

ARCHITECTURAL REVIEW COMMITTEE

DESIGN GUIDELINES

FOR

Wescott Estates

February 13, 2019

INTRODUCTION

Owners of property within Wescott Estates are bound by the Declaration of Covenants for Wescott Estates Subdivision as recorded in Book 2453, Page 1293, of the Brunswick County Registry, and any subsequent amendments thereto. The restrictions state that the ARC shall have the sole and absolute right to determine the style and appearance of the Dwelling, including, but not limited to, fences, walls, buildings, outbuildings, garages, storage sheds, mailboxes, lawn decorations, structures of any type of color thereof, grading, landscaping, patio covers and trellises, plans for off street parking of vehicles and utility layout, and any other improvements to be built or constructed on any Lot within Wescott Estates. The Declaration of Covenants provides that the Developer of Wescott Estates, or following the termination of Class B Membership, The Association, shall have the right to establish and from time to time amend written Architectural Guidelines. Such guidelines shall be mandatory for use by the Architectural Review Committee except as the Board of Directors of the Association shall authorize upon appeal of the Architectural Review Committee decision

Purpose of the Guidelines

These Architectural Guidelines will assist all property owners in the planning and construction of their new homes and any major improvements to existing homes. The design guidelines are intended to protect the existing property owners and to provide a uniform review process to obtain approval by the Architectural Review Committee.

Within these guidelines, you will find an elaboration on the covenants in the property restrictions and also recommendations and performance levels established by the Board. Creativity is encouraged within bounds of appropriateness, but the Board has set basic standards to promote a harmonious community aesthetic of compatibility for Wescott Estates Subdivision.

The guidelines outlined here are not intended to be onerous; we believe each of them essential to ensure a built environment that will sustain and maintain the beauty and essence of Wescott Estates. You will be able to see that each step in the approval process and the guidelines themselves protect your investment and help to guarantee the continuing livability of your home in Wescott Estates.

Architectural Review Committee (ARC), Wescott Estates Homeowners Association

Subject: Architectural Review Guidelines

There shall be established an Architectural Review Committee (ARC) pursuant to the Restrictive Covenants for Wescott Estates.

1. **Purpose of Committee.** To apply aesthetic control over new construction or modifications to existing structures in Wescott Estates so as to enhance the enjoyment of the neighborhood and maintain property values and will be accomplished by the following:
 - a. Approve or disapprove submitted plans for architectural review in accordance with this guideline and reference to the Restrictive Covenants).
 - b. Respond to unapproved new or modified structures or other violations of the Restrictive Covenants.
 - c. Maintain and update this guideline to assist in long-term consistency of architectural review.
 - d. The Architectural Review Committee (ARC) has the responsibility to make as honest and fair an assessment as possible.
2. **Architectural Control.** The Restrictive Covenants provides for architectural control over any and all improvements or alterations to the lots contained within Wescott Estates.
3. **Basis for Architectural Review.** The Restrictive Covenants mandate the following, which are restated herein for ease of reference:
 - a. The ARC shall have the sole and absolute right to determine the style and appearance of the Dwellings, including, but not limited to, fences, walls, buildings, outbuildings, garages, storage sheds, mailboxes, lawn decorations, structures of any type color thereof, grading landscaping, patio covers and trellises, plans for off street parking of vehicles and utility layout, and any other improvements to be built or constructed on any Lot.
 - b. In the event that the ARC fails to approve or disapprove such design and location within sixty (60) days after said plans and specifications have been submitted to them, approval will not be required and this Article will be deemed to have been fully complied with.
 - c. During initial construction, the ARC shall have the right, at its election, to enter upon any lot during construction, erection or installation or improvements or alterations to inspect the work being performed in conformity with the approved plans and specifications and in a good and workmanlike manner, utilizing approved methods and good quality materials.
4. **Architectural Guidelines.**
 - a. **Square Footage.** The square footage requirements are set forth in the Restrictive Covenants.
 - b. **Set Backs.** The set back requirements are set forth in the Restrictive Covenants.

c. **Exterior Design.** The exterior design shall be in harmony with existing homes in Wescott Estates. Exterior design shall generally blend and meld with those in Wescott Estates.

