the Committee in writing by certified mail, return receipt requested. If the Committee has not acted within 15 days of receipt of the notice the plans shall be deemed approved by the Committee the latter of 15 day after receipt of notice or 70 days after original submission of the plans.

### III. Appeals

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

### IV. Non-Compliance with Guidelines

1. **Inspections:** The management company and the ASC will conduct semiannual inspections of each property for compliance with the guidelines. The management company will send a Notification letter to any property

owner in non-compliance of Kilmarlic ASC guidelines with a request to remedy the non-compliance issue within a specified time. If the property owner does not comply with the Guidelines as listed below, the committee 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. ASC Policy and Internal Process Flow:** This document serves to establish the process in which applications come to the management company, then flow through ASC for approval, and go back out from the management company to the applicant. ASC still makes the decision, but the management company manages the communication process and monitors the project for compliance. All letters (including non-compliance letters) are sent by the management company (The process summarized above occurs at the end-of-project inspection or during the management company's semiannual inspection of the Kilmarlic community to ensure that all homes are in ASC compliance.) The management company inspects, notifies ASC of the non-compliant issues, ASC makes a decision, the management company notifies owner.

### **3. Notice and Enforcement Procedures for ASC Non-Compliance:**

**a. 1st Notification** -- requires a written response from the homeowner with a correction within 30 days to bring the home back into compliance with Kilmarlic ASC guidelines. To appeal the ASC decision, the homeowner is required to submit a written application for an appeal, addressed to the ASC and sent through the management company, postmarked within 30 days from the postmark of the 1<sup>st</sup> Notification letter, to begin the appeals process.

In special cases, when approved by the ASC and agreed to in writing by the owner, the ASC 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 ASC for approval as appropriate. The justification may be due to scheduling and/or access issues 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 30-day requirement as outlined in the 1<sup>st</sup> Notification non-compliance letter.

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

- (1) The homeowner has already retained a contractor to correct the non-compliance issue(s)
- (2) The ASC has agreed in writing to the homeowner's proposed timetable and solution to remedy the non-compliance issue
- (3) Home access, makes the normal 30-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 ASC compliance. The homeowner must submit a specific date in writing to the ASC through the management company with a detailed justification for additional time. The management company will send written notification of the ASC 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 ASC.

**a.1. ASC Appeals Process Option** – After the initial courtesy call and 1<sup>st</sup> Notification mailing - if the homeowner disagrees with the ASC's decision and wishes to appeal that decision to the Kilmarlic Board of Directors, he/she must submit a written appeal to the ASC through the management company, postmarked within 30 days from the postmark of the 1<sup>st</sup> 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 Kilmarlic ASC

appeals process, the homeowner must comply with the specific timetable established by the Kilmarlic Board of Directors appeal.

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 ASC's decision through the management company under the terms and conditions listed in the ASC appeals process.

**b. 2nd Notification** – Kilmarlic ASC notice and warning of possible fines and suspension of Kilmarlic voting rights is sent. A written response is required within 30 days from the postmark of the 2<sup>nd</sup> Notification letter and the homeowner is required to work out an approved solution and timetable with the Kilmarlic ASC.

**c. 3rd & Final Notification Prior to Enforcement Action** – The management company with ASC approval, sends the homeowner a letter stating that if the non-compliance issues are not resolved as required by the ASC within 70 days from the 1<sup>st</sup> Notification, Kilmarlic ASC notice and warning of possible fines and suspension of Kilmarlic voting rights is sent. A written response by the homeowner is required within 10 days from the postmark of the 3<sup>rd</sup> Notification letter and the homeowner is required to work out an approved solution and timetable with the Kilmarlic ASC.

If the homeowner and the ASC have not agreed to a solution in writing within 70 days from the first notification letter, the following enforcement action will be taken against the homeowner. **No further ASC notices will be issued.**

**d. Enforcement Action** -- The owner will be notified that their voting privileges have been suspended, and the imposition of fines will begin. This suspension and daily imposed fines will remain in effect until the homeowner resolves the issue(s) to the satisfaction of the ASC.