d. **Exterior Materials:**

1. **Homes.** Acceptable primary exterior materials for homes are painted wood or hardy board clapboard, vinyl siding and trim. Vinyl windows and heavy duty vinyl shakes are acceptable. Unacceptable is aluminum siding. Acceptable foundation and parking level materials are brick, stucco or stone. Pilings must be screened by the use of finished painted wood, hardiboard or masonry as used in remainder of home. Open space between pilings or piers must be closed with louvers, lattice or decorative masonry which is similar to foundation.
2. **Other structures** (detached garage, sheds, workshops, sun-shelters, pool or garden houses). Acceptable materials are same as homes. Additionally, finished and painted wood or composite columns which match the major material.

e. **Driveways,** may be concrete, brick or masonry pavers, crushed oyster shell, small gravel or pea gravel. *In addition to these materials, walkways, terraces, patios and decks may also be treated wood, impervious wood or composite wood "grain"/plastic material.* Placement of these elements to protect existing trees and minimize grading is encouraged.

f. *Swimming pools MUST be in-ground. Vanishing edges are acceptable. Garden fountains and water features are permissible in the rear and entertaining areas; upon approval of ARC.*

Fences. Acceptable materials are painted or stained wood, painted wrought iron or aluminum pickets, heavy duty vinyl pickets and privacy fencing, and brick or stucco. Unacceptable is chain link or exposed concrete block. All fencing must be pre-approved by the ARC prior to installation. The maximum height for fencing is 6' in height and shall begin no closer to the street than 50% behind the front corner of the home, and may not extend to the front corner of the garage.

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h. **Exterior Screening.** HVAC equipment, irrigation pumps and propane tanks are required to be screened from view from all directions with fencing or landscape materials. Additionally, trash receptacles must be screened from view and kept in an enclosed area not subject to view from any person, from any direction. These screenings must be indicated on house or landscape plans.

- i. **Drainage and Grading.** Final grading of the lot must ensure that neighboring lots or common areas will not be adversely affected, and that existing trees will not be impacted in a negative way.
- j. **Additions.** Additions shall be in keeping with existing design and exterior treatment and meet the home requirements above.
- k. **Antennas and Dishes.** Antennas and dishes shall be located so as to not be seen or be obtrusive from the street.
- l. **Site Improvements.** The purpose of this section is to create a more mature landscape when construction is completed. The more mature appearance will help ensure Wescott Estates appearance, values, and more quickly blend with the existing community.

To create this landscape use these are some recommendations:

- 1. Large specimen shrubs, flowering and shade trees.
- 2. Plantings and hedging at the lot edges – This is to help define each lot and create privacy.
- 3. Lawns – Shall be sodded or seeded to include the Right of Way.

If there are few existing trees, or due to site conditions existing trees must be removed, then to insure that the house and lot blend into the neighboring lots, planting of additional vegetation may be required.

The use of an experienced and registered landscape architect or landscape contractor to develop the site and landscape plans is encouraged.

- m. **Irrigation.** An automatic system is recommended for maintaining lawn and landscaped areas.

5. Architectural Style Guideline Requirements

a. Buildings

- 1. **Roofs, Gutters and Downspouts.** Pitched roofs (6/12 to 12/12) and generous overhangs are recommended. Roof material may be simulated cedar shakes, standing seam metal, cementitious asphalt shingles (25-year or better, architectural grade) or slate. Colors that are compatible with the elevations and surroundings should be used. Roof vents and accessories should be located on the part of the roof unseen from the street right-of-way, and must be painted to match the roof color. Gutters

shall match the fascia trim color or they shall be copper. Downspouts shall match the exterior wall trim or be copper.

2. **Exterior Lighting.** Illumination of surfaces such as walls, walks and decks is permissible. Porch and garage lighting may include wall or recessed fixtures that will illuminate the entry surface. Floodlights are restricted to the rear of the house and must be positioned so as not to shine directly into another owner's windows.

All lights installed in an exterior fixture located on any structure shall be clear or white. No mercury vapor or wide area lighting similar to streetlights shall be allowed without ARC approval.

3. **Landscaping.** Plantings other than foundation plantings shall be encouraged, such as low streetside or privacy hedges.

6. **Architectural Review Process.** The Wescott Estates Architectural Review Committee must approve all plans for new residential construction and additions or alternations to existing residences and lots.

- a. Preliminary Conference (optional). Prior to the submission of plans to the Architectural Review Committee owners, builders and/or architects may request a preliminary conference with the Committee for a preliminary review of their design concepts or any special conditions or hardships.

- b. Plan Submission and Approval. One set of construction documents, a completed Application for Approval of Residential Construction form and the required review fee should be delivered to:

Professional Association Management, Inc.
114 North 6th Street
Wilmington, NC 28401

The review fee for home plans is \$100.00.

Owners will receive written notification of the Architectural Review Committee's decision within five (5) working days of the Committee meeting. If the plans are approved by the ARC, the owner will receive notification of the approval. If the plans are not approved or approved with conditions, the owner will receive notification as to the reason for denial or conditions.

The ARC shall have the right to refuse to approve any plans and specifications which are not suitable or desirable, in its sole discretion, for aesthetic or any other reasons. In so approving such plans and specifications, the ARC shall consider the suitability of the proposed building, improvements, structure, or landscaping and the materials of which it is to be built, the site upon which it is proposed to erect the same, the

harmony thereof with the surroundings, and the effect thereof on the adjacent or neighboring property.

- c. **Construction Bond.** A refundable construction bond in the amount of \$4,000.00 made payable to WESCOTT ESTATES HOMEOWNERS ASSOCIATION, INC. is required prior to the start of any residential construction at Wescott Estates. This is to ensure compliance with the applicable Restrictive Covenants, these Design Guidelines and the plans approved by the Architectural Review Committee (ARC). The construction bond will be held in a non-interest bearing account until completion of construction, landscaping and final inspection approval. After final inspection approval, any unpaid fines assessed for violations will be deducted from the bond, as will any unpaid expenses incurred by the WESCOTT ESTATES HOMEOWNERS ASSOCIATION, or the ARC in connection with unapproved construction, to repair **DAMAGE TO COMMON AREAS** or to clean up the project site. The amount of the bond remaining after such deductions, if any, will be returned to the owner/builder without interest.
- d. **Preliminary Stakeout.** The owner shall clearly stake the property corners and proposed house corners using string lines to outline the house footprint. All trees to be removed shall be flagged individually or in groups for review and approved by the ARC.
- e. **Changes During Construction.** If changes to an approved plan become necessary during construction, a written request describing the proposed change must be submitted to the Architectural Review Committee. The review process for these requests will be the same as that for new construction. However, minor changes to an approved plan may be approved by the chairperson of the Committee, in lieu of a full Committee review. The ARC chairperson will determine if a proposed change is minor or will require full Committee review. The applicant will be notified within three (3) working days of meeting with the chairperson as to approval or disapproval of minor changes.
- f. **Final Inspection.** A final inspection of all home sites is required upon completion of all construction and landscaping to verify plan compliance. The owner or their agent should contact the Architectural Review Committee via PAM, Inc. 910-833-5823 to schedule the final inspection. The inspection should be requested at the time a certificate of occupancy is applied for. An ARC representative will make the inspection within five (5) business days of the inspection request.

Landscaping must be complete within sixty (60) days of receiving a certificate of occupancy and must be complete prior to bond being released.

- g. **Enforcement.** These Design Guidelines and the other applicable documents are intended to protect and benefit all of the property owners in Wescott Estates. In the

event of a violation, the ARC will take appropriate action to enforce the applicable requirements.

7. Approval/Disapproval.

- a. ARC shall respond with approval or disapproval within ten (10) days of submittal. ARC will provide a written response to the applicant. Written response may be as simple as writing “approved”, date and sign on the drawings and application description.
- b. Approval with conditions.
- c. Approval with conditions together with a request for additional information.
- d. If disapproved, ARC will state in writing why the plans were disapproved.

8. Records.

- a. The Chairman of the ARC shall keep a log of all submissions for review.
- b. One set of documents shall be kept by ARC for permanent records. Other drawings and documents shall be returned to the homeowner.

9. Unapproved construction, modifications, and other violations to the Restrictive Covenants.

- a. A member or representative of the ARC will contact homeowner in violation with explanation of ARC function and request compliance with Restrictive Covenants in reference (a) by either a submittal for approval or a correction of the violation. With proper compliance, the issue is considered resolved.
- b. If homeowner refuses compliance of the violation, the ARC will refer the issue to Board of Directors of Wescott Estate’s Homeowner Association for guidance regarding enforcement.