*As per the Kilmarlic Residential Community Association Declaration of Protective Covenants, Conditions, Restrictions, and Easements, Article X, Section 10.02. Enforceability, 10.02.2. Penalties and Fines. "The procedures for the imposition of fines or suspension of privileges or services shall be in accordance with and shall be subject to the provisions of Section 47F-3-107.1 of the Act (defined in Section 10.15 below). Monetary fines or penalties imposed against an Owner or occupant shall be deemed a Special Assessment against the Lot of such Owner or against the Lot occupied by such occupant and, as such, shall be a charge and continuing lien upon such Lot, shall constitute a personal obligation of the Owner of such Lot, and shall be collectible in the same manner as Assessments under Article V."*

*NC Planned Community Act, Chapter 47.F-3-107.1*

*Procedures for fines and suspension of planned community privileges or services. Unless a specific procedure for the imposition of fines or suspension of planned community privileges or services is provided for in the declaration, a hearing shall be held before the executive board or an adjudicatory panel appointed by the executive board to determine if any lot owner should be fined or if planned community privileges or services should be suspended pursuant to the powers granted to the association in G.S. 47F 3 102(11) and (12). Any adjudicatory panel appointed by the executive board shall be composed of members of the association who are not officers of the association or members of the executive board. The lot owner charged shall be given notice of the charge, opportunity to be heard and to present evidence, and notice of the decision. If it is decided that a fine should be imposed, a fine not to exceed one hundred dollars (\$100.00) may be imposed for the violation and without further hearing, for each day more than five days after the decision that the violation occurs. Such*

*fines shall be assessments secured by liens under G.S. 47F 3 116. If it is decided that a suspension of planned community privileges or services should be imposed, the suspension may be continued without further hearing until the violation or delinquency is cured. The lot owner may appeal the decision of an adjudicatory panel to the full executive board by delivering written notice of appeal to the executive board within 15 days after the date of the decision. The executive board may affirm, vacate, or modify the prior decision of the adjudicatory body. (1997 456, s. 27; 1998 199, s. 1; 2005 422, s. 4.)*

## **V. Construction Requirements**

Any changes to the original plans submitted must be re-submitted to the ASC for review and/or approval, and a revised site plan must be submitted for final inspection. The Builder will complete construction of all structures on the lot within 12 months after commencing construction. The construction of the dwelling and garage will be done prior or simultaneously with any other structure or pool. The committee must approve any extensions due to extenuating circumstances.

Builder will notify the Committee in writing within fifteen (15) days of completion of construction, and landscaping, that the lot/dwelling is ready for inspection. A certificate will be presented to the owner upon completion of the approved inspection. The certificate is conclusive and binding.

Builder construction hours are 7am to 7pm. The Builder is responsible for activities and actions of the sub-contractors and/or other employees working on the lot.

### **Survey**

- Registered Surveyor will stake out lot corners and proposed structure on lot.
- Survey will show the Setbacks, Dwelling and Garage, outbuildings, Swimming Pool, Driveway, Septic Tank and Septic Field.

### **Plans**

- Construction of one single-family residential dwelling and accessory garage, swimming pool for the private use of the occupant.
- Minimum size of dwelling exclusive of garage, porches, decks and outbuildings is 1800 square feet for a one story dwelling and 2200 square feet for a two story dwelling.
- Builder will not construct a dwelling of duplicate style or design. Builder will maintain diversity of design within the Kilmarlic Community. Duplication of exterior design will not be approved by the Committee.
- Builder will construct dwelling and garage elevations to respect views from neighboring home sites.
- Builder will design dwelling and garage exterior to be aesthetically pleasing to all views; particular those on corner lots.
- Large expanses of blank walls and roofs should be avoided. Facades shall incorporate architectural elements that add visual interest, including but not limited to variation in exterior materials; functioning windows and doorways; projecting elements such as eaves, cornices, canopies, bays, shadow lines, overhangs, dormers, porches, porticos and columns.

- Include non-pervious parking space in the total lot coverage. The total non-pervious surface covering the lot does not exceed the Currituck County total lot coverage ordinance.
- Indicates on the building plan the location of the gas and propane tanks external location
- Indicate the external location of any mechanical and electrical equipment.
- Indicate the location of the trash receptacle external storage area.
- Plan parking area (square feet) in driveway and turnabouts in 20 linear feet per vehicle based on the Currituck County Occupancy Permit Requirements.
- The plans should include the scale foundation plan, scale floor plan, N, S, E, W, elevation plan and an enlarged detail plan.
- Landscape plan will be submitted by the company that will be doing the landscaping.

## **Site work**

- Builder will stake out the outside perimeter of the dwelling prior to the submission of the building plans.
- Building will not commence on the lot, nor there any removal of trees, site work, lot clearing, lot filling, earth moving or any other construction activity without the approval of the Committee.
- Architectural Standards Committee members will visit the lot to evaluate the placement of the dwelling on the lot and access conservation impact.
- Builder will not use any temporary building, trailer, tent, shed, shack during the construction as a dwelling.
- Builder will ensure that employees do not use drugs or drink alcohol; play radios and CD players loudly or abuse county leash laws while on Kilmarlic property.
- Builder will place a temporary toilet facility behind the set back on the lot.
- Builder ensures that the toilet facility be emptied, cleaned weekly or as needed.
- Easements are reserved on all lots: easement measurements are for the front 10 feet; side easements 10 feet and the rear easement is 10 feet.
- Builder ensures that a slope control platted or wetland area is not damaged by the construction.
- Builder will install a culvert, prior to commencing the site work; a common area ditch under the driveway in line with the existing swale so as not to impede water drainage.
- Committee will approve builder signage used on the lot during construction.

## **Setbacks**

- Building required setbacks: 25' front and rear, 15' side lot, and 20' side lot adjacent to a street are recorded on the recorded legal plat.
- The Developers and Kilmarlic Golf Course have established a 35' ball retrieval easement along certain lots which can be found in the recorded subdivision plat which has certain restrictions. Any owner requesting to construct or install in this area must request and receive approval by the Kilmarlic Golf Course.
- Rear yard setback and /or side yard setback located within the 35 foot wide private ball retrieval area easement will be adjusted to 35 feet from the rear/side lot lines.
- Rear yard setbacks and/or side yard setback located within a variable width private ball retrieval easement shall be adjusted to 35 feet from the rear/side lot line.

Exceptions: when a side lot line is adjacent to the street; the side yard setback will be 20 feet from the side lot line adjacent to the street.

## **Paving Materials**

- The use of paving materials that have a dull non-reflective surface, and earth tone colors that blend well with the natural surroundings and architecture.
- The recommended paving materials: brick, cobble, granite sets color, dyed salt finished concrete, sandblasted concrete, tinted concrete.

## **Siding and Trim**

- Limit choice of exterior trim materials, soffit and fascia to the following: Fibrous cement board, brick, stucco, wood, natural stone, Azek brand trim or equivalent materials, fascia and soffit.
- Limit the choice of siding materials used on the dwelling, garage, and outbuildings to: brick, stucco, wood, natural stone or fibrous cement board to include materials such as smart siding, cedar replicant vinyl and Beach house shakes
- Pilings (posts) must be clad with the following: brick, stucco, wood, natural stone or fibrous cement board and or vinyl lattice
- Ground level pilings other than foundation must be covered with wood lattice, vinyl basketweave or other pattern approved by the committee.
- Anything installed on or through the siding of the dwelling must be painted the same color as the siding or the trim.
- Builder is limited to the use of three (3) exterior paint finish colors on any exterior surface. Bright colors will not be used.
- Ensure that the exterior surfaces are painted with approved committee color pallet, except for stair treads and decking.
- Provide samples of paints to be used on all exterior surfaces: trim, siding, foundation, windows, doors, etc. to the committee for review and approval. Paint Colors: Conservative subdued colors, not more than 3-exterior colors. Bare wood, except step treads, should be painted or stained.

## **Roofing**

- The choice of roof materials is limited to the following products: wood, slate, metal, and heavy weight, architectural grade composition shingles (ASTM 7158 Class H) with a 130mph wind rating (applied with 6 nails) and a minimum 35 year warranty. The committee will review and approve all exceptions. Builder is encouraged to use fire retardant materials as much as possible. Ensure that the roof color choice compliments the dwelling and garage building plan with subdued color as required.
- Builder ensures that the roof height and slope is appropriate to the design of the dwelling, garage, and outbuildings (6/12 roof slope is the minimum).
- Install gutters and downspouts that will prevent erosion and run-off to other property and golf course.
- The gutters and downspouts will be painted with the approved color pallet of the dwelling and garage.
- Builder is encouraged to use metal drip edge on roof to prevent sagging roof shingles.

## **Roof Penetrations**

- Ensure that anything installed on or through the roof is painted the same color of the roofing material or painted black.
- Ornamental or other non-functional elements attached to the roof are discouraged and are subject to review and approval by the committee.

## **Windows**



- Builder will use only windows of wood, clad-wood, or vinyl-clad wood or new grade vinyl, comparable to Anderson 400.
- Builder will consider the symmetry and location of window placements when designing the dwelling and garage. The windows will be consistent with the architectural design.
- Ensure that the window openings and height relate to other design features of the dwelling and garage and are architecturally consistent.

## **Foundation**

- Ensure Exterior finish is compatible with the exterior finish materials and color (paint pallet) of the dwelling and garage.
- Builder must enclose foundation with brick, stone, horizontal lattice/louver, or brick or stone looking applications.
- Construct foundation of dwelling on pilings or a crawl space not to exceed 4 feet above the finish grade of the lot.

## **Chimneys**

- Builder must clad the chimneys with the following: Brick, natural stone or stucco consistent with the architectural style and design of the dwelling.
- Builder must cap the sheet metal flue with the same materials as the siding and trim.
- The construction of metal chimneys is allowed if not exposed to public view and clad with existing siding materials.

## **Doors**

- Installation of exterior main doors that are architecturally correct and constructed of wood, fiberglass or metal made of solid or panel design.
- Exterior doors with glass inserts are permitted.
- Sliding glass doors can only be used on the rear elevation at ground level and at the front and rear elevations on the second floor.
- Builder cannot install sliding glass doors as main entry doors.
- Builder will install garage doors that are constructed of wood or fiberglass; solid or panel design; architecturally correct.

## **Porches and Decks**

- Builder will design porches and decks that are proportional and architecturally correct to the rest of the dwelling.
- Builder will design architecturally correct decking as an integral and natural extension of the dwelling.
- The choice of materials used in the construction of railings is limited to: brick, natural stone, wood, stucco, vinyl railings, powder coated aluminum or fibrous cement board.

## **Exterior Lighting**

- Builder will use light fixtures (decorative wall sconces and lanterns) on the front elevations and must compliment the dwellings architectural design.
- Builder may install security lighting only at primary entrances to the dwelling and garage, driveway, and exterior stairways.
- Builder may use exterior light on the rear elevation at walk out locations (built in motion detectors required).

- Builder ensures that exterior lighting does not spill over onto other lots, golf course property, and other structures or up light structures on the lot.
- Confine ground level lighting to watertight fixtures mounted on posts less than 24 inches above grade with the post painted the same palette as the dwelling/trim.
- Builder ensures that all exterior lighting is subdued.
- Builder installs the swimming pools lighting on the interior of pool fence; not higher than 24 inches above grade or mounted in the swimming pool itself.
- Builder will utilize exterior lighting fixtures that are watertight and that will not discolor with weather.

## **Fencing**

- Builder ensures that the fence complies with all county laws, ordinances, regulations and Homeowner's Insurance Regulations.
- Fencing material will be limited to the following: brick, natural stone, wood, vinyl or aluminum.
- Fence height is restricted to no more than 6 feet from ground level.
- Builder will anchor the fence to the rear corners of dwelling or garage.
- Builder will construct the fence on the side and rear setbacks of the lot.
- The Committee will approve all fences for style, material used and color.
- Builder will enclose swimming pool with approved fencing.

## **Landscaping**

The primary objective of the Landscaping Guidelines is to promote an indigenous landscape by introducing plant species that are compatible with the native vegetation and selected based on their adaptability to the physical, climatic, and soil characteristics of the site. Existing significant natural vegetation shall be preserved whenever possible.

- Individual lots shall be landscaped to create a cohesive "flowing relationship" between adjacent lots & golf course.
- Rural landscape pattern shall be used rather than urban.
- Informal clusters of trees rather than formal grids and soldier rows.
- Flowing drifts of shrubs and groundcovers, blending with the natural landscape.
- Drought tolerant plant materials and native grasses and groundcovers are encouraged.
- Landscaper will comply with the contents of the Kilmarlic Landscape plan. The landscape plan is part of the Application form.
- Landscaper will complete the landscaping of the lot per the Committee approved Landscaping Plan prior to owner's receipt of the Committee Certificate and Occupancy Permit.
- Landscaper will submit one paper copy and one electronic copy of the professionally prepared landscape plan to the committee which will be included with the Building Plan.
- As part of the landscape plan the owner is encouraged to use a below ground irrigation system connected to a well or public water to ensure scheduled irrigation. A drip hose irrigation system on timers may be considered.

## **Lot mowing**

- Improved Lots: Lawns generally should be sodded, irrigated and mowed as needed. Grass height should be kept uniform and consistent with community standards and grass type. Non-sodded areas generally should be kept weed free.
- Unimproved lots wooded: Shoulders will be mowed by contract landscaper.
- Unimproved cleared lots: Mowing when any vegetation on the lot reaches a height of 24 inches. The

vegetation on the lots will not all grow at the same height. The lowest vegetation growth on the lot will not be the standard for mowing.

- All mowing within the community is to maintain a good appearance.

## **Portico**

- Builder will design the portico that is proportional and architecturally correct to the design of the dwelling.

## **Pool**

- The builder will install an in ground swimming pool. Above ground swimming pools will not be approved. The pool/hot tub will be concealed from public view. The Committee will approve all pool plans.

## **Utilities**

- The builder will install all utilities below ground (all poles, cables, wires, water/gas/sewage lines, storm water drainage pipes, phone and cable TV).
- The ASC prohibits outside antennas except standard size TV dishes. They must be concealed from view, and not visible from the street. The Architectural Standards Committee will determine the standard size based on current technology.

## **Trees**

- Removal of trees requires approval of the Architectural Standards Committee.
- Replacement of trees may be required.
- Builder can remove trees that are 3 inches or more in caliper at ground level from the dwelling footprint, within 10 feet of footprint, in planned driveway and walkway areas.
- Builder can remove flowering trees or shrubs 5 feet or higher from the dwelling footprint, within 10 feet of the dwelling or in the planned driveway and walkway areas.

## **Screening**

- Builder and owner ensures that gas and propane tanks location are screened using a basket weave or lattice pattern or enclosed in a suitable accessory structure. Screening must be painted to match the house or preferably the trim.
- Ensure that vents, pipes, and exterior HVAC units appendages are screened from view.
- Trash receptacle must be screened from view using the basket weave or lattice pattern.
- All mechanical and electrical units must be screened from view using the basket weave or lattice pattern.
- Builder ensures that fence, walls, or plant screening are maintained so as to not obstruct site view for vehicular traffic.
- Committee must approve all plant screening, fences, or walls on lots.

## **Trash**

- Trash cans must be concealed from view.
- Builder will place a construction trash bin behind the set back on the lot.
- Builder ensures that the trash bin is emptied on a weekly basis or as needed.
- Builder ensures that the construction site is kept as neat and orderly as possible.
- Builder ensures that the employees dispose of personal trash and construction trash in the trash bin.
- Builder will install a webbed fencing around the entire construction site to keep trash from blowing away from the lot.
- Burning trash on any lot is prohibited.

## **Parking**

- Builder will park construction vehicles on the construction site.
- Builder employee's personal vehicles may be parked on the shoulder of the road adjacent to the construction site during daylight hours only.
- Builder commercial vehicles of any type may not remain on Kilmarlic property overnight.
- Commercial vehicles weighing 2-tons or more may not remain overnight unless garaged.
- Unlicensed motor vehicles of any type may not remain overnight unless garaged. This includes storage of boats, jet skis and trailers.
- Parking any vehicle on the street is prohibited without approval with the exception for short term visitors.
- All vehicle parking must be in the driveway and on the concrete parking pad only Except for short term visitors.

## **Signs**

- A navy and white shield design has been approved by the ASC. Signs are to be 18" x 24" in size, and materials must be a vinyl and aluminum sign cut into the shape of a shield. Posts must be wood or metal, painted with white sign enamel, and the sign must be installed to be 3-5 feet above the ground in height. Access Designs (a local sign company) has the sign specifications and artwork on file. They may be contacted at 252-449-4444, and they are located at 115 West Meadow Lark, Kill Devil Hills, NC 27948.
- An application to install a sign must be submitted to the ASC and approved prior to installation. A six month sign approval permit is enforced. Once the allotted time frame has expired, owners/realtors must reapply for an extension. A sign permit application form may be requested through the management company.

## **Management Company Information:**

Seaside Management, Inc.  
PO Box 1465  
Kitty Hawk, NC 27949  
252-261-1200